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APR 4 1979

APPROPRIATIONS CALENDAR

HOUSE FILE

734

By COMMITTEE ON APPROPRIATIONS

Passed House, Date 4-24-79 (p. 1765) Passed Senate, Date _____
Vote: Ayes 88 Nays 5 Vote: Ayes _____ Nays _____
Approved June 10, 1979

A BILL FOR

1 An Act relating to and appropriating from the general fund of
2 the state and various trust funds for various operations
3 and grants and aids to departments and agencies of the
4 state whose responsibilities relate to agricultural affairs,
5 economic development, energy research, coal research, and
6 natural resources management and research.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
8
9

FISCAL NOTE
HOUSE FILE 734
Requested by Representative Schroeder
April 10, 1979

In compliance with a written request, there is hereby submitted a Fiscal Note for H.F. 734, Section 6 pursuant to Joint Rule 16. Section 6, House File 734, establishes a standing appropriation for the payment of school taxes on lands purchased under the open spaces acquisition program.

Current land Purchase Price Value: \$5,900,000

		Estimated School Taxes
Estimated:	FY '80	\$ 6,700,000
	FY '81	\$ 87,100
	FY '82	7,700,000
	FY '83	100,100
	FY '84	8,700,000
		113,100
		9,700,000
		126,100
		10,700,000
		139,100

Current General Fund Average School Levy - \$11.43 per \$1,000 of assessed valuation.
Estimated School Capital Levying, average - \$1.57 per \$1,000 of assessed valuation.
Total estimated levy - \$13.00
Source: Conservation Commission

FILED APRIL 11, 1979

GERRY D. RANKIN
Legislative Fiscal Bureau

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388 1 Section 1. NEW SECTION. DEPARTMENT OF AGRICULTURE. There
2 is appropriated from the general fund of the state and the
3 trust funds indicated to the department of agriculture for
4 each fiscal year of the fiscal biennium beginning July 1,
5 1979 and ending June 30, 1981 the following amounts, or so
6 much thereof as is necessary, to be used for the purposes
7 designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
10 1. GENERAL ADMINISTRATION		
11 TION		
12 a. From the general		
13 fund for salaries, support,		
14 maintenance, and miscel-		
15 laneous purposes including		
16 a market news study.....	\$ 1,098,652	\$ 1,087,460
17 b. From the fertil-		
18 izer fund to be trans-		
19 ferred to the adminis-		
20 tration division.....	\$ 25,000	\$ 25,000
21 c. From the dairy		
22 trade practice fund to		
23 be transferred to the		
24 administration division.....	\$ 58,825	\$ 57,133
25 d. From the com-		
26 mercial feed fund to		
27 be transferred to the		
28 administration division.....	\$ 25,000	\$ 25,000
29 2. REGULATORY DI-		
30 VISION		
31 From the general		
32 fund for salaries, sup-		
33 port, maintenance, and		
34 miscellaneous purposes.....	\$ 3,011,735	\$ 2,977,256
35 It is a condition of the appropriations made by this		

1 subsection that for every dollar of federal funds received
2 for indirect costs in excess of the amount appropriated for
3 the meat and poultry section of the regulatory division, one
4 dollar of the amount appropriated shall be returned to the
5 general fund of the state.

6 3. LABORATORY DI-
7 VISION

8 a. From the general
9 fund for salaries, sup-
10 port, maintenance, and
11 miscellaneous purposes..... \$ 507,348 \$ 492,145

12 b. From the com-
13 mercial feed fund to
14 be transferred to the
15 laboratory division..... \$ 552,460 \$ 542,540

16 c. From the pesti-
17 cide fund to be trans-
18 ferred to the labora-
19 tory division..... \$ 330,455 \$ 325,707

20 d. From the fertil-
21 izer fund to be trans-
22 ferred to the labora-
23 tory division..... \$ 503,934 \$ 490,007

24 4. Funds appropriated by this section to the department
25 of agriculture shall be used to pay salaries and support for
26 not more than three hundred forty-one full-time equivalent
27 positions.

384 28 Sec. 2. NEW SECTION. BRUCELLOSIS INDEMNITY. There is
29 appropriated from the general fund of the state to the
30 department of agriculture for each fiscal year of the fiscal
31 biennium beginning July 1, 1979 and ending June 30, 1981,
32 the sum of twenty-five thousand (25,000) dollars, or so much
33 thereof as may be necessary, to make grants to counties to
34 pay the indemnity and the expenses of the inspection and
35 testing of animals as provided in chapters one hundred sixty-

1 three A (163A) and one hundred sixty-four (164) of the Code.
2 The secretary of agriculture shall not approve a grant under
3 this section to a county unless the board of supervisors has
4 levied the maximum levy for the county brucellosis eradication
5 fund under section one hundred sixty-four point twenty-three
6 (164.23) of the Code for each of the fiscal years in the
7 fiscal biennium beginning July 1, 1979 and ending June 30,
8 1981 and all funds in the county brucellosis eradication fund
9 including all unobligated funds transferred from the county
10 tuberculosis eradication fund, have been expended. However,
11 no individual claimant, in a single county, shall receive
12 more than five thousand (5,000) dollars in a single fiscal
13 year.

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14 Sec. 3. NEW SECTION. STATE CONSERVATION COMMISSION.

15 There is appropriated from the general fund of the state and
16 the funds indicated to the state conservation commission and
17 its divisions for each fiscal year of the fiscal biennium
18 beginning July 1, 1979 and ending June 30, 1981 the following
19 amounts, or so much thereof as may be necessary, to be used
20 for the following purposes:

21	1979-1980	1980-1981
22	<u>Fiscal Year</u>	<u>Fiscal Year</u>

23 1. DIVISION OF LANDS
24 AND WATERS

25 For deposit in the
26 state conservation fund
27 from the general fund of
28 the state for salaries,
29 support, maintenance,
30 equipment and miscella-
31 neous purposes for not
32 more than two hundred
33 eighty-eight full-time
34 equivalent positions of
35 the division, and for

1 maintenance of state
 2 parks, waters, and for-
 3 ests, and including not
 4 more than one million
 5 two hundred seventy-five
 6 thousand one hundred two
 7 (1,275,102) dollars dur-
 8 ing the fiscal year be-
 9 ginning July 1, 1979 and
 10 one million two hundred
 11 seventy-seven thousand
 12 one hundred eighty-
 13 seven (1,277,187) dol-
 14 lars during the fiscal
 15 year beginning July 1,
 16 1980 which shall be
 17 available for the ad-
 18 ministration fund from
 19 the state conservation
 20 fund in compliance with
 21 the provisions of sec-
 22 tion one hundred seven
 23 point seventeen (107.17)
 24 of the Code..... \$ 5,077,176 \$ 4,922,838

25 2. DIVISION OF FISH
 26 AND GAME

3979-27 From the state fish
 28 and game protection fund
 29 for salaries, support,
 30 maintenance, equipment
 31 and miscellaneous pur-
 32 poses for not more than
 33 two hundred seventy-seven
 34 full-time equivalent po-
 35 sitions, including not

1 more than one million
2 two hundred seventy-five
3 thousand one hundred
4 two (1,275,102) dollars
5 during the fiscal year
6 beginning on July 1,
7 1979 and one million
8 two hundred seventy-
9 seven thousand one hun-
10 dred eighty-seven
11 (1,277,187) dollars
12 during the fiscal year
13 beginning on July 1,
14 1980 which shall be
15 available each fiscal
16 year from the state
17 fish and game protec-
18 tion fund for the ad-
19 ministration fund in
20 compliance with the pro-
21 visions of section one
22 hundred seven point
23 seventeen (107.17) of

3999 > 24 the Code..... \$ 8,113,184 \$ 7,994,489

25 3. STATE ADVISORY
26 BOARD FOR PRESERVES
27 From the general
28 fund of the state for
29 salaries, support, and
30 maintenance of not more
31 than one full-time
32 equivalent position and
33 for equipment and mis-
34 cellaneous purposes
35 for carrying out the

1	duties of the board.....	\$	40,347	\$	39,921
2	4. LAND SURVEYS				
3	From the general				
4	fund of the state for				
5	land surveys to estab-				
6	lish and identify the				
7	boundaries of state-				
8	owned land.....	\$	45,000	\$	45,000
9	5. MISSOURI AND				
10	MISSISSIPPI RIVER				
11	BASIN COMMISSIONS				
12	From the general				
13	fund of the state for				
14	the state's contribu-				
15	tion for support of the				
16	Missouri and Mississippi				
17	River Basin Commissions.....	\$	48,000	\$	48,000
18	6. GREEN THUMB PRO-				
19	GRAM				
20	From the general				
21	fund for deposit in the				
22	green thumb fund for				
23	the employment of per-				
24	sons under the green				
25	thumb program estab-				
26	lished pursuant to				
27	chapter six hundred				
28	one H (601H) of the				
29	Code.....	\$	141,750	\$	148,830
30	7. PROTECTED WATER				
31	AREAS STUDY				
32	From the general fund				
33	of the state for not more				
34	than one full-time equiv-				
35	alent position for the				

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1 continuation of the pro-
2 tected water areas study
3 established by Acts of
4 the Sixty-seventh General
5 Assembly, 1978 Session,
6 chapter one thousand nine
7 (1009), section one (1),
8 subsection two (2), para-
9 graph c..... \$ 50,000 \$

10 8. GREAT RIVER ROAD
11 STUDY

12 From the general fund
13 of the state for the
14 great river road study..... \$ 25,000 \$ 37,500

3881-15 Sec. 4. NEW SECTION. MARINE FUEL TAX FUND. There is
16 appropriated from the marine fuel tax fund for each fiscal
17 year of the fiscal biennium beginning July 1, 1979 and ending
18 June 30, 1981 to the state conservation commission, division
19 of lands and waters, the amounts computed as provided in
20 section three hundred twenty-four point eighty-four (324.84)
21 of the Code, which amounts shall be deposited in the state
22 conservation fund for use in the state conservation commission
23 recreational boating program as provided in subsections one
24 (1) through five (5) of section three hundred twenty-four
25 point seventy-nine (324.79) of the Code. The unencumbered
26 or unobligated balances of funds specifically allocated for
27 capital projects for fiscal years 1979-1980 and 1980-1981
28 shall not revert to the fund from which appropriated until
29 June 30, 1983 and June 30, 1984, respectively.

3981-30 Sec. 5. NEW SECTION. ADMINISTRATION FUND.

31 1. The transfer of funds from the state conservation fund
32 and the state fish and game protection fund to the adminis-
33 tration funds shall not exceed the amounts specified in subsec-
34 tions one (1) and two (2) of section three (3) of this Act.
35 Such funds shall be used for salaries and support of not more

1 than one hundred ten full-time equivalent positions.

2 2. a. Funds remaining in the fish and game protection
3 fund during fiscal years 1979-1980 and 1980-1981 which are
4 not specifically appropriated by section three (3) of this
5 Act are appropriated and may be used for capital projects
6 and contingencies arising during the fiscal years beginning
7 July 1, 1979 and July 1, 1980.

8 b. A contingency shall not include any purpose or pro-
9 ject which was presented to the general assembly by way of
10 a bill or a proposed bill and which failed to be enacted into
11 law. For the purpose of this subsection, a necessity of ad-
12 ditional operating funds may be construed as a contingency.

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

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

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

29 4. The state conservation commission shall establish a
30 priority list of watersheds above publicly-owned lakes and
31 areas within those watersheds which are of highest importance
32 based on soil loss to be used for the allocation of funds
33 set aside in subsection four (4) of section nineteen (19)
34 of this Act for permanent soil conservation practices on
35 watersheds above publicly-owned lakes.

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385
amended
Sec 6

1 Sec. 6. Chapter one hundred seven (107), Code 1979, is
2 amended by adding the following new section:
3 NEW SECTION. The commission shall make annual payments
4 to school districts in the amounts sufficient to pay school
5 taxes for the fiscal year beginning July 1, 1980 and each
6 succeeding fiscal year on the lands acquired under the open
7 spaces acquisition program, commenced in Acts of the Sixty-
8 fifth General Assembly, 1973 Session, chapter seventy-four
9 (74), which would otherwise be subject to the levy of school
10 taxes. There is annually appropriated to the commission from
11 the general fund of the state out of funds not otherwise
12 appropriated an amount sufficient to make the payments provided
13 for in this section. The assessed value of the open spaces
14 land shall be that determined pursuant to section four hundred
15 twenty-seven point one (427.1), subsection thirty-one (31),
16 of the Code and the commission may protest the assessed value
17 in the manner provided by law for any property owner to pro-
18 test an assessment. For the purposes of chapter four hundred
19 forty-two (442) of the Code, the assessed value of the open
20 spaces land shall be included in the valuation base of the
21 school district and the payments made pursuant to this section
22 shall be considered as property tax revenues and not as
23 miscellaneous income. The county treasurer shall certify
24 the taxes due to the commission.

25 Sec. 7. Section one hundred ten point three (110.3), Code
26 1979, is amended to read as follows:

27 110.3 WILDLIFE HABITAT STAMP. A resident or nonresident
28 person required to have a hunting or trapping license shall
29 not hunt or trap unless he or she has on his or her person
30 a valid wildlife habitat stamp signed in ink with his or her
31 signature across the face of the stamp. This section shall
32 not apply to residents who are permanently disabled or who
33 are younger than sixteen or older than sixty-five years of
34 age. Special wildlife habitat stamps shall be administered
35 in the same manner as hunting and trapping licenses except

1 all revenue derived from the sale of the wildlife habitat
2 stamps shall be used within the state of Iowa for habitat
3 development and shall be deposited in the state fish and game
4 protection fund. The revenue may be used for the matching
5 of federal funds. The revenues and any matched federal funds
6 shall be used for acquisition of land, leasing of land or
7 obtaining of easements from willing sellers for use as wildlife
8 habitats. Notwithstanding the exemption provided by section
9 427.1, any land acquired with the revenues and matched federal
10 funds shall be subject to the full consolidated levy of prop-
11 erty taxes which shall be paid from those revenues. In addi-
12 tion such revenue may be used for the development, ~~management~~
13 and enhancement of wildlife lands and habitat areas. Not
14 more than fifty percent of all revenue from the sale of
15 wildlife habitat stamps may be used by the commission to enter
16 into agreements with county conservation boards or other
17 public agencies in order to carry out the purposes of this
18 section. The state share of funding of those agreements
19 provided by the revenue from the sale of wildlife habitat
20 stamps shall not exceed fifty seventy-five percent.

21 Sec. 8. Chapter one hundred ten (110), Code 1979, is
22 amended by adding the following new section:

23 NEW SECTION. WILDLIFE HABITAT BOARD. There is established
24 a wildlife habitat board within the commission which shall
25 consist of seven members. Five of the members shall be em-
26 ployees of the commission who shall be appointed by the
27 executive director of the commission and shall serve at his
28 or her pleasure. The governor shall appoint two members,
29 one of whom shall be an executive officer of a county
30 conservation board and the other a member of a county
31 conservation board, who shall serve one-year terms.

32 The board shall establish policies for the use and allo-
33 cation of revenues derived from the sale of wildlife habitat
34 stamps under section one hundred ten point three (110.3) of
35 the Code and shall approve the expenditure of all such

3971-1 revenues. The board shall also approve all agreements entered
2 into by the commission with county conservation boards and
3997-3 other public agencies.

4 Sec. 9. Section one hundred ten B point four (110B.4),
3857 { 5 unnumbered paragraph two (2), Code 1979, is amended to read
6 as follows:

7 The commission may enter into contracts with nonprofit
4071-8 organizations for the use of ~~one-half~~ fifteen percent of such
9 funds outside the United States if the commission finds that
4070-10 such contracts are necessary for carrying out the purposes
4072-11 of this chapter.

3767-12 Sec. 10. NEW SECTION. IOWA DEVELOPMENT COMMISSION. There
3857-13 is appropriated from the general fund of the state to the
3881-14 Iowa development commission for each fiscal year of the fiscal
15 biennium beginning July 1, 1979 and ending June 30, 1981 the
16 following amounts, or so much thereof as is necessary, to
17 be used for the purposes designated:

18	1979-1980	1980-1981
19	<u>Fiscal Year</u>	<u>Fiscal Year</u>
20 1. a. For salaries 21 and support of not more 4075-22 than fifty-seven full- 23 time equivalent positions, 24 and maintenance and mis- 25 cellaneous purposes.....	\$ 1,988,972	\$ 2,095,359

26 b. From funds appropriated by paragraph a of this
27 subsection the Iowa development commission shall allocate
28 not to exceed thirty-one thousand five hundred (31,500) dol-
29 lars for each fiscal year of the biennium beginning July 1,
30 1979 and ending June 30, 1981 for the seven regional tourism
31 districts, not to exceed five thousand (5,000) dollars per
32 district, for each district which provides on a dollar-to-
33 dollar matching basis funds equal to the amount allocated
34 by the Iowa development commission.

35 2. For salaries,

1 support of no more than
2 two full-time equivalent
3 positions, maintenance
4 and miscellaneous pur-
5 poses of the European
6 office..... \$ 100,000 \$

3873-

7 Upon the closing of the European office or the positions
8 authorized for this subsection becoming vacant, the full-time
9 equivalent positions authorized for this subsection shall
10 be transferred and added to the authorized positions under
11 subsection one (1) of this section.

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12 3. For promotion of
13 gasohol and associated
14 by-products..... \$ 50,000 \$

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3850
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3880
4000

15 Sec. 11. NEW SECTION. COAL RESEARCH PROJECT. There is
16 appropriated from the general fund of the state to Iowa state
17 university of science and technology for the fiscal biennium
18 beginning July 1, 1979 and ending June 30, 1981 the sum of
19 three hundred thousand (300,000) dollars or so much thereof
20 as may be necessary to be used by the energy and mineral
21 resources research institute to conclude the coal research
22 project authorized by Acts of the Sixty-seventh General
23 Assembly, 1978 Session, chapter one thousand four (1004),
24 section six (6). The funds appropriated by this section shall
25 be used solely for the authorized research and shall not be
26 used for related academic activities or studies. The energy
27 and mineral resources research institute shall submit a final
28 report on the coal research project to the appropriation
29 subcommittees on natural resources of both houses of the
30 general assembly.

4000

31 Sec. 12. NEW SECTION. ETHANOL RESEARCH. The funds
32 appropriated by Acts of the Sixty-seventh General Assembly,
33 1978 Session, chapter one thousand nine (1009), section one
34 (1), subsection five (5), to Iowa state university of science
35 and technology for ethanol research shall not revert to the

1 general fund, notwithstanding section three (3) of that Act,
2 until the end of the fiscal year ending July 30, 1980.

3881 - 3 Sec. 13. NEW SECTION. ENERGY POLICY COUNCIL. There is
4 appropriated from the general fund of the state for each
5 fiscal year of the fiscal biennium beginning July 1, 1979
6 and ending June 30, 1981, to the energy policy council the
7 following amounts, or so much thereof as is necessary, to
8 be used for the purposes designated:

9	1979-1980	1980-1981
10	<u>Fiscal Year</u>	<u>Fiscal Year</u>

11 ENERGY POLICY COUN-
12 CIL

13 1. OPERATIONS

14 For salaries and sup-
15 port of not more than
16 eleven full-time equiva-
17 lent positions, and for
18 maintenance and mis-

3866 19	cellaneous purposes.....	\$ 230,192	\$ 233,683
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20 2. PUBLIC BUILDINGS

21 ENERGY CONSERVATION AD-
22 MINISTRATION

23 For salaries and sup-
24 port of not more than
25 six full-time equiva-
26 lent positions, and for
27 maintenance and mis-

28	cellaneous purposes.....	\$ 77,625	\$ 77,912
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3881 29 Sec. 14. NEW SECTION. DEPARTMENT OF ENVIRONMENTAL QUALITY.

30 There is appropriated from the general fund of the state for
31 each fiscal year of the biennium beginning July 1, 1979 and
32 ending June 30, 1981, to the department of environmental
33 quality, the following amounts, or so much thereof as is
34 necessary, to be used for the purposes designated:

35	1979-1980	1980-1981
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1

Fiscal Year

Fiscal Year

2 1. For salaries, sup-
3 port and maintenance of
4 not more than one hundred
5 eighty-six full-time
6 equivalent positions and
7 for miscellaneous pur-
8 poses.....

\$ 2,206,852

\$ 2,213,998

9 During the fiscal
10 year for which funds
11 are appropriated by
12 this section the de-
13 partment of environ-
14 mental quality shall
15 not require the in-
16 stallation or use of
17 equipment to control
18 the emission of dust
19 or other particulate
20 matter on facilities
21 for the storage of
22 grain which are lo-
23 cated within the am-
24 biet air quality at-
25 tainment areas for
26 suspended particulates.

27 2. For payments to
28 the governing bodies
29 responsible for public-
30 ly-owned sewage treat-
31 ment facilities which
32 are eligible for grants
33 under section two hun-
34 dred two (202) of the
35 federal Water Pollution

1 Control Act, 33 U.S.C.
 2 466 et seq., as amended
 3 by the federal Clean
 4 Water Act of 1977, Pub.
 5 L. 95-217, in an amount
 6 equal to five percent
 7 of the amount approved
 8 as the eligible cost
 9 of the project by the
 10 Iowa water quality com-
 11 mission..... \$ 4,000,000 \$ 5,000,000

12 The provisions of section eight point thirty-three (8.33)
 13 of the Code shall not apply to the funds appropriated by this
 14 subsection. Unencumbered or unobligated funds remaining on
 15 June 30, 1983 from funds appropriated for the fiscal year
 16 beginning July 1, 1979, shall revert to the general fund on
 17 September 30, 1983. Unencumbered or unobligated funds
 18 remaining on June 30, 1984 from funds appropriated for the
 19 fiscal year beginning July 1, 1980 shall revert to the general
 20 fund on September 30, 1984.

388/ 21 Sec. 15. NEW SECTION. GROUND WATER MONITORING. The funds
 22 appropriated by Acts of the Sixty-seventh General Assembly,
 23 1978 Session, chapter one thousand four (1004), section
 24 seventeen (17), subsection one (1), paragraph b, to the
 25 department of environmental quality for ground water monitoring
 26 shall not revert to the general fund, notwithstanding the
 27 first unnumbered paragraph of section seventeen (17) of that
 28 Act, until the end of the fiscal year ending June 30, 1980.

29 Sec. 16. Section four hundred fifty-five B point thirty-
 30 two (455B.32), subsection three (3), Code 1979, is amended
 31 by adding the following new unnumbered paragraph:

32 NEW UNNUMBERED PARAGRAPH. A publicly-owned treatment works
 33 whose discharge meets the final effluent limitations which
 34 were contained in its discharge permit on the date that con-
 35 struction of the publicly-owned treatment works was approved

1 by the department shall not be required to meet more stringent
2 effluent limitations for a period of ten years from the date
3 the construction was completed and accepted.

388/4 Sec. 17. NEW SECTION. STATE FAIR BOARD. There is
5 appropriated from the general fund of the state to the Iowa
6 state fair board for each fiscal year of the fiscal biennium
7 beginning July 1, 1979 and ending June 30, 1981 the follow-
8 ing sums, or so much thereof as is necessary, to be used for
9 the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
12 1. For maintenance		
13 of state fair buildings		
14 and grounds.....	\$ 85,000	\$ 85,000
15 2. For premiums.....	\$ 10,000	\$ 10,000
16 3. For state aid to		
17 agricultural societies		
18 (local fairs).....	\$ 210,000	\$ 210,000

19 4. The appropriation contained in subsection three (3)
20 of this section for state aid to agricultural societies is
21 conditional upon full compliance with all other statutes
22 which regulate and prescribe the conditions under which such
23 aid is available. Such moneys shall not be used for other
24 than the payment of cash premiums, and a county shall not
25 receive more than two thousand one hundred (2,100) dollars
26 except that in a county where there are two definitely separate
27 county extension offices, each such society shall receive
28 state aid in the amount it would be entitled to if it were
29 the only society in the county. In counties having more than
30 one fair entitled to state aid, the state aid available shall
31 be prorated to the fairs based on cash premiums paid by the
32 fairs.

388/393/33 Sec. 18. NEW SECTION. GEOLOGICAL SURVEY--NATURAL RE-
34 SOURCES COUNCIL--MISSISSIPPI PARKWAY--HOOVER BIRTHPLACE.
35 There is appropriated from the general fund of the state for

1 each fiscal year of the fiscal biennium beginning July 1,
 2 1979 and ending June 30, 1981 to the following departments
 3 the amounts specified, or so much thereof as is necessary,
 4 to be used for the following purposes:

5	1979-1980	1980-1981
6	<u>Fiscal Year</u>	<u>Fiscal Year</u>

7 1. GEOLOGICAL SUR-
 8 VEY

9 For salaries, sup-
 10 port and maintenance of
 11 not more than forty-
 12 three and thirty-six
 13 full-time equivalent
 14 positions during the
 15 fiscal years beginning
 16 July 1, 1979 and July
 17 1, 1980, respectively,
 18 and for miscellaneous
 19 purposes for the gen-
 20 eral office..... \$ 1,345,575

\$ 1,172,720

21 2. IOWA NATURAL RE-
 22 SOURCES COUNCIL--GEN-
 23 ERAL OFFICE

24 For salaries, sup-
 25 port and maintenance of
 26 not more than thirty-
 27 one full-time equiva-
 28 lent positions and for
 29 miscellaneous purposes..... \$ 662,942

\$ 652,478

30 Notwithstanding the provisions of section four hundred
 31 fifty-five A point seventeen (455A.17) of the Code, the Iowa
 32 natural resources council may perform its statutory duties
 33 relating to uses and developments of water sources of the
 34 state without meeting the provisions of a comprehensive
 35 statewide plan for the control, utilization, and protection

1 of the water resources of the state until such time as the
2 plan is prepared and completed.

3 3. MISSISSIPPI RIVER

4 PARKWAY COMMISSION

5 For support, main-
6 tenance and miscella-
7 neous purposes..... \$ 20,000 \$ 20,000

8 4. HERBERT HOOVER

9 MEMORIAL BIRTHPLACE

10 FOUNDATION

11 For the purpose of
12 assisting with capital
13 improvements..... \$ 2,750 \$ 2,750

35 14 Sec. 19. NEW SECTION. DEPARTMENT OF SOIL CONSERVATION.

15 There is appropriated from the general fund of the state to
16 the department of soil conservation for each fiscal year of
17 the fiscal biennium beginning July 1, 1979 and ending June
18 30, 1981, the following amounts, or so much thereof as is
19 necessary, to be used for the purposes designated:

20	1979-1980	1980-1981
21	<u>Fiscal Year</u>	<u>Fiscal Year</u>

22 1. For salaries and
23 support of not more than
24 one hundred seventy-
25 three full-time equiva-
26 lent positions and main-
27 tenance, assistance to
28 soil conservation dis-
29 tricts and for miscel-
30 laneous purposes..... \$ 2,544,670 \$ 2,528,876

31 It is the intent of the general assembly that twenty clerk-
32 typist II positions be upgraded to that of secretary and that
33 a position of director of conservancy districts be created.

34 2. For participa-
35 tion in and conjunction

1 with the federal gov-
2 ernment or any of its
3 agencies in joint op-
4 erations of watershed
5 planning and develop-
6 ment within this state..... \$ 25,000 \$ 25,000

7 3. For use and ex-
8 penditures in partici-
9 pation and conjunction
10 with the soil conserva-
11 tion service, United
12 States department of
13 agriculture, and state
14 agencies in joint op-
15 erations in conducting
16 soil surveys on lands
17 within this state..... \$ 325,000 \$ 347,000

18 4. For cost sharing
19 to provide state funding
20 of not more than fifty
21 percent of the approved
22 cost of permanent soil
23 conservation practices
24 instituted under chapter
25 four hundred sixty-seven
26 A (467A) of the Code with
27 priority given to pro-
28 jects on owner-operated
29 and family-operated farms
30 except that not more than
31 five percent of the amount
32 appropriated in this sub-
33 section may be used for
34 cost sharing to abate
35 complaints filed under

1 sections four hundred
 2 sixty-seven A point for-
 3 ty-seven (467A.47) and
 4 four hundred sixty-seven
 5 A point forty-eight
 6 (467A.48) of the Code
 7 and five percent or more
 8 of the amount appropri-
 9 ated by this subsection
 10 may be used for cost-
 11 sharing not to exceed
 12 seventy-five percent of
 13 the approved cost of
 14 permanent soil conser-
 15 vation practices under
 16 chapter four hundred
 17 sixty-seven A (467A)
 18 of the Code on water-
 19 sheds above publicly-
 20 owned lakes to be al-
 21 located in accordance
 22 with the priority list
 23 established by the state
 24 conservation commission
 25 as required in subsec-
 26 tion four (4) of sec-
 27 tion five (5) of this

28 Act..... \$ 5,000,000 \$ 5,000,000

29 The provisions of section eight point thirty-three (8.33)
 30 of the Code shall not apply to the funds appropriated by this
 31 subsection.

32 Unencumbered or unobligated funds remaining on June 30,
 33 1983 from funds appropriated for the fiscal year beginning
 34 July 1, 1979 shall revert to the general fund on September
 35 30, 1983. Unencumbered or unobligated funds remaining on

1 June 30, 1984 from funds appropriated for the fiscal year
2 beginning July 1, 1980 shall revert to the general fund on
3 September 30, 1984.

3884, 3559
4046

4 Sec. 20. All federal grants to and the federal receipts
5 of the agencies appropriated funds under this Act are
6 appropriated for the purposes set forth in the federal grants
7 or receipts. Positions within state agencies funded with
8 federal funds are approved for the duration of those funds
9 only.

10

EXPLANATION

11 This bill appropriates funds for various state agencies
12 for their operations. The bill also limits full-time equiva-
13 lent positions for each agency.

14 Section 1 appropriates from the general fund and other
15 funds for the general administration, regulatory division
16 and laboratory division of the department of agriculture.

17 Section 2 appropriates funds to the department of agri-
18 culture for brucellosis eradication.

19 Section 3 appropriates from the general fund and the state
20 fish and game protection fund to the state conservation com-
21 mission for the division of lands and waters, division of
22 fish and game, division of administration, state advisory
23 board for preserves, land surveys, Missouri and Mississippi
24 river basin commissions, green thumb programs, protected water
25 areas study, and great river road study. Three foresters
26 and two park attendents have been added to the division of
27 lands and waters and a wildlife biologist and an associate
28 superintendent for law enforcement have been added to the
29 fish and game division.

30 Section 4 appropriates from the marine fuel tax fund to
31 the state conservation commission for the recreational boating
32 program.

33 Section 5 appropriates funds remaining in fish and game
34 protection fund to the state conservation commission for
35 capital projects and contingencies, limits the eligible

1 contingencies, governs certain receipts, refunds and reim-
2 bursements, and requires a priority list of watersheds to
3 be used for allocations of soil conservation cost sharing.

4 Section 6 establishes a standing appropriation for the
5 payment of school taxes on lands purchased under the open
6 spaces acquisition program.

7 Section 7 changes the limits on the state share of funding
8 with the revenue from the wildlife habitat stamp.

9 Section 8 establishes a board to establish policies and
10 approve expenditures of the revenues of the wildlife habitat
11 stamp.

12 Section 9 changes the percentage of the funds from sale
13 of the migratory waterfowl stamp that the state conservation
14 commission may contract with nonprofit corporations for the
15 purchase of land outside the United States.

16 Section 10 appropriates from the general fund to the Iowa
17 development commission. Funds are also appropriated sufficient
18 to keep the European office open until October 1, 1979 and
19 for gasohol promotion.

20 Section 11 appropriates from the general fund to Iowa state
21 university of science and technology for two years to conclude
22 the coal research project.

23 Section 12 extends the date of reversion of funds appro-
24 priated last year for ethanol research.

25 Section 13 appropriates from the general fund to the energy
26 policy council. The section also appropriates for a new
27 public buildings energy conservation program.

28 Section 14 appropriates from the general fund to the
29 department of environmental quality, prohibits the requiring
30 of dust control equipment on grain storage facilities and
31 includes funds for the sewage treatment grant program.

32 Section 15 extends the reversion date for funds appro-
33 priated last year for ground water monitoring.

34 Section 16 establishes an exemption from more stringent
35 effluent limitations for a period of ten years for a publicly-

1 owned treatment works which meet the limitations in its
2 discharge permit when construction was approved.

3 Section 17 appropriates from the general fund to the state
4 fair board and includes aid to agricultural societies.

5 Section 18 appropriates from the general fund to geologi-
6 cal survey, the Iowa natural resources council, Mississippi
7 river parkway commission, and Herbert Hoover memorial birth-
8 place foundation.

9 Section 19 appropriates from the general fund to the de-
10 partment of soil conservation. The section also includes
11 language of intent on employee reclassification, and funds
12 for watershed planning, soil surveys and cost-sharing.

13 Section 20 appropriates federal grants and receipts to
14 the receiving state agencies for the purposes set forth in
15 the grant and receipts and approves positions funded with
16 federal funds for the duration of those funds.

17

HOUSE FILE 734

H-3767

1 Amend House File 734 as follows:

2 1. Page 11, by inserting after line 11 the
3 following:

4 "Sec. ____ Chapter one hundred ten B (110B),
5 Code 1979, is amended by adding the following:
6 NEW SECTION. There is appropriated annually from
7 the general fund of the state an amount equal to
8 the total revenue derived from the sale of the
9 wildlife habitat stamps. Except as otherwise
10 provided in this chapter, funds thus appropriated,
11 along with the revenue from stamp sales, shall be
12 used by the commission exclusively for acquisition,
13 restoration, preservation, development or main-
14 tenance of wetlands, including marshes, swamps,
15 bogs, wet meadows, potholes, sloughs, river-overflow
16 lands, and shallow lakes and ponds, together with
17 adjacent lands suitable for wildlife habitat."

18 2. By renumbering as necessary.

H-3767 FILED *W/Drawn 4/23 (p. 1733)* BY AVENSON of Fayette
APRIL 6, 1979

J-

35

LSB 1697H 68

dsb/rh/8.1

HOUSE FILE 734

H-3860

1 Amend House File 734 as follows:

2 1. Page 12, by inserting after line 14 the
3 following:

4 "4. a. For support of
5 an automobile ferry on the
6 Mississippi River between
7 Guttenberg, Iowa and
8 Cassville, Wisconsin.....\$80,000 \$80,000

9 b. The funds appropriated by this subsection
10 shall be used to underwrite the operation of an
11 automobile ferry across the Mississippi River
12 between Guttenberg, Iowa and Cassville, Wisconsin
13 with the state of Wisconsin. The funds appropriated
14 by this subsection shall not be expended unless
15 the state of Wisconsin agrees to participate in
16 this project, private parties agree to make all
17 arrangements for the operation of the ferry, and
18 the operators of the ferry agree to repay the state
19 of Iowa the amounts expended commencing four years
20 after the expenditure. The Iowa development commission
21 shall prepare a report to the next regular session
22 of the general assembly on the ferry project
23 stating any expenditures made and recommending
24 whether participation in this project should be
25 continued."

H-3860 FILED *Rule not germane* BY WELSH of Dubuque
APRIL 10, 1979 *4/24 (p. 1746)*

HOUSE FILE 734

H-3858

1 Amend House File 734 as follows:

2 1. Page 20, by inserting after line 28 the
3 following:

4 "5. For salaries and
5 support of the continuation
6 of the position of the
7 executive secretary of the
8 temporary state land
9 preservation policy
10 commission and one
11 clerical position.....\$49,696

H-3858 FILED *Lost 4/24 (p. 1757)* BY COCHRAN of Webster
APRIL 10, 1979 LLOYD-JONES of Johnson

1 Amend House File 734 as follows:

2 1. Page 12, by inserting after line 14 the
3 following:

4 "4. For the Iowa rural
5 community development

6 committee.....\$250,000 \$250,000

7 Not more than twenty thousand (20,000) dollars
8 of the funds appropriated by this subsection may be
9 spent on supplies, expenses and the salary of the
10 director."

BY ANDERSON of Jasper	BINNEBOESE of Plymouth
PERKINS of Greene	AVENSON of Fayette
GROTH of Buena Vista	BRUNER of Story
JAY of Appanoose	BINA of Scott
WALTER of Pottawattamie	HOWELL of Floyd
CUSACK of Scott	COCHRAN of Webster
SHERZAN of Polk	HINKHOUSE of Cedar
LONERGAN of Boone	HALVORSON of Webster
NORLAND of Worth	HUSAK of Tama
DIELEMAN of Marion	MILLER of Buchanan
CONNOLLY of Dubuque	DAVITT of Warren
O'KANE of Woodbury	

H-3856 FILED *Loss 4/24*
APRIL 10, 1979 (*p.1745*)

HOUSE FILE 734

1 Amend House File 734 as follows:

2 1. Page 11, line 5, by striking the words
3 "unnumbered paragraph two (2),".

4 2. Page 11, by inserting after line 6 the
5 following:

6 "110B.4 USE OF REVENUE. All revenue shall be
7 used for projects approved by the commission for the
8 purpose of protecting and propagating migratory
9 waterfowl and for the acquisition, development,
10 restoration, maintenance or preservation of
11 wetlands, except for that part which is specified
12 by the commission for use in paying administrative
13 expenses as provided in section 107.17."

14 3. Page 11, by inserting after line 11 the
15 following:

16 "Sec. ____ Chapter one hundred ten B (110B),
17 Code 1979, is amended by adding the following new
18 section:

19 NEW SECTION. There is appropriated annually from
20 the general fund of the state an amount equal to the
21 total revenue derived from the sale of the stamps.
22 All funds thus appropriated shall be used by the
23 commission exclusively for the acquisition, develop-
24 ment, restoration, maintenance or preservation of
25 wetlands in Iowa."

H-3857 FILED *A. Adopted 4/23 (p.1734)* BY AVENSON of Fayette
APRIL 10, 1979 *B. Lost (p.1735)* PERKINS of Greene
BYERLY of Polk

HOUSE FILE 734

H-3851

1 Amend House File 734 as follows:

2 1. Page 16, by inserting after line 32 the
3 following:

4 "Sec. 18. Chapter one hundred seventy-three (173),
5 Code 1979, is amended by adding the following new
6 section:

7 NEW SECTION. PARI-MUTUEL OPERATIONS.

8 1. The board shall promulgate rules providing
9 the conditions under which the pari-mutuel system
10 of wagering may be conducted in this state. The rules
11 shall provide who may accept and receive wagers, the
12 locations at which wagers may be taken, the sporting
13 events upon which wagers may be placed, and other
14 conditions deemed appropriate by the board.

15 2. For the purposes of this Act the pari-mutuel
16 system of wagering is that in which the person placing
17 a wager on a particular finish of a sporting event
18 acquires an interest in the total money wagered on
19 all the finishes of that type in that sporting event
20 in proportion to the money wagered by that person.

21 3. The board shall prepare the rules authorized
22 by this section and submit them to the general assembly
23 by February 25, 1980. A rule adopted under the
24 authority of this section shall not become effective
25 until July 1, 1980.

26 Sec. 19. Section ninety-nine A point two (99A.2),
27 unnumbered paragraph one (1), Code 1979, is amended
28 to read as follows:

29 The intentional possession or willful keeping of
30 a gambling device upon any licensed premises, except
31 as authorized by section eighteen (18) of this Act,
32 is cause for the revocation of any license upon the
33 premises where the gambling device is found.
34 Possession by an employee of the licensee on the
35 premises of the licensee shall give rise to the
36 presumption of intentional possession by the licensee.

37 Sec. 20. Section five hundred thirty-seven A point
38 four (537A.4), unnumbered paragraph one (1), Code
39 1979, is amended to read as follows:

40 All promises, agreements, notes, bills, bonds,
41 or other contracts, mortgages or other securities,
42 when the whole or any part of the consideration thereof
43 is for money or other valuable thing won or lost,
44 laid, staked, or bet, at or upon any game of any kind
45 or on any wager, except as authorized by section
46 eighteen (18) of this Act, are absolutely void and
47 of no effect.

48 Sec. 21. Chapter seven hundred twenty-five (725),
49 Code 1979, is amended by adding the following new
50 section:

Page Two
H-3851

1 NEW SECTION. Nothing in this chapter shall be
2 construed to prohibit the establishment and operation
3 of pari-mutuel betting as authorized by section
4 eighteen (18) of this Act."

5 2. By renumbering the sections to conform with
6 this amendment.

BY WOODS of Polk
PAVICH of Pottawattamie
CHIDO of Polk
BYERLY of Polk
WALTER of Pottawattamie
SCHROEDER of Pottawattamie

H-3851 FILED *Ruled not germane 4/24*
APRIL 10, 1979 *(p. 1751)*

HOUSE FILE 734

H-3855

1 Amend House File 734 as follows:

2 1. Page 9, by striking lines 1 through 24 and
3 inserting in lieu thereof the following:
4 "Sec. 6. OPEN SPACES SCHOOL TAX PAYMENT. There
5 is appropriated from the general fund of the state
6 to the state conservation commission the amount of
7 thirty-five thousand (35,000) dollars to pay school
8 taxes for the fiscal year beginning July 1, 1980 on
9 the lands acquired under the open spaces acquisition
10 program, commenced in Acts of the Sixty-fifth General
11 Assembly, 1973 Session, chapter seventy-four (74),
12 which would otherwise be subject to the levy of school
13 taxes. The assessed value of the open spaces land
14 shall be that determined pursuant to section four
15 hundred twenty-seven point one (427.1), subsection
16 thirty-one (31), of the Code and the commission may
17 protest the assessed value in the manner provided
18 by law for any property owner to protest an assessment.
19 For the purposes of chapter four hundred forty-two
20 (442) of the Code, the assessed value of the open
21 spaces land shall be included in the valuation base
22 of the school district and the payments made pursuant
23 to this section shall be considered as property tax
24 revenues and not as miscellaneous income. The county
25 treasurer shall certify the taxes due to the
26 commission. If the total amount of taxes due certified
27 to the commission exceeds thirty-five thousand (35,000)
28 dollars, the taxes due shall be reduced proportionately
29 so that the total amount equals thirty-five thousand
30 (35,000) dollars."

H-3855 FILED *Adopted 4/23 (p. 1721)* BY TOFTE of Winneshiek
APRIL 10, 1979

HOUSE FILE 734

3859

1 Amend House File 734 as follows:

2 1. Page 21, by inserting after line 3 the
3 following:

4 "Sec. 20. Chapter four hundred sixty-seven A
5 (467A), Code 1979, is amended by adding the following
6 new section:

7 NEW SECTION. Every owner of agricultural land as
8 defined in section four hundred twenty-six point
9 two (426.2) of the Code shall enter into an agree-
10 ment for the employment of soil and water conservation
11 practices with the respective soil conservation
12 district by July 1, 1985 and shall be in compliance
13 with the soil loss limit determined by the respective
14 soil conservation district by July 1, 1990. If an
15 owner of agricultural land as defined in section
16 four hundred twenty-six point two (426.2) of the Code
17 has not complied with either of these two require-
18 ments within ten years of the time this section
19 required compliance with the requirement, then that
20 landowner shall be ineligible for the agricultural
21 land tax credit provided in chapter four hundred
22 twenty-six (426) of the Code until that landowner
23 is in compliance with the requirements of this
24 section. The respective soil conservation district
25 shall certify to the county auditor those landowners
26 who are not eligible for the agricultural land tax
27 credit.

28 Sec. 21. Section four hundred sixty-seven A
29 point forty-four (467A.44), Code 1979, is amended
30 by adding the following new subsection:

31 NEW SUBSECTION. Establish procedures for entering
32 into soil and water conservation practices agreements
33 as provided in section twenty (20) of this Act and
34 certifying noncompliance with the requirements of
35 section twenty (20) of this Act."

36 2. By renumbering the sections to conform with
37 this amendment.

H-3859 FILED
APRIL 10, 1979

W/Drawn 4/24 (p.1758) BY PERKINS of Greene

HOUSE FILE 734

H-3874

1 Amend House File 734 as follows:

2 1. Page 12, by inserting after line 14 the
3 following:

4 "Sec. 11. Section three hundred twenty-four point
5 three (324.3), unnumbered paragraph one (1), Code 1979,
6 is amended to read as follows:

3929

7 324.3 LEVY OF EXCISE TAX--EXEMPTIONS--CREDITS. For
8 the privilege of operating motor vehicles in this state
9 an excise tax of eight and one-half cents per gallon
10 beginning July 1, 1978, and ten cents per gallon
11 beginning July 1, 1979 is hereby imposed upon the
12 use of all motor fuel used for any purpose except
13 motor fuel containing at least ten percent alcohol
14 distilled from agricultural products alcohol that is
15 either agriculturally derived and manufactured in Iowa
16 or derived from agricultural products analogous to those
17 commodities contributing at least five percent of Iowa's
18 cash receipts from marketings for the period beginning
19 July 1, 1978 and ending June 30, 1983 and except as
20 otherwise provided in this division. The tax shall be
21 paid in the first instance by the distributor upon the
22 invoiced gallonage of all motor fuel received by the
23 distributor in this state, within the meaning of the
24 word "received" as defined in this division, less the
25 deductions hereinafter authorized. Thereafter, except as
26 otherwise provided, the per gallon amount of such tax
27 shall be added to the selling price of each and every
28 gallon of such motor fuel sold in this state and collected
29 from the purchaser to the end that the ultimate consumer
30 shall bear the burden of such tax; provided, however, that
31 no tax shall be imposed or collected under this division
32 with respect to the following:"

33 2. By renumbering the sections to conform with this
34 amendment.

H-3874 FILED *Ruled not germane* BY HARBOR of Mills
APRIL 11, 1979 *4/24 (p. 1748)*

HOUSE FILE 734

H-3873

1 Amend House File 734 as follows:

2 1. Page 12, by striking lines 6 through 11 and
3 inserting in lieu thereof the following:

4 "office.....\$178,000 \$

H-3873 FILED *Adopted 4/23 (p. 1736)* BY HARBOR of Mills
APRIL 11, 1979

HOUSE FILE 734

H-3866

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Amend House File 734 as follows:

1. Page 13, by inserting after line 19 the following:

"It is the intent of the general assembly that the energy policy council give highest priority to development of programs, including financial incentives and disincentives, designed to curtail use of the private automobile and encourage use of urban mass transit systems by members of the public in order to conserve diminishing supplies of gasoline and meet the current projected amount by which available supplies of gasoline will fall short of demand in 1979.

H-3866 FILED *Lost 4/24 (p. 1750)* BY HOWELL of Floyd
APRIL 11, 1979

HOUSE FILE 734

H-3863

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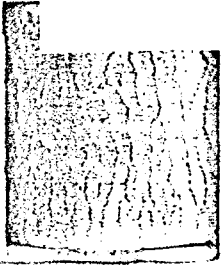
Amend H-3856 to page 12 of House File 734 as follows:

1. Page 1, by striking line 6 and inserting in lieu thereof the following:

"committee.....\$500,000 \$500,000".

BY GROTH of Buena Vista
LONERGAN of Boone
HUSAK of Tama
PAVICH of Pottawattamie
MILLER of Buchanan
WELSH of Dubuque
AVENSON of Fayette
NORLAND of Worth
JAY of Appanoose
HALVORSON of Webster
DAVITT of Warren
ANDERSON of Jasper

H-3863 FILED *W/Drawn 4/23 (p. 1738)*
APRIL 11, 1979



HOUSE FILE 734

H-3885

- 1 Amend House File 734 as follows:
- 2 1. Page 20, by striking line 28 and inserting in
- 3 lieu thereof the following:
- 4 "Act..... \$ 7,000,000 \$ 7,000,000"

BY COCHRAN of Webster
 HULLINGER of Decatur
 HALL of Linn
 DAVITT of Warren
 GROTH of Buena Vista
 HOWELL of Floyd

H-3885 FILED *Lost 4/24 (p. 1753)*
 APRIL 11, 1979

HOUSE FILE 734

H-3919

- 1 Amend House File 734 as follows:
- 2 1. Page 8, by inserting after line 35 the
- 3 following:
- 4 "5. The state conservation commission shall
- 5 establish a program governing the harvesting and sale
- 6 of American ginseng subject to the Convention on
- 7 International Trade in Endangered Species of Wild
- 8 Fauna and Flora. The commission may adopt rules
- 9 providing for the time and conditions for the
- 10 harvesting of the ginseng, registration of dealers
- 11 and exporters and the records kept by them, and
- 12 certification of legal taking."

H-3919 FILED *Adopted 4/23 (p. 1730)* BY HANSON of Delaware
 APRIL 12, 1979 AVENSON of Fayette
 HALVORSON of Clayton

HOUSE FILE 734

H-3929

- 1 Amerd the amendment H-3874 to House File 734 as
- 2 follows:
- 3 1. Page 1, by striking line 14 and inserting in
- 4 lieu thereof the following: "~~distilled-from-agricul-~~
- 5 ~~tural-products~~ that is".

H-3929 FILED *Adopted 4/24 (p. 1748)* BY HARBOR of Mills
 APRIL 17, 1979

H-3881

- 1 Amend House File 734 as follows:
- 2 1. Page 1, line 1, by striking the words "NEW
- 3 SECTION."
- 4 2. Page 2, line 28, by striking the words "NEW
- 5 SECTION."
- 6 3. Page 3, line 14, by striking the words "NEW
- 7 SECTION."
- 8 4. Page 7, line 15, by striking the words "NEW
- 9 SECTION."
- 10 5. Page 7, line 30, by striking the words "NEW
- 11 SECTION."
- 12 6. Page 11, line 12, by striking the words "NEW
- 13 SECTION."
- 14 7. Page 12, line 15, by striking the words "NEW
- 15 SECTION."
- 16 8. Page 12, line 31, by striking the words "NEW
- 17 SECTION."
- 18 9. Page 13, line 3, by striking the words "NEW
- 19 SECTION."
- 20 10. Page 13, line 29, by striking the words "NEW
- 21 SECTION."
- 22 11. Page 15, line 21, by striking the words "NEW
- 23 SECTION."
- 24 12. Page 16, line 4, by striking the words "NEW
- 25 SECTION."
- 26 13. Page 16, line 33, by striking the words "NEW
- 27 SECTION."
- 28 14. Page 18, line 14, by striking the words "NEW
- 29 SECTION."

H-3881 FILED *Adopted 4/23 (p. 1726)* BY TOFTE of Winneshiek
APRIL 11, 1979

H-3884

- 1 Amend House File 734 as follows:
- 2 1. Page 21, by inserting after line 3 the
- 3 following:
- 4 "_____ . There is appropriated from the general
- 5 fund of the state for fiscal year beginning July 1,
- 6 1979 and ending June 30, 1980 to the department of
- 7 soil conservation the sum of five thousand (5,000)
- 8 dollars for reimbursement for actual and necessary
- 9 expenses and a per diem of forty dollars a day for
- 10 members of the temporary state land preservation
- 11 policy commission or other persons who are requested
- 12 and who appear before a legislative study committee
- 13 or subcommittee of a standing committee of the
- 14 Iowa general assembly studying land preservation
- 15 policy. Unencumbered or unobligated funds remaining
- 16 on June 30, 1980 shall revert to the general fund as
- 17 provided for in section eight point thirty-three (8.33)
- 18 of the Code."

H-3884 FILED *Adopted 4/24 (p. 1759)* BY PELLETT of Cass
APRIL 11, 1979 COCHRAN of Webster
TOFTE of Winneshiek

HOUSE FILE 734

H-3999

1 Amend House File 734 as follows:

2 1. Page 4, line 27, by inserting before the word
3 "From" the word "a."

4 1. Page 5, by inserting after line 24 the follow-
5 ing:

6 "b. From the general
7 fund of the state for the
8 same purposes as the funds
9 appropriated by paragraph
10 a of this subsection to

4047

11 be used to replace fed-
12 eral funds under the

13 "Pittman-Robertson Act",

14 16 U.S.C. s. 669 et

15 seq., if those federal

16 funds become unavail-

17 able..... \$1,200,000

\$1,200,000

18 If the state conservation

19 commission is reimbursed by

20 the federal government for

21 expenditures made from this

404

22 appropriation, the state

23 conservation commission shall

24 deposit the reimbursement in

25 the general fund of the state."

H-3999 FILED *Adapted* BY AVENSON of Fayette
APRIL 19, 1979 *re-amended by 4047*
4/23 (p. 1738)

HOUSE FILE 734

H-4040

1 Amend House File 734 as follows:

2 1. Page 12, by striking lines 12 through 14.

H-4040 FILED *Lost* 4/23 (p. 1737) BY LLOYD-JONES of Johnson
APRIL 20, 1979

HOUSE FILE 734

H-3980

- 1 Amend House File 734 as follows:
- 2 1. Page 8, by inserting after line 22 the follow-
- 3 ing:
- 4 "3. Notwithstanding section four hundred fifty-
- 5 three point seven (453.7), subsection two (2) of the
- 6 Code, interest or earnings on investments or time
- 7 deposits of the funds in the state fish and game
- 8 protection fund shall be credited to the state fish
- 9 and game protection fund."
- 10 2. By renumbering the subsections to conform with
- 11 this amendment.

H-3980 FILED *Adopted 4/23 (p. 1730)* BY AVENSON of Fayette
APRIL 18, 1979

HOUSE FILE 734

H-3997

- 1 Amend House File 734 as follows:
- 2 1. Page 10, by striking line 35 and inserting in
- 3 lieu thereof the words "the Code."
- 4 2. Page 11, line 1, by striking the words
- 5 "revenues. The board shall also" and inserting in
- 6 lieu thereof the words "The board shall".
- 7 3. Page 11, line 3, by inserting after the word
- 8 "agencies" the words "and the expenditure of all
- 9 funds pursuant to such agreements".

H-3997 FILED *Adopted 4/23 (p. 1731)* BY AVENSON of Fayette
APRIL 19, 1979

HOUSE FILE 734

H-4046

1 Amend House File 734 as follows:

2 1. Page 21, by inserting after line 3 the
3 following:

4 "Sec. 20. Chapter four hundred sixty-seven A
5 (467A), Code 1979, is amended by adding the following
6 new section:

7 NEW SECTION. Every owner of agricultural land
8 as defined in section four hundred twenty-six point
9 two (426.2) of the Code shall enter into an agreement
10 by July 1, 1985 for implementing soil and water
11 conservation practices with the respective soil
12 conservation district and shall be in compliance by
13 January 1, 1990 with soil loss limits determined
14 by the respective soil conservation district. After
15 January 1, 1990, agricultural land as defined in
16 section four hundred twenty-six point two (426.2)
17 of the Code which exceeds the soil loss limits shall
18 not be eligible for the agricultural land tax credit
19 provided for in chapter four hundred twenty-six (426)
20 of the Code for taxes due and payable in the fiscal
21 year beginning July first following the certifica-
22 tion by the soil conservation district that the land
23 exceeds the soil loss limits. The soil conservation
24 district shall certify to the appropriate county
25 auditor those tracts of agricultural land which are
26 not eligible for the agricultural land tax credit.
27 After receipt of such certification by the county
28 auditor he or she shall disallow the amount of the
29 agricultural land tax credit which has been certified
30 by him or her under section four hundred twenty-six
31 point six (426.6) of the Code for that tract of
32 agricultural land for taxes due and payable in the
33 coming fiscal year. The county auditor shall notify
34 the state comptroller the amount of the agricultural
35 land tax credit certified under section four hundred
36 twenty-six point six (426.6) of the Code for the
37 coming fiscal year which the county auditor has
38 disallowed because of receipt of certification by
39 the soil conservation district that the agricultural
40 land exceeds the soil loss limits.

41 Sec. 21. Section four hundred sixty-seven A point
42 forty-four (467A.44), Code 1979, is amended by adding
43 the following new subsection:

44 NEW SUBSECTION. Establish rules for entering into
45 soil and water conservation practices agreements as
46 provided in section twenty (20) of this Act, for
47 certifying noncompliance with soil loss limits and
48 for appealing the certification of such noncompliance."

49 2. By numbering and renumbering as required by
50 this amendment.

HOUSE FILE 734

H-4047

- 1 Amend amendment H-3999 to House File 734 as
- 2 follows:
- 3 1. Page 1, by striking lines 6 through 17 and
- 4 inserting in lieu thereof the following:
- 5 "b. From the general
- 6 fund of the state to a
- 7 contingency fund to be used
- 8 to replace federal funds under
- 9 the "Pittman-Robertson Act",
- 10 16 U.S.C. s. 669 et seq., if
- 11 those federal funds become
- 12 unavailable
- 13 2. Page 1, line 22, by striking the word \$700,000 \$ "
- 14 "appropriation" and inserting in lieu thereof the
- 15 words "contingency fund".

H-4047 FILED *Adopted 4/23 (p. 1728)* BY TOFTE of Winneshiek
APRIL 20, 1979 WELDEN of Hardin
AVENSON of Fayette

HOUSE FILE 734

H-4038

- 1 Amend House File 734 as follows:
- 2 1. Page 3, by inserting after line 13 the
- 3 following:
- 4 "Sec. 3. Chapter one hundred fifty-nine (159),
- 5 Code 1979, is amended by adding the following new
- 6 section:
- 7 NEW SECTION. The secretary shall not approve the
- 8 use of open-ended vacuum grain probes pursuant to
- 9 section one hundred fifty-nine point five (159.5),
- 10 subsection ten (10) of the Code. A person who uses
- 11 a method of probing for foreign material content of
- 12 grain which is not approved by the secretary is guilty
- 13 of a simple misdemeanor."
- 14 2. By renumbering the sections to conform with
- 15 this amendment.

BY DAVITT of Warren
BINNEBOESE of Plymouth
HULLINGER of Decatur
COCHRAN of Webster
HUMMEL of Benton
MULLINS of Kossuth
COREY of Louisa

H-4038 FILED *Adopted as amended*
APRIL 20, 1979 *by 4065 4/23 (1733)*

H-4052

- 1 Amend House File 734 as follows:
- 2 1. Page 20, line 28, by inserting after the word
- 3 "Act" the words "and for the payment of not more than
- 4 nine thousand nine hundred dollars for settlement of a
- 5 judgment against the Cass county soil conservation
- 6 district in favor of Lowell Johnson for contract work
- 7 on the Crooked Creek watershed".

H-4052 FILED *Lost 4/24 (p. 1755)* BY SCHROEDER of Pottawattamie
 APRIL 23, 1979

HOUSE FILE 734

H-4057

- 1 Amend the amendment H-4038 to page 3 of House File
- 2 734 as follows:
- 3 1. Page 1, by striking lines 4 through 13 and
- 4 inserting in lieu thereof the following:
- 5 "Sec. 3. A grain dealer shall be in compliance
- 6 with the rule established by the secretary of
- 7 agriculture under subsection ten (10) of section
- 8 one hundred fifty-nine point five (159.5) of the
- 9 Code, not later than July 1, 1980."

BY PELLETT of Cass
 COREY of Louisa
 HINKHOUSE of Cedar
 ANDERSON of Audubon
 HUSAK of Tama
 DE GROOT of Lyon

H-4057 FILED
 APRIL 23, 1979
 WITHDRAWN (*p. 1732*)

HOUSE FILE 734

H-4060

- 1 Amend House File 734 as follows:
- 2 1. Page 6, by striking line 29 and inserting in
- 3 lieu thereof the following:
- 4 "Code..... \$ 245,000 \$ 265,000"

H-4060 FILED, LOST (*p. 1730*) BY BYERLY of Polk
 APRIL 23, 1979

HOUSE FILE 734

H-4063

- 1 Amend House File 734 as follows:
- 2 1. Page 12, by inserting after line 14 the
- 3 following:
- 4 "4. For a study
- 5 concerning the feasibility
- 6 and desirability of estab-
- 7 lishing a foreign office in
- 8 Asia for the purposes of
- 9 expanding and increasing
- 10 the export of Iowa
- 11 products.....\$40,000 \$ "

BY NORLAND of Worth
 CHIODO of Polk
 BYERLY of Polk

H-4063 FILED *Lost 4/24 (p. 1749)*

H-4058

1 Amend the Perkins amendment, H-4046, to House File
2 734 as follows:

3 1. Page 1, by inserting after line 48 the
4 following:

5 "Sec. 22. Section four hundred twenty-six point
6 one (426.1), Code 1979, is amended to read as follows:

7 426.1 AGRICULTURAL LAND CREDIT FUND. There is
8 hereby created as a permanent fund in the office of
9 the treasurer of state a fund to be known as the
10 agricultural land credit fund, and for the purpose
11 of establishing and maintaining said fund for each
12 fiscal year there is appropriated thereto from funds
13 in the general fund not otherwise appropriated the
14 sum of forty-two million dollars. Any balance in
15 said fund on June 30 thirtieth shall revert to the
16 general fund except that part of the balance which
17 is attributable to moneys which the comptroller is
18 prohibited from withdrawing for the coming fiscal
19 year under section twenty-three (23) of this Act and
20 which moneys shall not revert.

21 Sec. 23. Section four hundred twenty-six point
22 seven (426.7), Code 1979, is amended to read as
23 follows:

24 426.7 WARRANTS DRAWN BY COMPTROLLER. After
25 receiving from the several county auditors of the
26 state the certifications provided for in section
27 426.6, and during the following fiscal year, the state
28 comptroller shall draw warrants on the agricultural
29 land credits fund created by this chapter, payable
30 to the county treasurers of the several counties of
31 the state in the total amount certified by the county
32 auditors of the respective counties and mail said
33 warrants to the county auditors of said counties in
34 two equal payments on or before September 15 fifteenth
35 and March 15 fifteenth of each fiscal year, provided
36 that in the event the agricultural land credits fund
37 is insufficient to pay in full the total of the amounts
38 certified to the state comptroller on the first of
39 June, the state comptroller shall prorate the fund
40 to the several county treasurers and notify the several
41 county auditors of the pro rata percentage on or
42 before August 1 first. However, the state comptroller
43 shall not pay to the county treasurer or withdraw
44 from the agricultural land credits fund for the coming
45 fiscal year the amount of the agricultural land tax
46 credit certified under section four hundred twenty-
47 six point six (426.6) of the Code for the coming
48 fiscal year which the county auditor has disallowed
49 under the provisions of section twenty (20) of this
50 Act."

HOUSE FILE 734

H-4070

1 Amend House File 734 as follows:

2 1. Page 11, by inserting after line 11 the
3 following:

4 "Sec. ____ . Section four hundred forty-one point
5 twenty-two (441.22), Code 1979, is amended by adding
6 the following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. Land in tracts of ten
8 acres or less which consist of marshes, sloughs, wild
9 prairie, or forested areas along the banks of rivers
10 which extend up to twenty-five feet from the high
11 water mark of the river or land used exclusively to
12 provide vegetative cover for wind erosion control
13 shall be assessed at a taxable valuation of fifteen
14 dollars per acre, provided that the land shall not
15 be used for the production of crops, pasturing of
16 livestock, or otherwise used, leased, or rented for
17 profit. The owner of the property shall assist the
18 assessor as provided in section four hundred forty-
19 one point nineteen (441.19) of the Code in the listing
20 of the property by filing a statement with the as-
21 sessor identifying any tracts of land of ten or less
22 acres which consist of marshes, sloughs, wild prairie,
23 or forested areas along the banks of rivers or land
24 used exclusively to provide vegetative cover for wind
25 erosion control which may be assessed at a taxable
26 value of fifteen dollars per acre. The assessor shall
27 take a sworn statement from the owner of the land
28 that the land is not used by the owner of the land
29 for profit or otherwise leased or rented for profit.
30 The county auditor shall keep a record of all land
31 in tracts of ten or less acres which consist of
32 marshes, sloughs, wild prairie, or forested areas
33 along the banks of a river or land used exclusively
34 to provide vegetative cover for wind erosion control
35 which are assessed at a taxable value of fifteen
36 dollars per acre. However, an assessment under this
37 paragraph shall not be allowed if extending the
38 assessment to that property would result in more than
39 one-half of one percent of the taxable value of the
40 property in the county as determined without regard
41 to this paragraph being assessed under this paragraph."
42 2. By renumbering the sections to conform with
43 this amendment.

BY BYERLY of Polk
NORLAND of Worth
AVENSON of Fayette
PERKINS of Greene
WOODS of Polk

HORN of Linn
HULLINGER of Decatur
DAVITT of Warren
BINNEBOESE of Plymouth
JESSE of Polk

4070 FILED
APRIL 23, 1979

Ruled not germane 4/24 (p. 1761)

HOUSE FILE 734

H-4064

1 Amend House File 734 as follows:

2 1. Page 12, line 24, by inserting after the word
3 and figure "six (6)" the words "and to investigate
4 the feasibility and suitability of using Iowa coal
5 for household heating and supplemental heating
6 purposes".

H-4064 FILED *Lost 4/24 (p. 1749)* BY HORN of Linn
APRIL 23, 1979

HOUSE FILE 734

H-4065

1 Amend amendment H-4038, to page 3 of House File
2 734, as follows:

3 1. Page 1, by striking lines 4 through 10 and
4 inserting in lieu thereof the following:

5 "Sec. 3. A grain dealer shall be in compliance
6 with the rule established by the secretary of
7 agriculture under subsection ten (10) of section
8 one hundred fifty-nine point five (159.5) of the
9 Code, not later than July 1, 1980. A person who uses".

H-4065 FILED *Adopted 4/23 (p. 1733)* BY PELLETT of Cass
APRIL 23, 1979 SCHROEDER of Pottawattamie

HOUSE FILE 734

H-4067

1 Amend amendment H-4038, to page 3 of House File
2 734, as follows:

3 1. Page 1, by striking lines 4 through 13 and
4 inserting in lieu thereof the following:

5 "Sec. 3. A grain dealer shall be in compliance
6 with the rule established by the secretary of
7 agriculture under subsection ten (10) of section
8 one hundred fifty-nine point five (159.5) of the
9 Code, not later than July 1, 1980.

10 Sec. 4. Section one hundred fifty-nine point
11 five (159.5), subsection ten (10), Code 1979, is
12 amended to read as follows:

13 10. Approve all methods of probing for foreign
14 material content of any type of grain. The pro-
15 visions of this subsection and the rules adopted
16 hereunder shall be administered and enforced by the
17 department. Any person who violates any provision
18 of this subsection or any rule adopted hereunder
19 shall be guilty of a simple misdemeanor."

H-4067 FILED, RULED OUT OF ORDER BY DAGGETT of Taylor
APRIL 23, 1979 *(p. 1733)* MULLINS of Kossuth

Page Two
H-4072

1 at two separate public meetings held at least one
2 week apart. The commission shall give at least one-
3 week public notice of the date, location, and time
4 of each public meeting, the first meeting to be
5 conducted for the purpose of receiving nominations
6 for membership and the second meeting to be conducted
7 for the purpose of receiving additional nominations
8 and electing the advisory committee membership. Any
9 elector of the state shall be eligible for membership
10 on an advisory committee.

11 The commission shall determine, by rule, the
12 procedures for the nomination and election of the
13 members to the advisory committees. The commission
14 shall base its rules for the nomination and election
15 of advisory committee members and the conduct of
16 public meetings under this Act on Robert's Rules of
17 Order.

18 Sec. 14. NEW SECTION. DUTIES OF ADVISORY
19 COMMITTEES. The duties of an advisory committee shall
20 be as follows:

21 1. To organize itself and conduct its meeting
22 according to uniform procedures adopted by the
23 commission.

24 2. To evaluate periodically the development and
25 management of each state park assigned to it.

26 3. To assist the commission in long-range planning
27 for each state park assigned to it.

28 4. To recommend improvements to each state park
29 assigned to it.

30 5. To recommend priorities for budgetary
31 expenditures.

32 6. To establish a system of communication between
33 the commission and the users of a state park.

34 7. To assist the commission in obtaining funds
35 from private sources for the maintenance or development
36 of a state park.

37 Sec. 15. NEW SECTION. DUTIES OF PARK CUSTODIAN.
38 A park custodian or other designee of the commission
39 shall attend each advisory committee meeting, keep
40 records of each meeting, and report the advice and
41 recommendations of the advisory committee to the
42 commission. The commission shall provide the
43 facilities, supplies, and equipment needed by the
44 advisory committees to accomplish their advisory
45 duties.

46 Sec. 16. NEW SECTION. COMPENSATION. A member
47 of an advisory committee shall receive no compensation
48 nor expense reimbursement for services as an advisory
49 committee member under this Act.

50 Sec. 17. NEW SECTION. RULES. The rules prescribed

APRIL 24, 1979
PAGE EIGHTEEN

Page Three
H-4072

1 by the commission under this Act shall be adopted
2 as provided in chapter seventeen A (17A) of the Code.
3 Sec. 18. Expenses of the state park advisory
4 committee incurred under sections eleven (11) through
5 seventeen (17) of this Act during the fiscal biennium
6 beginning July 1, 1979 and ending June 30, 1981 shall
7 be paid from funds appropriated to the state
8 conservation commission under section three (3) of
9 this Act."
10 2. By renumbering sections to conform to this
11 amendment.

BY PATCHETT of Johnson
HORN of Linn
HINKHOUSE of Cedar
LLOYD-JONES of Johnson
AVENSON of Fayette
JOCHUM of Dubuque

H-4072 FILED *Lost 4/24 (p. 1765)*
APRIL 23, 1979

HOUSE FILE 734

H-4071

1 Amend House File 734 as follows:
2 1. Page 11, line 8, by striking the word
3 "fifteen" and inserting in lieu thereof the word
4 "twenty-five".

H-4071 FILED *W/Drawn 4/24 (p. 1760)* BY KIRKENSLAGER of Des Moines
APRIL 23, 1979 TYRRELL of Iowa
BYERLY of Polk

HOUSE FILE 734

H-4073

- 1 Amend House File 734 as follows:
- 2 1. Page 11, line 22, by striking the word
- 3 "fifty-seven" and inserting in lieu thereof the
- 4 word "fifty-nine".

H-4073 FILED *Adopted 4/24 (p. 1765)* BY PERKINS of Greene
APRIL 23, 1979 CLARK of Cerro Gordo

HOUSE FILE 734

H-4076

- 1 Amend the amendment H-3884 to House File 734 as
- 2 follows:
- 3 1. Page 1, line 15, by inserting after the word
- 4 "policy" the words and figure "and the sum of fifteen
- 5 thousand (15,000) dollars for consulting services
- 6 approved by the legislative council for that legisla-
- 7 tive study committee or subcommittee of a standing
- 8 committee".

H-4076 FILED *Roll 4/24 (p. 1759)* BY COCHRAN of Webster
APRIL 23, 1979 LLOYD-JONES of Johnson

HOUSE FILE 734

H-4077

- 1 Amend House File 734 as follows:
- 2 1. Page 20, line 28, by inserting after the word
- 3 "Act" the words "and to provide not more than ten
- 4 percent of the funds appropriated by this subsection
- 5 for incentive payments for minimum or mulch tillage
- 6 on a per acre basis, as determined by rule by the
- 7 state soil conservation committee, to encourage
- 8 erosion control on land that is row cropped".

H-4077 FILED *Adopted 4/24 (p. 1758)* BY MILLER of Buchanan
APRIL 23, 1979 PELLETT of Cass

HOUSE FILE 734

H-4072

1 Amend House File 734 as follows:

2 1. Page 11, by inserting after line 11 the
3 following:

4 "Sec. 10. Chapter one hundred eleven (111), Code
5 1979, is amended by adding sections eleven (11) through
6 seventeen (17) of this Act.

7 Sec. 11. NEW SECTION. DEFINITIONS. As used in
8 sections eleven (11) through seventeen (17) of this
9 Act, unless the context otherwise requires:

10 1. "Commission" means the state conservation
11 commission.

12 2. "Park custodian" means an officer or other
13 employee of the state conservation commission who
14 is responsible for the management of a public park
15 or preserve under the jurisdiction of the state
16 conservation commission.

17 3. "Advisory committee" means a state park advisory
18 committee.

19 4. "State park" means a public park or preserve
20 under the jurisdiction of the state conservation
21 commission.

22 Sec. 12. NEW SECTION. ADVISORY COMMITTEES CREATED.
23 The state conservation commission shall provide, by
24 rule, for the creation of state park advisory
25 committees to advise the commission on matters relating
26 to the development and management of state parks,
27 for the election of members to the advisory committees,
28 and for the conducting of advisory committee meetings.
29 The commission shall determine the number of advisory
30 committees needed to carry out the provisions of this
31 Act, except that no more than one state park having
32 an area of three hundred acres or more shall be
33 assigned to the same advisory committee. The
34 commission shall also determine the number of members
35 of each advisory committee in addition to a minimum
36 membership of five, the term of office of the
37 membership, and other matters relating to the operating
38 procedures of the advisory committees. In determining
39 the number of advisory committees and the number of
40 members of each advisory committee, the commission
41 shall consider the number and the size of state parks,
42 the proximity of the state parks which are assigned
43 to the same advisory committee, the type of
44 recreational facilities available at the state parks,
45 the degree to which the state parks are developed,
46 and the number of persons visiting or using a state
47 park annually.

48 Sec. 13. NEW SECTION. ELECTION OF MEMBERSHIP.
49 The commission shall provide for the nomination and
50 election of the members of each advisory committee

Sen. Appropriations 4/26
Pass per 3645 4/26 (p. 1438)

HOUSE FILE 734

BY COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House)

Passed House, Date 5-9-79 (p. 2144) Passed Senate, Date 5-3-79 (p. 1522)

Vote: Ayes 94 Nays 1 Vote: Ayes 41 Nays 2

Approved June 10, 1979

Repassed House 5-9-79 (p. 2220)

93-2

A BILL FOR

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

3707-6

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

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_____ House Amendments

* Stricken Language

1 Section 1. DEPARTMENT OF AGRICULTURE. There is
 2 appropriated from the general fund of the state and the trust
 3 funds indicated to the department of agriculture for each
 4 fiscal year of the fiscal biennium beginning July 1, 1979
 5 and ending June 30, 1981 the following amounts, or so much
 6 thereof as is necessary, to be used for the purposes
 7 designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
10 1. GENERAL ADMINISTRATION		
11 TION		
12 a. From the general		
13 fund for salaries, support,		
14 maintenance, and miscel-		
15 laneous purposes including		
16 a market news study.....	\$ 1,098,652	\$ 1,087,460
17 b. From the fertil-		
18 izer fund to be trans-		
19 ferred to the adminis-		
20 tration division.....	\$ 25,000	\$ 25,000
21 c. From the dairy		
22 trade practice fund to		
23 be transferred to the		
24 administration division.....	\$ 58,825	\$ 57,133
25 d. From the com-		
26 mercial feed fund to		
27 be transferred to the		
28 administration division.....	\$ 25,000	\$ 25,000
29 2. REGULATORY DI-		
30 VISION		
31 From the general		
32 fund for salaries, sup-		
33 port, maintenance, and		
34 miscellaneous purposes.....	\$ 3,011,735	\$ 2,977,256

35 It is a condition of the appropriations made by this

1 subsection that for every dollar of federal funds received
2 for indirect costs in excess of the amount appropriated for
3 the meat and poultry section of the regulatory division, one
4 dollar of the amount appropriated shall be returned to the
5 general fund of the state.

6 3. LABORATORY DI-
7 VISION

8 a. From the general
9 fund for salaries, sup-
10 port, maintenance, and

11 miscellaneous purposes..... \$ 507,348 \$ 492,145

12 b. From the com-
13 mercial feed fund to
14 be transferred to the

15 laboratory division..... \$ 552,460 \$ 542,540

16 c. From the pesti-
17 cide fund, to be trans-
18 ferred to the labora-

19 tory division..... \$ 330,455 \$ 325,707

20 d. From the fertil-
21 izer fund to be trans-
22 ferred to the labora-

23 tory division..... \$ 503,934 \$ 490,007

24 4. Funds appropriated by this section to the department
25 of agriculture shall be used to pay salaries and support for
26 not more than three hundred forty-one full-time equivalent
27 positions.

*28 Sec. 2. BRUCELLOSIS INDEMNITY. There is appropriated
29 from the general fund of the state to the department of
30 agriculture for each fiscal year of the fiscal biennium
31 beginning July 1, 1979 and ending June 30, 1981, the sum of
32 twenty-five thousand (25,000) dollars, or so much thereof
33 as may be necessary, to make grants to counties to pay the
34 indemnity and the expenses of the inspection and testing of
35 animals as provided in chapters one hundred sixty-three A

1 (163A) and one hundred sixty-four (164) of the Code. The
2 secretary of agriculture shall not approve a grant under this
3 section to a county unless the board of supervisors has levied
4 the maximum levy for the county brucellosis eradication fund
5 under section one hundred sixty-four point twenty-three
6 (164.23) of the Code for each of the fiscal years in the
7 fiscal biennium beginning July 1, 1979 and ending June 30,
8 1981 and all funds in the county brucellosis eradication fund
9 including all unobligated funds transferred from the county
10 tuberculosis eradication fund, have been expended. However,
11 no individual claimant, in a single county, shall receive
12 more than five thousand (5,000) dollars in a single fiscal
13 year.

14 Sec. 3. A grain dealer shall be in compliance with the
15 rule established by the secretary of agriculture under
16 subsection ten (10) of section one hundred fifty-nine point
17 five (159.5) of the Code, not later than July 1, 1980. A
18 person who uses a method of probing for foreign material
19 content of grain which is not approved by the secretary is
20 guilty of a simple misdemeanor.

3645
36

2104

21 Sec. 4. STATE CONSERVATION COMMISSION. There is
22 appropriated from the general fund of the state and the funds
23 indicated to the state conservation commission and its
24 divisions for each fiscal year of the fiscal biennium beginning
25 July 1, 1979 and ending June 30, 1981 the following amounts,
26 or so much thereof as may be necessary, to be used for the
27 following purposes:

28	1979-1980	1980-1981
29	<u>Fiscal Year</u>	<u>Fiscal Year</u>

30 1. DIVISION OF LANDS
31 AND WATERS

32 For deposit in the
33 state conservation fund
34 from the general fund of
35 the state for salaries,

1 support, maintenance,
2 equipment and miscella-
3 neous purposes for not
4 more than two hundred
5 eighty-eight full-time
6 equivalent positions of
7 the division, and for
8 maintenance of state
9 parks, waters, and for-
10 ests, and including not
11 more than one million
12 two hundred seventy-five
13 thousand one hundred two
14 (1,275,102) dollars dur-
15 ing the fiscal year be-
16 ginning July 1, 1979 and
17 one million two hundred
18 seventy-seven thousand
19 one hundred eighty-
20 seven (1,277,187) dol-
21 lars during the fiscal
22 year beginning July 1,
23 1980 which shall be
24 available for the ad-
25 ministration fund from
26 the state conservation
27 fund in compliance with
28 the provisions of sec-
29 tion one hundred seven
30 point seventeen (107.17)
31 of the Code..... \$ 5,077,176 \$ 4,922,838

32 2. DIVISION OF FISH
33 AND GAME
34 a. From the state fish
35 and game protection fund

1 for salaries, support,
2 maintenance, equipment
3 and miscellaneous pur-
4 poses for not more than
5 two hundred seventy-seven
6 full-time equivalent po-
7 sitions, including not
8 more than one million
9 two hundred seventy-five
10 thousand one hundred
11 two (1,275,102) dollars
12 during the fiscal year
13 beginning on July 1,
14 1979 and one million
15 two hundred seventy-
16 seven thousand one hun-
17 dred eighty-seven
18 (1,277,187) dollars
19 during the fiscal year
20 beginning on July 1,
21 1980 which shall be
22 available each fiscal
23 year from the state
24 fish and game protec-
25 tion fund for the ad-
26 ministration fund in
27 compliance with the pro-
28 visions of section one
29 hundred seven point
30 seventeen (107.17) of
31 the Code..... \$ 8,113,184 \$ 7,994,489

32 b. From the general
33 fund of the state to a
34 contingency fund to be used
35 to replace federal funds under

1 the "Pittman-Robertson Act",
2 U.S.C. s. 669 et seq., if
3 those federal funds become
4 unavailable..... \$ 700,000 \$

5 If the state conservation
6 commission is reimbursed by
7 the federal government for
8 expenditures made from this
9 contingency fund, the state
10 conservation commission shall
11 deposit the reimbursement in
12 the general fund of the state.

13 3. STATE ADVISORY
14 BOARD FOR PRESERVES

15 From the general
16 fund of the state for
17 salaries, support, and
18 maintenance of not more
19 than one full-time
20 equivalent position and
21 for equipment and mis-
22 cellaneous purposes
23 for carrying out the
24 duties of the board..... \$ 40,347 \$ 39,921

25 4. LAND SURVEYS

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

32 5. MISSOURI AND
33 MISSISSIPPI RIVER
34 BASIN COMMISSIONS

35 From the general

1 fund of the state for
2 the state's contribu-
3 tion for support of the
4 Missouri and Mississippi
5 River Basin Commissions..... \$ 48,000 \$ 48,000
6 6. GREEN THUMB PRO-
7 GRAM
8 From the general
9 fund for deposit in the
10 green thumb fund for
11 the employment of per-
12 sons under the green
13 thumb program estab-
14 lished pursuant to
15 chapter six hundred
16 one H (601H) of the
17 Code..... \$ 141,750 \$ 148,830
18 7. PROTECTED WATER
19 AREAS STUDY
20 From the general fund
21 of the state for not more
22 than one full-time equiv-
23 alent position for the
24 continuation of the pro-
25 tected water areas study
26 established by Acts of
27 the Sixty-seventh General
28 Assembly, 1978 Session,
29 chapter one thousand nine
30 (1009), section one (1),
31 subsection two (2), para-
32 graph c..... \$ 50,000 \$
33 8. GREAT RIVER ROAD
34 STUDY
35 From the general fund

1 of the state for the

2 great river road study..... \$ 25,000 \$ 37,500

* 3 Sec. 5. MARINE FUEL TAX FUND. There is appropriated from
 4 the marine fuel tax fund for each fiscal year of the fiscal
 5 biennium beginning July 1, 1979 and ending June 30, 1981 to
 6 the state conservation commission, division of lands and
 7 waters, the amounts computed as provided in section three
 8 hundred twenty-four point eighty-four (324.84) of the Code,
 9 which amounts shall be deposited in the state conservation
 10 fund for use in the state conservation commission recreational
 11 boating program as provided in subsections one (1) through
 12 five (5) of section three hundred twenty-four point seventy-
 13 nine (324.79) of the Code. The unencumbered or unobligated
 14 balances of funds specifically allocated for capital projects
 15 for fiscal years 1979-1980 and 1980-1981 shall not revert
 16 to the fund from which appropriated until June 30, 1983 and
 17 June 30, 1984, respectively.

* 18 Sec. 6. ADMINISTRATION FUND.

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 four (4) of this Act.
 23 Such funds shall be used for salaries and support of not more
 24 than one hundred ten full-time equivalent positions.

25 2. a. Funds remaining in the fish and game protection
 26 fund during fiscal years 1979-1980 and 1980-1981 which are
 27 not specifically appropriated by section four (4) of this
 28 Act are appropriated and may be used for capital projects
 29 and contingencies arising during the fiscal years beginning
 30 July 1, 1979 and July 1, 1980.

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

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

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

11 3. Notwithstanding section four hundred fifty-three point
12 seven (453.7), subsection two (2) of the Code, interest or
13 earnings on investments or time deposits of the funds in the
14 state fish and game protection fund shall be credited to the
15 state fish and game protection fund.

16 4. All receipts and refunds and reimbursements related
17 to activities funded by the administration fund are
18 appropriated to the administration fund. All refunds and
19 reimbursements relating to activities of the state fish and
20 game protection fund shall be credited to the state fish and
21 game protection fund.

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

29 6. The state conservation commission shall establish a
30 program governing the harvesting and sale of American ginseng
31 subject to the Convention on International Trade in Endangered
32 Species of Wild Fauna and Flora. The commission may adopt
33 rules providing for the time and conditions for the harvesting
34 of the ginseng, registration of dealers and exporters and
35 the records kept by them, and certification of legal taking.

3640

1 Sec. 7. OPEN SPACES SCHOOL TAX PAYMENT. There is
2 appropriated from the general fund of the state to the state
3 conservation commission the amount of thirty-five thousand
4 (35,000) dollars to pay school taxes for the fiscal year
5 beginning July 1, 1980 on the lands acquired under the open
6 spaces acquisition program, commenced in Acts of the Sixty-
7 fifth General Assembly, 1973 Session, chapter seventy-four
8 (74), which would otherwise be subject to the levy of school
9 taxes. The assessed value of the open spaces land shall be
10 that determined pursuant to section four hundred twenty-seven
11 point one (427.1), subsection thirty-one (31), of the Code
12 and the commission may protest the assessed value in the
13 manner provided by law for any property owner to protest an
14 assessment. For the purposes of chapter four hundred forty-
15 two (442) of the Code, the assessed value of the open spaces
16 land shall be included in the valuation base of the school
17 district and the payments made pursuant to this section shall
18 be considered as property tax revenues and not as miscellaneous
19 income. The county treasurer shall certify the taxes due
20 to the commission. If the total amount of taxes due certified
21 to the commission exceeds thirty-five thousand (35,000)
22 dollars, the taxes due shall be reduced proportionately so
23 that the total amount equals thirty-five thousand (35,000)
24 dollars.

25 Sec. 8. Section one hundred ten point three (110.3), Code
26 1979, is amended to read as follows:

27 110.3 WILDLIFE HABITAT STAMP. A resident or nonresident
28 person required to have a hunting or trapping license shall
29 not hunt or trap unless he or she has on his or her person
30 a valid wildlife habitat stamp signed in ink with his or her
31 signature across the face of the stamp. This section shall
32 not apply to residents who are permanently disabled or who
33 are younger than sixteen or older than sixty-five years of
34 age. Special wildlife habitat stamps shall be administered
35 in the same manner as hunting and trapping licenses except

1 all revenue derived from the sale of the wildlife habitat
2 stamps shall be used within the state of Iowa for habitat
3 development and shall be deposited in the state fish and game
4 protection fund. The revenue may be used for the matching
5 of federal funds. The revenues and any matched federal funds
6 shall be used for acquisition of land, leasing of land or
7 obtaining of easements from willing sellers for use as wildlife
8 habitats. Notwithstanding the exemption provided by section
9 427.1, any land acquired with the revenues and matched federal
10 funds shall be subject to the full consolidated levy of prop-
11 erty taxes which shall be paid from those revenues. In addi-
12 tion such revenue may be used for the development~~y~~-management
13 and enhancement of wildlife lands and habitat areas. Not
14 more than fifty percent of all revenue from the sale of
15 wildlife habitat stamps may be used by the commission to enter
16 into agreements with county conservation boards or other
17 public agencies in order to carry out the purposes of this
18 section. The state share of funding of those agreements
19 provided by the revenue from the sale of wildlife habitat
20 stamps shall not exceed fifty seventy-five percent.

21 Sec. 9. Chapter one hundred ten (110), Code 1979, is
22 amended by adding the following new section:

23 NEW SECTION. WILDLIFE HABITAT BOARD. There is established
24 a wildlife habitat board within the commission which shall
25 consist of seven members. Five of the members shall be em-
26 ployees of the commission who shall be appointed by the
27 executive director of the commission and shall serve at his
28 or her pleasure. The governor shall appoint two members,
29 one of whom shall be an executive officer of a county
30 conservation board and the other a member of a county
31 conservation board, who shall serve one-year terms.

32 The board shall establish policies for the use and allo-
33 cation of revenues derived from the sale of wildlife habitat
34 stamps under section one hundred ten point three (110.3) of
35 the Code. The board shall approve all agreements entered

1 into by the commission with county conservation boards and
2 other public agencies and the expenditure of all funds pursuant
3 to such agreements.

4 Sec. 10. Section one hundred ten B point four (110B.4),
* 5 Code 1979, is amended to read as follows:

6 110B.4 USE OF REVENUE. All revenue shall be used for
7 projects approved by the commission for the purpose of
8 protecting and propagating migratory waterfowl and for the
9 acquisition, development, restoration, maintenance or
10 preservation of wetlands, except for that part which is
11 specified by the commission for use in paying administrative
12 expenses as provided in section 107.17.

13 The commission may enter into contracts with nonprofit
14 organizations for the use of ~~one-half~~ fifteen percent of such
15 funds outside the United States if the commission finds that
16 such contracts are necessary for carrying out the purposes
17 of this chapter.

* 18 Sec. 11. IOWA DEVELOPMENT COMMISSION. There is
19 appropriated from the general fund of the state to the Iowa
20 development commission for each fiscal year of the fiscal
21 biennium beginning July 1, 1979 and ending June 30, 1981 the
22 following amounts, or so much thereof as is necessary, to
23 be used for the purposes designated:

24	1979-1980	1980-1981
25	<u>Fiscal Year</u>	<u>Fiscal Year</u>

26 1. a. For salaries and
27 support of not more than
28 fifty-nine full-
29 time equivalent positions,
30 and maintenance and mis-
31 cellaneous purposes..... \$ 1,988,972 \$ 2,095,359

3645-
2703-
3706

32 b. From funds appropriated by paragraph a of this
33 subsection the Iowa development commission shall allocate
34 not to exceed thirty-one thousand five hundred (31,500) dol-
35 lars for each fiscal year of the biennium beginning July 1,

1 1979 and ending June 30, 1981 for the seven regional tourism
2 districts, not to exceed five thousand (5,000) dollars per
3 district, for each district which provides on a dollar-to-
4 dollar matching basis funds equal to the amount allocated
5 by the Iowa development commission.

6 2. For salaries,
7 support of no more than
8 two full-time equivalent
9 positions, maintenance
10 and miscellaneous pur-
11 poses of the European

3645 12 office..... \$ 178,000 \$
3678

13 3. For promotion of
14 gasohol and associated
15 by-products..... \$ 50,000 \$

*16 Sec. 12. COAL RESEARCH PROJECT. There is appropriated
17 from the general fund of the state to Iowa state university
18 of science and technology for the fiscal biennium beginning
19 July 1, 1979 and ending June 30, 1981 the sum of three hundred
20 thousand (300,000) dollars or so much thereof as may be
21 necessary to be used by the energy and mineral resources
22 research institute to conclude the coal research project
23 authorized by Acts of the Sixty-seventh General Assembly,
24 1978 Session, chapter one thousand four (1004), section six
25 (6). The funds appropriated by this section shall be used
26 solely for the authorized research and shall not be used for
27 related academic activities or studies. The energy and mineral
28 resources research institute shall submit a final report on
29 the coal research project to the appropriation subcommittees
30 on natural resources of both houses of the general assembly.

*31 Sec. 13. ETHANOL RESEARCH. The funds appropriated by
32 Acts of the Sixty-seventh General Assembly, 1978 Session,
33 chapter one thousand nine (1009), section one (1), subsection
34 five (5), to Iowa state university of science and technology
35 for ethanol research shall not revert to the general fund,

1 notwithstanding section three (3) of that Act, until the end
2 of the fiscal year ending July 30, 1980.

* 3 Sec. 14. ENERGY POLICY COUNCIL. There is appropriated
4 from the general fund of the state for each fiscal year of
5 the fiscal biennium beginning July 1, 1979 and ending June
6 30, 1981, to the energy policy council the following amounts,
7 or so much thereof as is necessary, to be used for the purposes
8 designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
9		
10		
11 ENERGY POLICY COUN-		
12 CIL		
13 1. OPERATIONS		
14 For salaries and sup-		
15 port of not more than		
16 eleven full-time equiva-		
17 lent positions, and for		
18 maintenance and mis-		
19 cellaneous purposes.....	\$ 230,192	\$ 233,683
20 2. PUBLIC BUILDINGS		
21 ENERGY CONSERVATION AD-		
22 MINISTRATION		
23 For salaries and sup-		
24 port of not more than		
25 six full-time equiva-		
26 lent positions, and for		
27 maintenance and mis-		
28 cellaneous purposes.....	\$ 77,625	\$ 77,912

* 29 Sec. 15. DEPARTMENT OF ENVIRONMENTAL QUALITY. There is
30 appropriated from the general fund of the state for each
31 fiscal year of the biennium beginning July 1, 1979 and ending
32 June 30, 1981, to the department of environmental quality,
33 the following amounts, or so much thereof as is necessary,
34 to be used for the purposes designated:

	1979-1980	1980-1981
35		

	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1		
2 1. For salaries, sup-		
3 port and maintenance of		
4 not more than one hundred		
5 eighty-six full-time		
6 equivalent positions and		
7 for miscellaneous pur-		
8 poses.....	\$ 2,206,852	\$ 2,213,998

9 During the fiscal
10 year for which funds
11 are appropriated by
12 this section the de-
13 partment of environ-
14 mental quality shall
15 not require the in-
16 stallation or use of
17 equipment to control
18 the emission of dust
19 or other particulate
20 matter on facilities
21 for the storage of
22 grain which are lo-
23 cated within the am-
24 biet air quality at-
25 tainment areas for
26 suspended particulates.

27 2. For payments to
28 the governing bodies
29 responsible for public-
30 ly-owned sewage treat-
31 ment facilities which
32 are eligible for grants
33 under section two hun-
34 dred two (202) of the
35 federal Water Pollution

1 Control Act, 33 U.S.C.
 2 466 et seq., as amended
 3 by the federal Clean
 4 Water Act of 1977, Pub.
 5 L. 95-217, in an amount
 6 equal to five percent
 7 of the amount approved
 8 as the eligible cost
 9 of the project by the
 10 Iowa water quality com-
 11 mission..... \$ 4,000,000 \$ 5,000,000

12 The provisions of section eight point thirty-three (8.33)
 13 of the Code shall not apply to the funds appropriated by this
 14 subsection. Unencumbered or unobligated funds remaining on
 15 June 30, 1983 from funds appropriated for the fiscal year
 16 beginning July 1, 1979, shall revert to the general fund on
 17 September 30, 1983. Unencumbered or unobligated funds
 18 remaining on June 30, 1984 from funds appropriated for the
 19 fiscal year beginning July 1, 1980 shall revert to the general
 20 fund on September 30, 1984.

* 21 Sec. 16. GROUND WATER MONITORING. The funds appropriated
 22 by Acts of the Sixty-seventh General Assembly, 1978 Session,
 23 chapter one thousand four (1004), section seventeen (17),
 24 subsection one (1), paragraph b, to the department of
 25 environmental quality for ground water monitoring shall not
 26 revert to the general fund, notwithstanding the first
 27 unnumbered paragraph of section seventeen (17) of that Act,
 28 until the end of the fiscal year ending June 30, 1980.

*3645
 str.
 fee.*

29 Sec. 17. Section four hundred fifty-five B point thirty-
 30 two (455B.32), subsection three (3), Code 1979, is amended
 31 by adding the following new unnumbered paragraph:

3705

32 NEW UNNUMBERED PARAGRAPH. A publicly-owned treatment works
 33 whose discharge meets the final effluent limitations which
 34 were contained in its discharge permit on the date that con-
 35 struction of the publicly-owned treatment works was approved

1 by the department shall not be required to meet more stringent
2 effluent limitations for a period of ten years from the date
3 the construction was completed and accepted.

* 4 Sec. 18. STATE FAIR BOARD. There is appropriated from
5 the general fund of the state to the Iowa state fair board
6 for each fiscal year of the fiscal biennium beginning July
7 1, 1979 and ending June 30, 1981 the following sums, or so
8 much thereof as is necessary, to be used for the purposes
9 designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
12 1. For maintenance		
13 of state fair buildings		
14 and grounds.....	\$ 85,000	\$ 85,000
15 2. For premiums.....	\$ 10,000	\$ 10,000
16 3. For state aid to		
17 agricultural societies		
18 (local fairs).....	\$ 210,000	\$ 210,000

19 4. The appropriation contained in subsection three (3)
20 of this section for state aid to agricultural societies is
21 conditional upon full compliance with all other statutes which
22 regulate and prescribe the conditions under which such aid
23 is available. Such moneys shall not be used for other than
24 the payment of cash premiums, and a county shall not receive
25 more than two thousand one hundred (2,100) dollars except
26 that in a county where there are two definitely separate
27 county extension offices, each such society shall receive
28 state aid in the amount it would be entitled to if it were
29 the only society in the county. In counties having more than
30 one fair entitled to state aid, the state aid available shall
31 be prorated to the fairs based on cash premiums paid by the
32 fairs.

* 33 Sec. 19. GEOLOGICAL SURVEY--NATURAL RESOURCES COUNCIL--
34 -MISSISSIPPI PARKWAY--HOOVER BIRTHPLACE. There is appropriated
35 from the general fund of the state for each fiscal year of

1 the fiscal biennium beginning July 1, 1979 and ending June
2 30, 1981 to the following departments the amounts specified,
3 or so much thereof as is necessary, to be used for the
4 following purposes:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
5		
6		
7 1. GEOLOGICAL SUR-		
8 VEY		
9 For salaries, sup-		
10 port and maintenance of		
11 not more than forty-		
12 three and thirty-six		
13 full-time equivalent		
14 positions during the		
15 fiscal years beginning		
16 July 1, 1979 and July		
17 1, 1980, respectively,		
18 and for miscellaneous		
19 purposes for the gen-		
20 eral office.....	\$ 1,345,575	\$ 1,172,720

21 2. IOWA NATURAL RE-		
22 SOURCES COUNCIL--GEN-		
23 ERAL OFFICE		
24 For salaries, sup-		
25 port and maintenance of		
26 not more than thirty-		
27 one full-time equiva-		
28 lent positions and for		
29 miscellaneous purposes.....	\$ 662,942	\$ 652,478

30 Notwithstanding the provisions of section four hundred
31 fifty-five A point seventeen (455A.17) of the Code, the Iowa
32 natural resources council may perform its statutory duties
33 relating to uses and developments of water sources of the
34 state without meeting the provisions of a comprehensive
35 statewide plan for the control, utilization, and protection

1 of the water resources of the state until such time as the
 2 plan is prepared and completed.

3 3. MISSISSIPPI RIVER

4 PARKWAY COMMISSION

5 For support, main-
 6 tenance and miscella-
 7 neous purposes..... \$ 20,000 \$ 20,000

8 4. HERBERT HOOVER

9 MEMORIAL BIRTHPLACE

10 FOUNDATION

11 For the purpose of
 12 assisting with capital
 13 improvements..... \$ 2,750 \$ 2,750

* 14 Sec. 20. DEPARTMENT OF SOIL CONSERVATION. There is
 15 appropriated from the general fund of the state to the
 16 department of soil conservation for each fiscal year of the
 17 fiscal biennium beginning July 1, 1979 and ending June 30,
 18 1981, the following amounts, or so much thereof as is
 19 necessary, to be used for the purposes designated:

20	1979-1980	1980-1981
21	<u>Fiscal Year</u>	<u>Fiscal Year</u>

22 1. For salaries and
 23 support of not more than
 24 one hundred seventy-
 25 three full-time equiva-
 26 lent positions and main-
 27 tenance, assistance to
 28 soil conservation dis-
 29 tricts and for miscel-
 30 laneous purposes..... \$ 2,544,670 \$ 2,528,876

31 It is the intent of the general assembly that twenty clerk-
 32 typist II positions be upgraded to that of secretary and that
 33 a position of director of conservancy districts be created.

34 2. For participa-
 35 tion in and conjunction

1 with the federal gov-
 2 ernment or any of its
 3 agencies in joint op-
 4 erations of watershed
 5 planning and develop-
 6 ment within this state..... \$ 25,000 \$ 25,000

7 3. For use and ex-
 8 penditures in partici-
 9 pation and conjunction
 10 with the soil conserva-
 11 tion service, United
 12 States department of
 13 agriculture, and state
 14 agencies in joint op-
 15 erations in conducting
 16 soil surveys on lands
 17 within this state..... \$ 325,000 \$ 347,000

36

18 4. For cost sharing
 19 to provide state funding
 20 of not more than fifty
 21 percent of the approved
 22 cost of permanent soil
 23 conservation practices
 24 instituted under chapter
 25 four hundred sixty-seven
 26 A (467A) of the Code with
 27 priority given to pro-
 28 jects on owner-operated
 29 and family-operated farms
 30 except that not more than
 31 five percent of the amount
 32 appropriated in this sub-
 33 section may be used for
 34 cost sharing to abate
 35 complaints filed under

1 sections four hundred
2 sixty-seven A point for-
3 ty-seven (467A.47) and
4 four hundred sixty-seven
5 A point forty-eight
6 (467A.48) of the Code
7 and five percent or more
8 of the amount appropri-
9 ated by this subsection
10 may be used for cost-
11 sharing not to exceed
12 seventy-five percent of
13 the approved cost of
14 permanent soil conser-
15 vation practices under
16 chapter four hundred
17 sixty-seven A (467A)
18 of the Code on water-
19 sheds above publicly-
20 owned lakes to be al-
21 located in accordance
22 with the priority list
23 established by the state
24 conservation commission
25 as required in subsec-
26 tion five (5) of sec-
27 tion six (6) of this
28 Act and to provide not
29 more than ten percent of the funds
30 appropriated by this
31 subsection for incentive
32 payments for minimum
33 or mulch tillage on a
34 per acre basis, as
35 determined by rule

1 by the state soil
 2 conservation committee,
 3 to encourage erosion
 4 control on land that
 5 is row cropped..... \$ 5,000,000 \$ 5,000,000

6 The provisions of section eight point thirty-three (8.33)
 7 of the Code shall not apply to the funds appropriated by this
 8 subsection.

9 Unencumbered or unobligated funds remaining on June 30,
 10 1983 from funds appropriated for the fiscal year beginning
 11 July 1, 1979 shall revert to the general fund on September
 12 30, 1983. Unencumbered or unobligated funds remaining on
 13 June 30, 1984 from funds appropriated for the fiscal year
 14 beginning July 1, 1980 shall revert to the general fund on
 15 September 30, 1984.

16 5. There is appropriated from the general fund of the
 17 state for fiscal year beginning July 1, 1979 and ending June
 18 30, 1980 to the department of soil conservation the sum of
 19 five thousand (5,000) dollars for reimbursement for actual
 20 and necessary expenses and a per diem of forty dollars a day
 21 for members of the temporary state land preservation policy
 22 commission or other persons who are requested and who appear
 23 before a legislative study committee or subcommittee of a
 24 standing committee of the Iowa general assembly studying land
 25 preservation policy. Unencumbered or unobligated funds
 26 remaining on June 30, 1980 shall revert to the general fund
 27 as provided for in section eight point thirty-three (8.33)
 28 of the Code.

29 Sec. 21. All federal grants to and the federal receipts
 30 of the agencies appropriated funds under this Act are
 31 appropriated for the purposes set forth in the federal grants
 32 or receipts. Positions within state agencies funded with
 33 federal funds are approved for the duration of those funds
 34 only.

35

HOUSE FILE 734

S-3645

Amend House File 734 as amended, passed and reprinted by the House as follows:

- 1. Page 3, by striking lines 14 through 20.
- 2. Page 9, by striking lines 29 through 35.
- 3. Page 11, by striking line 21 through page 12, line 3.
- 4. Page 12, line 28, by striking the word "fifty-nine" and inserting in lieu thereof the word "fifty-seven".
- 5. Page 13, by striking line 12 and inserting in lieu thereof the following:
"office.....\$100,000 \$
Upon the closing of the European office of the positions authorized for this subsection becoming vacant, the full-time equivalent positions authorized for this subsection shall be transferred and added to the authorized positions under subsection one (1) of this section."
- 6. Page 16, by striking line 29 through page 17, line 3.

S-3645 FILED *B, C, 7*
APRIL 26, 1979 *Adopted*

BY COMMITTEE ON APPROPRIATIONS
JOHN S. MURRAY, CHAIRPERSON

A - Placed out of order (p. 1516)
B, C - Adopted 5/3 (p. 1516)
DE Lett 5/3 (p. 1516-17)
4 - Adopted (p. 1518)
Reconsidered amended by 3711
Adopted (p. 1521)

HOUSE FILE 734

S-3694

Amend House File 734 as amended, passed and reprinted by the House as follows:

- 1. Page 20, by inserting after line 17 the following:
"4. For settlement of a judgment against the Cass county soil conservation district \$9,925"
- 2. By renumbering the subsections to conform with this amendment.

S-3694 FILED & ADOPTED *(p. 1521)* BY JOHN S. MURRAY
MAY 3, 1979 DALE L. TIEDEN

HOUSE FILE 734

S-3696

Amend House File 734 as amended, passed and reprinted by the House as follows:

- 1. Page 11, line 14, by striking the word "more" and inserting in lieu thereof the word "mere less".
- 2. Page 11, line 15, by striking the word "may" and inserting in lieu thereof the word "may shall".

S-3696 FILED & ADOPTED *(p. 1520)* BY JOHN R. SCOTT
MAY 3, 1979 LOWELL L. JUNKINS

SENATE 5
MAY 4, 1979

HOUSE FILE 734

S-3698

- 1 Amend House File 734 as amended, passed
- 2 and reprinted by the House as follows:
- 3 1. Page 13, by inserting after line 12 the
- 4 following:
- 5 "It is a condition of this appropriation
- 6 that the person hired as director of the European
- 7 office be fluent in the language of the country
- 8 in which the office is located."

S-3698 FILED & LOST (p. 1520) BY EARL M. WILLITS
MAY 3, 1979

HOUSE FILE 734

S-3699

- 1 Amend the Hutchins Amendment S-3697 to House
- 2 File 734 as amended, passed and reprinted by the
- 3 House as follows:
- 4 1. Page 1, line 8, by inserting after the
- 5 words "use of" the words "end intake".

S-3699 FILED & ADOPTED BY ARNE WALDSTEIN
MAY 3, 1979

HOUSE FILE 734

S-3700

- 1 Amend House File 734 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 13, by striking lines 13, 14 and 15.

S-3700 FILED & LOST (p. 1520) BY EDGAR H. HOLDEN
MAY 3, 1979

HOUSE FILE 734

S-3701

- 1 Amend House File 734 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 13, line 15 by striking the figure
- 4 "50,000" and inserting in lieu thereof the
- 5 figure "100,000".

S-3701 FILED & WITHDRAWN (1520) BY C. JOSEPH COLEMAN
MAY 3, 1979

HOUSE FILE 734

S-3695

1 Amend House File 734 as follows:
2 1. Page 3, by striking lines 14 thru 20 and
3 inserting in lieu thereof the following:
4 "Sec. 3. Chapter one hundred fifty-nine (159),
5 Code 1979, is amended by adding the following new
6 section:
7 NEW SECTION. The secretary shall not approve the
8 use of open-ended vacuum grain probes pursuant to
9 section one hundred fifty-nine point five (159.5),
10 subsection ten (10) of the Code. A person who uses
11 a method of probing for foreign material content of
12 grain which is not approved by the secretary is guilty
13 of a simple misdemeanor."

BY C. W. HUTCHINS
BASS VAN GILST
JOHN SCOTT
C. JOSEPH COLEMAN

S-3695 FILED & WITHDRAWN
MAY 3, 1979 *(p. 1515)*

HOUSE FILE 734

S-3697

1 Amend House File 734 as follows:
2 1. Page 3, by striking lines 14 thru 20 and
3 inserting in lieu thereof the following:
4 "Sec. 3. Chapter one hundred fifty-nine (159),
5 Code 1979, is amended by adding the following new
6 section:
7 NEW SECTION. The secretary shall not approve the
8 use of airprobes, which use a vacuum to collect a
9 sample from a load of grain, pursuant to section one
10 hundred fifty-nine point five (159.5), subsection ten
11 (10) of the Code. A person who uses a method of probing
12 for foreign material content of grain which is not
13 approved by the secretary is guilty of a simple mis-
14 demeanor."

BY C. W. HUTCHINS
BASS VAN GILST
JOHN SCOTT
C. JOSEPH COLEMAN
NORMAN RODGERS
JOHN W. JENSEN
BERL E. PRIEBE

S-3697 FILED & ADOPTED
MAY 3, 1979 *was amended by 3699*
(p. 1519)

S-3702

- 1 Amend House File 734 as amended, passed and re-
 2 printed by the House as follows:
 3 1. Page 17, line 3, by inserting after the word
 4 "accepted" the words "but not longer than twelve years
 5 from the date that construction was approved by the
 6 department".

S-3702 FILED & ADOPTED
 MAY 3, 1979 (p. 1521)

BY JOHN S. MURRAY

HOUSE FILE 734

S-3706

- 1 Amend House File 734 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 12, line 31 by striking the figures
 4 " 1,988,972 \$ 2,095,359" and inserting in
 5 lieu thereof the figures:
 6 " 1,958,972 \$ 2,052,847".

S-3706 FILED & LOST (p. 1520)
 MAY 3, 1979

BY ARTHUR A. SMALL, JR.

HOUSE FILE 734

S-3711

- 1 Amend the Committee on Appropriations Amendment
 2 S-3645 to House File 734 as amended, passed and
 3 reprinted by the House as follows:
 4 1. Page 1, lines 7 and 8 by striking the word
 5 "fifty-seven" and inserting in lieu thereof the
 6 word "fifty-eight".

S-3711 FILED & ADOPTED (p. 1521)
 MAY 3, 1979

BY ARTHUR A. SMALL, JR.

SENATE 7
MAY 4, 1979

HOUSE FILE 734

S-3703

- 1 Amend House File 734 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 12, line 31 by striking the figures
4 " 1,988,972 \$ 2,095,359" and inserting in
5 lieu thereof the figures:
6 " 1,968,880 \$ 2,074,628".

S-3703 FILED & ADOPTED BY ARTHUR A. SMALL, JR.
MAY 3, 1979 (p. 1520)

HOUSE FILE 734

S-3705

- 1 Amend House File 734 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 16, line 32, by inserting after the word
4 "A" the words "privately-owned or".
5 2. Page 16, line 35 by inserting after the word
6 "the" the words "privately-owned or".

S-3705 FILED BY CLARENCE CARNEY
MAY 3 1979 EDGAR H. HOLDEN
RULED OUT OF ORDER (p. 1520)

HOUSE FILE 734

S-3704

- 1 Amend House File 734 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 3, line 18 by inserting after the
4 word "uses" the words "any probe including
5 air probes or".

S-3704 FILED BY ARTHUR L. GRATIAS
MAY 3, 1979 BERL E. PRIEBE
RULED OUT OF ORDER (p. 1519) JACK W. HESTER

HOUSE FILE 734

S-3707

- 1 Amend House File 734 as amended, passed, and
2 reprinted by the House as follows:
3 1. Amend the Title, line 6, by inserting after
4 the word "research" the words "and providing for a
5 penalty".

S-3707 FILED & ADOPTED (p. 1521) BY C. JOSEPH COLEMAN
MAY 3, 1979

SENATE AMENDMENT TO
HOUSE FILE 734

H-4282

1 Amend House File 734 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 3, by striking lines 14 through 20 and
4 inserting in lieu thereof the following:

5 "Sec. 3. Chapter one hundred fifty-nine (159),
6 Code 1979, is amended by adding the following new
7 section:

8 NEW SECTION. The secretary shall not approve the
9 use of end intake airprobes, which use a vacuum to
10 collect a sample from a load of grain, pursuant to
11 section one hundred fifty-nine point five (159.5),
12 subsection ten (10) of the Code. A person who uses
13 a method of probing for foreign material content of
14 grain which is not approved by the secretary is guilty
15 of a simple misdemeanor."

16 2. Page 9, by striking lines 29 through 35.

17 3. Page 11, line 14, by striking the word "more"
18 and inserting in lieu thereof the words "mere less".

19 4. Page 11, line 15, by striking the word "may"
20 and inserting in lieu thereof the words "may shall".

21 5. Page 11, by striking line 21 through page 12,
22 line 3.

23 6. Page 12, line 23, by striking the word "fifty-
24 nine" and inserting in lieu thereof the word "fifty-
25 eight".

26 7. Page 12, line 31, by striking the figures
27 "1,988,972 \$ 2,095,359" and inserting in
28 lieu thereof the figures:

29 "1,968,880 \$2,074,628".

30 8. Page 17, line 3, by inserting after the word
31 "accepted" the words "but not longer than twelve years
32 from the date that construction was approved by the
33 department".

34 9. Page 20, by inserting after line 17 the
35 following:

36 "4. For settlement of
37 a judgment against the
38 Cass county soil conserva-
39 tion district \$9,925"

40 10. Renumbering the subsections to conform with
41 this amendment.

42 11. Amend the title, line 6, by inserting after the
43 word "research" the words "and providing for a penalty".

H-4282 FILED
MAY 7, 1979

RECEIVED FROM THE SENATE
House amended (4297A, 4300) and concurred 5/8 (p. 2144)

H-4300

- 1 Amend the Senate amendment, H-4282, to House
 2 File 734 as amended, passed and reprinted as
 3 follows:
 4 ~~1. Page 1, by striking line 16.~~
 5 ~~2. Page 1, by striking lines 17 through 22.~~

H-4300 FILED *Adopted 5/8 (p. 2140-41)* BY AVENSON of Fayette
 MAY 7, 1979

HOUSE FILE 734

H-4297

- 1 Amend the Senate amendment H-4282 to House File
 2 734 as amended, passed and reprinted by the House
 3 as follows:
 4 1. Page 1, by striking lines 8 through 12 and
 5 inserting in lieu thereof the following:
 6 "NEW SECTION. The secretary shall not approve
 7 the use of any mechanized probe which is designed
 8 as an open-end inload suction, using a vacuum to
 9 draw a sample into the probe. A person who uses".
 10 2. Page 1, by striking lines 17 and 18.
 11 3. By renumbering the amendment to conform with
 12 this amendment.

BY TOFTE of Winneshiek
 DAVITT of Warren
 MULLINS of Kossuth
 COREY of Louisa

H-4297 FILED *A - Adopted as amended*
 MAY 7, 1979 *by 4302 5/8 (p. 2140)*
B - Ruled out of order (p. 214)

HOUSE FILE 734

H-4308

1 Amend the Senate amendment H-4282 to House File
2 734 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 1, by striking lines 21 and 22 and
5 inserting in lieu thereof the following:
6 "5. Page 11, by striking lines 25 through 31
7 and inserting in lieu thereof the following: "consist
8 of seven members. Three of the members shall be
9 employees of the commission who shall be appointed by
10 the executive director of the commission and shall
11 serve at his or her pleasure. The governor shall
12 appoint four members, one of whom shall be an execu-
13 tive officer of a county conservation board, one a
14 member of a county conservation board, and two who
15 shall not be officers or employees of the state con-
16 servation commission or a county conservation board.
17 The members appointed by the governor shall serve
18 one-year terms."

H-4308 FILED *Out of order 5/8 (2141)* BY HOWELL of Floyd
MAY 7, 1979

HOUSE FILE 734

H-4302

1 Amend amendment H-4297 to the Senate amendment
2 H-4282 to House File 734 as follows:
3 1. Page 1, by inserting after line 9 the
4 following:
5 "____. Page 1, by striking line 15 and insert-
6 ing in lieu thereof the following: "of a simple
7 misdemeanor.
8 This section is effective January 1, 1980."

H-4302 FILED *Adopted 5/8 (p. 2140)* BY LAGESCHULTE of Bremer
MAY 7, 1979

HOUSE FILE 734

H-4299

1 Amend the Senate amendment H-4282 to House File
2 734 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 1, by striking lines 3 through 15.
5 2. By renumbering the amendment to conform with
6 this amendment.

H-4299 FILED **/Drawn 5/8* BY PELLETT of Cass
MAY 7, 1979 *(p. 2139)* HARBOR of Mills
PERKINS of Greene
HUSAK of Tama

MAY 9, 1979
PAGE EIGHT

HOUSE FILE 734

4316

- 1 Amend the Senate amendment H-4282 to House File
- 2 734 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 15 and
- 5 inserting in lieu thereof the following:
- 6 "1. Page 3, by striking lines 14 through 20."

H-4316 FILED, LOST (p. 2137)
MAY 8, 1979

BY WELDEN of Hardin

HOUSE FILE 734

H-4315

- 1 Amend the Senate amendment H-4282 to House File
- 2 734 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 15 and
- 5 inserting in lieu thereof the following:
- 6 "1. Page 3, line 20, by inserting after the
- 7 word "misdemeanor." the following: "Until July
- 8 1, 1980, any person who uses a vacuum probe to
- 9 probe for foreign material content of grain shall
- 10 post a notice that the person is using a vacuum
- 11 probe and shall use a hand probe to sample the
- 12 grain if the person offering the grain so requests."

BY DE GROOT of Lyon
PELLETT of Cass
HARBOR of Mills
HUSAK of Tama
PERKINS of Greene

H-4315 FILED, LOST (p. 2139)
MAY 8, 1979

HOUSE FILE 734

H-4314

- 1 Amend the Senate amendment H-4282, to House File
- 2 734 as amended, passed and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by striking lines 17 through 20.

H-4314 FILED, OUT OF ORDER (p. 2141)
MAY 8, 1979

BY TOFTE of Winneshiek

HOUSE AMENDMENT TO SENATE AMENDMENT

TO HOUSE FILE 734

S-3746

- 1 Amend the Senate amendment H-4282 to House File
2 734 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 1, by striking lines 8 through 12 and
5 inserting in lieu thereof the following:
6 "NEW SECTION. The secretary shall not approve the
7 use of any mechanized probe which is designed as an
8 open-end inload suction, using a vacuum to draw a
9 sample into the probe. A person who uses".
10 2. Page 1, by striking line 15 and inserting in
11 lieu thereof the following: "of a simple misdemeanor.
12 This section is effective January 1, 1980."
13 3. Page 1, by striking line 16.
14 4. Page 1, by striking lines 17 through 22.

S-3746 FILED
MAY 9, 1979

RECEIVED FROM THE HOUSE

Senate refused to concur 5/9 (p. 1611)
House receded 5/9 (p. 2220)

HOUSE FILE 734

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 AND PROVIDING FOR A PENALTY.

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

Section 1. DEPARTMENT OF AGRICULTURE. There is appropriated from the general fund of the state and the trust funds indicated to the department of agriculture for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1979-1980 <u>Fiscal Year</u>	1980-1981 <u>Fiscal Year</u>
1. GENERAL ADMINISTRATION		
a. From the general fund for salaries, support, maintenance, and miscellaneous purposes including a market news study.....	\$ 1,098,652	\$ 1,087,460
b. From the fertilizer fund to be transferred to the administration division.....	\$ 25,000	\$ 25,000

c. From the dairy trade practice fund to be transferred to the administration division.....	\$ 58,825	\$ 57,133
d. From the commercial feed fund to be transferred to the administration division.....	\$ 25,000	\$ 25,000

2. REGULATORY DIVISION

From the general fund for salaries, support, maintenance, and miscellaneous purposes.....	\$ 3,011,735	\$ 2,977,256
---	--------------	--------------

It is a condition of the appropriations made by this subsection that for every dollar of federal funds received for indirect costs in excess of the amount appropriated for the meat and poultry section of the regulatory division, one dollar of the amount appropriated shall be returned to the general fund of the state.

3. LABORATORY DIVISION

a. From the general fund for salaries, support, maintenance, and miscellaneous purposes.....	\$ 507,348	\$ 492,145
b. From the commercial feed fund to be transferred to the laboratory division.....	\$ 552,460	\$ 542,540
c. From the pesticide fund to be transferred to the laboratory division.....	\$ 330,455	\$ 325,707
d. From the fertil-		

izer fund to be transferred to the laboratory division..... \$ 503,934 \$ 490,007

4. Funds appropriated by this section to the department of agriculture shall be used to pay salaries and support for not more than three hundred forty-one full-time equivalent positions.

Sec. 2. BRUCELLOSIS INDEMNITY. There is appropriated from the general fund of the state to the department of agriculture for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, 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 each of the fiscal years in the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 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. Chapter one hundred fifty-nine (159), Code 1979, is amended by adding the following new section:

NEW SECTION. The secretary shall not approve the use of end intake airprobes, which use a vacuum to collect a sample from a load of grain, pursuant to section one hundred fifty-nine point five (159.5), subsection ten (10) of the Code. A person who uses a method of probing for foreign material

content of grain which is not approved by the secretary is guilty of a simple misdemeanor.

Sec. 4. STATE CONSERVATION COMMISSION. There is appropriated from the general fund of the state and the funds indicated to the state conservation commission and its divisions for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

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 two hundred eighty-eight full-time equivalent positions of the division, and for maintenance of state parks, waters, and forests, and including not more than one million two hundred seventy-five thousand one hundred two (1,275,102) dollars during the fiscal year beginning July 1, 1979 and one million two hundred seventy-seven thousand

one hundred eighty-seven (1,277,187) dollars during the fiscal year beginning July 1, 1980 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..... \$ 5,077,176 \$ 4,922,838

2. DIVISION OF FISH AND GAME

a. From the state fish and game protection fund for salaries, support, maintenance, equipment and miscellaneous purposes for not more than two hundred seventy-seven full-time equivalent positions, including not more than one million two hundred seventy-five thousand one hundred two (1,275,102) dollars during the fiscal year beginning on July 1, 1979 and one million two hundred seventy-seven thousand one hundred eighty-seven (1,277,187) dollars

during the fiscal year beginning on July 1, 1980 which shall be available each fiscal year 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..... \$ 8,113,184 \$ 7,994,489

b. From the general fund of the state to a contingency fund to be used to replace federal funds under the "Pittman-Robertson Act", 16 U.S.C. s. 669 et seq., if those federal funds become unavailable..... \$ 700,000 \$

If the state conservation commission is reimbursed by the federal government for expenditures made from this contingency fund, the state conservation commission shall deposit the reimbursement in the general fund of the state.

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 equivalent position and for equipment and miscellaneous purposes for carrying out the duties of the board..... \$ 40,347 \$ 39,921

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 \$ 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..... \$ 48,000 \$ 48,000

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..... \$ 141,750 \$ 148,830

7. PROTECTED WATER AREAS STUDY

From the general fund of the state for not more than one full-time equivalent position for the continuation of the protected water areas study established by Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand nine (1009), section one (1), subsection two (2), paragraph c..... \$ 50,000 \$

8. GREAT RIVER ROAD STUDY

From the general fund of the state for the great river road study..... \$ 25,000 \$ 37,500

Sec. 5. MARINE FUEL TAX FUND. There is appropriated from the marine fuel tax fund for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the state conservation commission, division of lands and waters, the amounts computed as provided in section three hundred twenty-four point eighty-four (324.84) of the Code, which amounts 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 for fiscal years 1979-1980 and 1980-1981 shall not revert to the fund from which appropriated until June 30, 1983 and June 30, 1984, respectively.

Sec. 6. ADMINISTRATION FUND.

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 four (4) of this Act. Such funds shall be used for salaries and support of not more than one hundred ten full-time equivalent positions.

2. a. Funds remaining in the fish and game protection fund during fiscal years 1979-1980 and 1980-1981 which are not specifically appropriated by section four (4) of this Act are appropriated and may be used for capital projects and contingencies arising during the fiscal years beginning July 1, 1979 and July 1, 1980.

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. Notwithstanding section four hundred fifty-three point seven (453.7), subsection two (2) of the Code, interest or

earnings on investments or time deposits of the funds in the state fish and game protection fund shall be credited to the state fish and game protection fund.

4. 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.

5. 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 five (5) of section nineteen (19) of this Act for permanent soil conservation practices on watersheds above publicly-owned lakes.

Sec. 7. OPEN SPACES SCHOOL TAX PAYMENT. There is appropriated from the general fund of the state to the state conservation commission the amount of thirty-five thousand (35,000) dollars to pay school taxes for the fiscal year beginning July 1, 1980 on the lands acquired under the open spaces acquisition program, commenced in Acts of the Sixty-fifth General Assembly, 1973 Session, chapter seventy-four (74), which would otherwise be subject to the levy of school taxes. The assessed value of the open spaces land shall be that determined pursuant to section four hundred twenty-seven point one (427.1), subsection thirty-one (31), of the Code and the commission may protest the assessed value in the manner provided by law for any property owner to protest an assessment. For the purposes of chapter four hundred forty-two (442) of the Code, the assessed value of the open spaces land shall be included in the valuation base of the school district and the payments made pursuant to this section shall be considered as property tax revenues and not as miscellaneous income. The county treasurer shall certify the taxes due

to the commission. If the total amount of taxes due certified to the commission exceeds thirty-five thousand (35,000) dollars, the taxes due shall be reduced proportionately so that the total amount equals thirty-five thousand (35,000) dollars.

Sec. 8. Section one hundred ten point three (110.3), Code 1979, is amended to read as follows:

110.3 WILDLIFE HABITAT STAMP. A resident or nonresident person required to have a hunting or trapping license shall not hunt or trap unless he or she has on his or her person a valid wildlife habitat stamp signed in ink with his or her signature across the face of the stamp. This section shall not apply to residents who are permanently disabled or who are younger than sixteen or older than sixty-five years of age. Special wildlife habitat stamps shall be administered in the same manner as hunting and trapping licenses except all revenue derived from the sale of the wildlife habitat stamps shall be used within the state of Iowa for habitat development and shall be deposited in the state fish and game protection fund. The revenue may be used for the matching of federal funds. The revenues and any matched federal funds shall be used for acquisition of land, leasing of land or obtaining of easements from willing sellers for use as wildlife habitats. Notwithstanding the exemption provided by section 427.1, any land acquired with the revenues and matched federal funds shall be subject to the full consolidated levy of property taxes which shall be paid from those revenues. In addition such revenue may be used for the development, management and enhancement of wildlife lands and habitat areas. Not ~~more~~ less than fifty percent of all revenue from the sale of wildlife habitat stamps ~~may~~ shall be used by the commission to enter into agreements with county conservation boards or other public agencies in order to carry out the purposes of this section. The state share of funding of those agreements provided by the revenue from the sale of wildlife habitat stamps shall not exceed fifty seventy-five percent.

Sec. 9. Section one hundred ten B point four (110B.4), Code 1979, is amended to read as follows:

110B.4 USE OF REVENUE. All revenue shall be used for projects approved by the commission for the purpose of protecting and propagating migratory waterfowl and for the acquisition, development, restoration, maintenance or preservation of wetlands, except for that part which is specified by the commission for use in paying administrative expenses as provided in section 107.17.

The commission may enter into contracts with nonprofit organizations for the use of ~~one-half~~ fifteen percent of such funds outside the United States if the commission finds that such contracts are necessary for carrying out the purposes of this chapter.

Sec. 10. IOWA DEVELOPMENT COMMISSION. There is appropriated from the general fund of the state to the Iowa development commission for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. a. For salaries and support of not more than fifty-eight full-time equivalent positions, and maintenance and miscellaneous purposes.....	\$ 1,968,880	\$ 2,074,628

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 each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 for the seven regional tourism districts, not to exceed five thousand (5,000) dollars per

district, for each district which 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 equivalent positions, maintenance and miscellaneous purposes of the European office..... \$ 178,000 \$

3. For promotion of gasohol and associated by-products..... \$ 50,000 \$

Sec. 11. COAL RESEARCH PROJECT. There is appropriated from the general fund of the state to Iowa state university of science and technology for the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 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 conclude the coal research project authorized by Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand four (1004), section six (6). The funds appropriated by this section shall be used solely for the authorized research and shall not be used for related academic activities or studies. The energy and mineral resources research institute shall submit a final report on the coal research project to the appropriation subcommittees on natural resources of both houses of the general assembly.

Sec. 12. ETHANOL RESEARCH. The funds appropriated by Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand nine (1009), section one (1), subsection five (5), to Iowa state university of science and technology for ethanol research shall not revert to the general fund, notwithstanding section three (3) of that Act, until the end of the fiscal year ending July 30, 1980.

Sec. 13. ENERGY POLICY COUNCIL. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, to the energy policy council the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
ENERGY POLICY COUNCIL		
1. OPERATIONS		
For salaries and support of not more than eleven full-time equivalent positions, and for maintenance and miscellaneous purposes.....	\$ 230,192	\$ 233,683

2. PUBLIC BUILDINGS		
ENERGY CONSERVATION ADMINISTRATION		
For salaries and support of not more than six full-time equivalent positions, and for maintenance and miscellaneous purposes.....	\$ 77,625	\$ 77,912

Sec. 14. DEPARTMENT OF ENVIRONMENTAL QUALITY. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981, to the department of environmental quality, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For salaries,		

support and maintenance of not more than one hundred eighty-six full-time equivalent positions and for miscellaneous purposes..... \$ 2,206,852 \$ 2,213,998

During the fiscal year for which funds are appropriated by this section the 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.

2. 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, 33 U.S.C. 466 et seq., as amended

by the federal Clean Water Act of 1977, Pub. L. 95-217, in an amount equal to five percent of the amount approved as the eligible cost of the project by the Iowa water quality commission..... \$ 4,000,000 \$ 5,000,000

The provisions of section eight point thirty-three (8.33) of the Code shall not apply to the funds appropriated by this subsection. Unencumbered or unobligated funds remaining on June 30, 1983 from funds appropriated for the fiscal year beginning July 1, 1979, shall revert to the general fund on September 30, 1983. Unencumbered or unobligated funds remaining on June 30, 1984 from funds appropriated for the fiscal year beginning July 1, 1980 shall revert to the general fund on September 30, 1984.

Sec. 15. GROUND WATER MONITORING. The funds appropriated by Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand four (1004), section seventeen (17), subsection one (1), paragraph b, to the department of environmental quality for ground water monitoring shall not revert to the general fund, notwithstanding the first unnumbered paragraph of section seventeen (17) of that Act, until the end of the fiscal year ending June 30, 1980.

Sec. 16. Section four hundred fifty-five B point thirty-two (455B.32), subsection three (3), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A publicly-owned treatment works whose discharge meets the final effluent limitations which were contained in its discharge permit on the date that construction of the publicly-owned treatment works was approved by the department shall not be required to meet more stringent effluent limitations for a period of ten years from the date

the construction was completed and accepted but not longer than twelve years from the date that construction was approved by the department.

Sec. 17. STATE FAIR BOARD. There is appropriated from the general fund of the state to the Iowa state fair board for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the following sums, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For maintenance of state fair buildings and grounds.....	\$ 85,000	\$ 85,000
2. For premiums.....	\$ 10,000	\$ 10,000
3. For state aid to agricultural societies (local fairs).....	\$ 210,000	\$ 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. Such moneys shall not be used for other than the payment of cash premiums, and a county shall not 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 the amount 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. 18. GEOLOGICAL SURVEY--NATURAL RESOURCES COUNCIL--MISSISSIPPI PARKWAY--HOOVER BIRTHPLACE. There is appropriated from the general fund of the state for each fiscal year of

the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the following departments the amounts specified, or so much thereof as is necessary, to be used for the following purposes:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. GEOLOGICAL SURVEY		
For salaries, support and maintenance of not more than forty-three and thirty-six full-time equivalent positions during the fiscal years beginning July 1, 1979 and July 1, 1980, respectively, and for miscellaneous purposes for the general office.....	\$ 1,345,575	\$ 1,172,720

2. IOWA NATURAL RESOURCES COUNCIL--GENERAL OFFICE		
For salaries, support and maintenance of not more than thirty-one full-time equivalent positions and for miscellaneous purposes.....	\$ 662,942	\$ 652,478

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.

3. MISSISSIPPI RIVER

PARKWAY COMMISSION

For support, maintenance and miscellaneous purposes..... \$ 20,000 \$ 20,000

4. HERBERT HOOVER

MEMORIAL BIRTHPLACE

FOUNDATION

For the purpose of assisting with capital improvements..... \$ 2,750 \$ 2,750

Sec. 19. DEPARTMENT OF SOIL CONSERVATION. There is appropriated from the general fund of the state to the department of soil conservation for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. For salaries and support of not more than one hundred seventy-three full-time equivalent positions and maintenance, assistance to soil conservation districts and for miscellaneous purposes.....	\$ 2,544,670	\$ 2,528,876

It is the intent of the general assembly that twenty clerk-typist II positions be upgraded to that of secretary and that a position of director of conservancy districts be created.

2. 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.....

3. For use and expenditures in participation and conjunction with the soil conservation service, United States department of agriculture, and state agencies in joint operations in conducting soil surveys on lands within this state.....	\$ 25,000	\$ 25,000
3. For use and expenditures in participation and conjunction with the soil conservation service, United States department of agriculture, and state agencies in joint operations in conducting soil surveys on lands within this state.....	\$ 325,000	\$ 347,000

4. For settlement of a judgment against the Cass county soil conservation district..... \$ 9,925

5. 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 five (5) of section six (6) of this Act and to provide not more than ten percent of the appropriated by this subsection for incentive

payments for minimum or mulch tillage on a per acre basis, as determined by rule by the state soil conservation committee, to encourage erosion control on land that is row cropped..... \$ 5,000,000 \$ 5,000,000

The provisions of section eight point thirty-three (8.33) of the Code shall not apply to the funds appropriated by this subsection.

Unencumbered or unobligated funds remaining on June 30, 1983 from funds appropriated for the fiscal year beginning July 1, 1979 shall revert to the general fund on September 30, 1983. Unencumbered or unobligated funds remaining on June 30, 1984 from funds appropriated for the fiscal year beginning July 1, 1980 shall revert to the general fund on September 30, 1984.

6. There is appropriated from the general fund of the state for fiscal year beginning July 1, 1979 and ending June 30, 1980 to the department of soil conservation the sum of five thousand (5,000) dollars for reimbursement for actual and necessary expenses and a per diem of forty dollars a day for members of the temporary state land preservation policy commission or other persons who are requested and who appear before a legislative study committee or subcommittee of a standing committee of the Iowa general assembly studying land preservation policy. Unencumbered or unobligated funds remaining on June 30, 1980 shall revert to the general fund as provided for in section eight point thirty-three (8.33) of the Code.

Sec. 20. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in the federal grants

or receipts. Positions within state agencies funded with federal funds are approved for the duration of those funds only.

FLOYD H. MILLEN
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 734, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 10, 1979

ROBERT D. RAY
Governor