

Sen. Appropriations 3/17
Amend. 55-23 & 25-23 3/23 (p. 984)
Referral Ways & Means 3/25

MAR 11 1988

APPROPRIATIONS CALENDAR

HOUSE FILE 2440
BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 3/16/88 (p. 866) Passed Senate, Date 3/28/88 (p. 1079)
Vote: Ayes 60 Nays 32 Vote: Ayes 29 Nays 18

Approved April 12, 1988 (p. 1808)
Referred House 4/7/88 (p. 1528) Referred Senate 4/8/88 (p. 1362)
68-23 35-14

A BILL FOR

1 An Act relating to and making appropriations to the department of
2 agriculture and land stewardship and the department of natural
3 resources.

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

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HF 2440

1 Section 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.
2 There is appropriated from the general fund of the state and
3 the trust funds indicated to the department of agriculture and
4 land stewardship for the fiscal year beginning July 1, 1988,
5 and ending June 30, 1989, the following amounts, or so much
6 thereof as is necessary, to be used for the purposes desig-
7 nated:

8 1. ADMINISTRATIVE DIVISION

9 a. From the general fund for salaries, support,
10 maintenance, and miscellaneous purposes:

11 \$ 968,311

12 b. From the fertilizer fund to be transferred to the
13 administration division:

14 \$ 51,100

15 c. From the dairy trade practice fund to be transferred to
16 the administration division:

17 \$ 86,813

18 d. From the commercial feed fund to be transferred to the
19 administration division:

20 \$ 51,100

21 e. Of the amount appropriated from the general fund of the
22 state under paragraph "a" of this subsection, sixty thousand
23 (60,000) dollars shall be allocated for the operations of the
24 statistics bureau.

25 f. The department of agriculture and land stewardship
26 shall establish annual subscription fees for the regular and
27 periodic publications of the department. However, the
28 subscription fee for a publication by the farm commodity
29 division relating to a livestock market summary shall not
30 exceed ten dollars and a publication by the farm commodity
31 division relating to sheep clippings shall not exceed four
32 dollars. Fees collected from subscribers shall be deposited
33 in the general fund of the state.

34 g. The department of agriculture and land stewardship
35 shall fund, from moneys appropriated to the department under

1 paragraph "a" for the salary and support of the currently
2 untitled position within the administrative division, the
3 salary and support of the position of programming and planning
4 administrator II.

5 h. Funds appropriated by this subsection are for the
6 salaries and support of not more than forty-two point twenty-
7 four full-time equivalent positions.

8 2. FARM COMMODITY DIVISION

9 a. From the general fund for salaries and support, for not
10 more than nineteen full-time equivalent positions,
11 maintenance, and miscellaneous purposes:

12 \$ 985,270

13 b. Of the amount appropriated from the general fund of the
14 state under paragraph "a" of this subsection, three hundred
15 forty-six thousand three hundred seventy-nine (346,379)
16 dollars shall be allocated to the horticultural division for
17 the continuation of the agricultural diversification program
18 as enacted by 1986 Iowa Acts, chapter 1246, section 501,
19 subsection 1, paragraph "e".

20 3. FARMER'S MARKET COUPON PROGRAM

21 From the general fund of the state to be used by the
22 department to continue and expand the farmer's market coupon
23 program by providing federal special supplemental food program
24 recipients with coupons redeemable at farmer's markets:

25 \$ 100,000

26 4. REGULATORY DIVISION

27 a. From the general fund of the state for salaries and
28 support for not more than one hundred forty-nine point twenty
29 full-time equivalent positions, maintenance, and miscellaneous
30 purposes:

31 \$ 3,910,737

32 b. Of the amount appropriated from the general fund of the
33 state under paragraph "a" of this subsection, one hundred
34 forty-nine thousand seven hundred ninety (149,790) dollars
35 shall be allocated for the operations of the grain warehouse

1 bureau.

2 c. Of the amount appropriated from the general fund of the
3 state under paragraph "a" of this subsection, one hundred
4 seventy thousand twenty-nine (170,029) dollars shall be
5 allocated as follows: twenty-two thousand six hundred twenty
6 (22,620) dollars to the animal health bureau; forty-one
7 thousand eight hundred fifty-nine (41,859) dollars to the
8 grain warehouse bureau; fifty-two thousand eight hundred
9 seventy (52,870) dollars to the meat and poultry bureau; and
10 fifty-two thousand six hundred eighty (52,680) dollars to the
11 weights and measures bureau for the operations of those
12 bureaus.

13 5. LABORATORY DIVISION

14 a. From the general fund for salaries, support,
15 maintenance, and miscellaneous purposes:

16 \$ 596,283

17 b. From the commercial feed fund to be transferred to the
18 laboratory division:

19 \$ 811,527

20 c. From the pesticide fund to be transferred to the
21 laboratory division:

22 \$ 495,517

23 d. From the fertilizer fund to be transferred to the
24 laboratory division:

25 \$ 832,356

26 e. Funds appropriated by this subsection are for the
27 salaries and support of not more than ninety full-time
28 equivalent positions.

29 6. SOIL CONSERVATION DIVISION

30 a. From the general fund for salaries and support for not
31 more than one hundred seventy-five point seventy-eight full-
32 time equivalent positions, maintenance, assistance to soil
33 conservation districts, and for miscellaneous purposes:

34 \$ 4,347,061

35 b. Of the amount appropriated from the general fund of the

1 state under paragraph "a" of this subsection, three hundred
2 three thousand four hundred thirty-six (303,436) dollars shall
3 be used to conduct soil surveys in conjunction with federal,
4 state, and local agencies in Iowa.

5 c. To provide financial incentives for soil conservation
6 practices in accordance with the provisions of paragraph "d"
7 of this subsection:

8 \$ 6,789,972

9 d. The following requirements apply to the funds appropri-
10 ated by paragraph "c":

11 (1) Not more than five percent may be allocated for cost
12 sharing to abate complaints filed under section 467A.47 and
13 467A.48.

14 (2) Not more than ten percent may be allocated for finan-
15 cial incentives not exceeding seventy-five percent of the ap-
16 proved cost of permanent soil conservation practices under
17 chapter 467A on watersheds above publicly owned lakes in ac-
18 cordance with the priority list required in section 10 of this
19 Act.

20 (3) The soil conservation district commissioners may al-
21 locate financial incentives not exceeding sixty percent of the
22 cost of permanent soil conservation practices for special
23 watershed practices or summer construction incentives under
24 section 467A.7, subsections 17 and 19.

25 (4) Except for the allocations subject to subparagraphs 1,
26 2, and 3, these funds shall not be used alone or in combina-
27 tion with other public funds to provide a financial incentive
28 payment greater than fifty percent of the approved cost for
29 voluntary permanent soil conservation practices and priority
30 shall be given to family-operated farms.

31 (5) The soil conservation committee may allocate funds to
32 conduct research and demonstration projects to promote conser-
33 vation tillage and nonpoint sources pollution control
34 practices.

35 (6) Not more than thirty percent of a district's alloca-

1 tion may be allocated by the soil conservation district com-
2 missioners for the establishment of management practices to
3 control soil erosion on land that is now row cropped.

4 (7) The financial incentive payments may be used in com-
5 bination with department of natural resources funds.

6 e. The provisions of section 8.33 shall not apply to the
7 funds appropriated by paragraph "c". Unencumbered or unobli-
8 gated funds remaining on June 30, 1992, from funds
9 appropriated for the fiscal year beginning July 1, 1988, shall
10 revert to the general fund on September 30, 1992.

11 Sec. 2. There is appropriated to the department of
12 agriculture and land stewardship for the fiscal year beginning
13 July 1, 1988, and ending June 30, 1989, from the funds
14 available under section 99D.13 the sum of one hundred sixteen
15 thousand five hundred seventy-one (116,571) dollars, or so
16 much thereof as necessary, for volunteer assistance and not
17 more than three full-time equivalent positions for the
18 administration of section 99D.22.

19 Sec. 3. The department shall not make transfers from the
20 funds established in chapter 192A, 198, 200, or 206, to be
21 used for purposes not authorized in those chapters without
22 notifying the chairpersons and ranking members of the
23 agriculture and natural resources appropriations subcommittee
24 in writing prior to the proposed transfer of funds. The
25 notice from the department shall include information
26 concerning the amount of the proposed transfer, the funds
27 affected by the proposed transfer, and the reasons for the
28 proposed transfer. Chairpersons and ranking members notified
29 shall be given at least two weeks to review and comment on the
30 proposed transfer before the transfer of funds is made.

31 Sec. 4. Notwithstanding section 169.4, subsection 8, the
32 board of veterinary medicine shall set the fee for each
33 license to practice veterinary medicine described in the
34 subsection at thirty dollars which shall be deemed to be the
35 costs of administration.

1 Sec. 5. Notwithstanding section 83.4, the division of soil
2 conservation of the department of agriculture and land
3 stewardship shall set the fee for a mine site permit at
4 fifteen dollars per site acre which shall be deemed to be the
5 cost of administration.

6 Sec. 6. DEPARTMENT OF NATURAL RESOURCES. There is
7 appropriated from the general fund of the state to the
8 department of natural resources for the fiscal year beginning
9 July 1, 1988, and ending June 30, 1989, the following amounts,
10 or so much thereof as may be necessary, to be used for the
11 following purposes:

12 1. For salaries, support, maintenance, and miscellaneous
13 purposes:
14 \$ 10,570,488

15 2. For reimbursement to federal agencies for cooperative
16 contracts:
17 \$ 185,983

18 3. For the green thumb program for the employment of the
19 elderly in conservation and outdoor recreation related fields
20 in coordination with other agencies as provided by law:
21 \$ 200,000

22 4. For the payment of assessments to the midwest
23 interstate low-level radioactive waste compact:
24 \$ 78,000

25 Sec. 7. There is appropriated from the state fish
26 and game protection fund to the department of natural resources
27 for the fiscal year beginning July 1, 1988, and ending June
28 30, 1989, the following amounts, or so much thereof as is
29 necessary, to be used for the purposes designated:

30 DIVISION OF FISH AND GAME

31 1. From the state fish and game protection fund for
32 salaries, support, maintenance, equipment, and miscella-
33 neous purposes including not more than two million three
34 hundred sixty-three thousand nine hundred fifty-seven (2,363,957)
35 dollars during the fiscal year beginning

1 on July 1, 1988, which shall be avail-
2 able from the state fish and game
3 protection fund for administrative
4 support:

5 \$ 14,655,148

6 2. From the fees deposited under section 321G.7 to the
7 fish and game protection fund for enforcement of snowmobile
8 laws as part of the state snowmobile program:

9 \$ 150,000

10 3. From the fees deposited under section 106.52 to the
11 fish and game protection fund for administration and
12 enforcement of navigation laws and water safety:

13 \$ 1,000,000

14 4. Funds remaining in the fish and game protection fund
15 during fiscal year 1988-1989 which are not specifically
16 appropriated by this section are appropriated and may be used
17 for capital projects and contingencies arising during the
18 fiscal year beginning July 1, 1988. A contingency shall not
19 include any purpose or project which was presented to the
20 general assembly by way of a bill or a proposed bill and which
21 failed to be enacted into law. For the purpose of this
22 subsection, a necessity of additional operating funds may be
23 construed as a contingency. Before any of the funds
24 authorized to be expended by this subsection are allocated for
25 contingencies, it shall be determined by the executive council
26 that a contingency exists and that the contingency was not
27 existent while the general assembly was in session and that
28 the proposed allocation shall be for the best interests of the
29 state. If a contingency arises or could reasonably be
30 foreseen during the time the general assembly is in session,
31 expenditures for the contingency must be authorized by the
32 general assembly.

33 Sec. 8. MARINE FUEL TAX FUND. There is appropriated from
34 the marine fuel tax fund to the department of natural
35 resources for the fiscal year beginning July 1, 1988, and

1 ending June 30, 1989, the following amounts, or so much
2 thereof as is necessary, to be used for the following
3 purposes:

4 1. For maintenance and development of boating facilities
5 and access to public waters:

6 \$ 397,179

7 2. For deposit in the state fish and game protection fund
8 for the administration and enforcement of navigation laws and
9 boat safety:

10 \$ 150,000

11 The balance of the amount computed as provided in section
12 324.84 for the fiscal year beginning July 1, 1988, and ending
13 June 30, 1989, is appropriated for the purposes provided in
14 section 324.79, subsections 1, 2, 3, and 5. The unencumbered
15 or unobligated balances of funds specifically allocated for
16 such projects for the fiscal year ending June 30, 1989, shall
17 revert to the fund from which appropriated September 30, 1991.

18 Sec. 9. Funds appropriated by section 6, subsections 1 and
19 3, and sections 7 and 8 of this Act are for salaries and
20 support for not more than nine hundred seventy point ten full-
21 time equivalent positions.

22 Sec. 10. The natural resources commission shall establish
23 a priority list of watersheds which are of highest importance
24 based on soil loss to be used for the allocation of funds set
25 aside in the appropriations to the department of agriculture
26 and land stewardship for permanent soil conservation
27 practices.

28 Sec. 11. Effective July 1, 1988, the department of natural
29 resources shall establish prices of plant material grown at
30 the state forest nurseries to cover eighty percent of all
31 expenses directly related to the growing of plants.

32 Effective July 1, 1989, the department shall establish
33 prices of plant material grown at the state forest nurseries
34 to cover all expenses directly related to the growing of the
35 plants.

1 The department shall develop additional programs to
2 encourage the wise management and preservation of existing
3 woodlands and shall increase its efforts to encourage
4 forestation and reforestation on private and public lands in
5 the state.

6 The department shall encourage a cooperative relationship
7 between the state forest nurseries and private nurseries in
8 the state in order to achieve these goals.

9 Sec. 12. If the department of agriculture and land
10 stewardship or the department of natural resources makes an
11 appropriation transfer between appropriation line-items, the
12 chairpersons and ranking members of the agriculture and
13 natural resources appropriations subcommittee shall be
14 notified in writing prior to the proposed transfer of funds.
15 The notice from the department shall include information
16 concerning the amount of the proposed transfer, the
17 appropriation line-items affected by the proposed transfer,
18 and the reasons for the proposed transfer. Chairpersons and
19 ranking members notified shall be given at least two weeks to
20 review and comment on the proposed transfer before the
21 transfer of funds is made.

22 Sec. 13. Section 162.3, Code 1987, is amended to read as
23 follows:

24 162.3 CERTIFICATE OF REGISTRATION FOR POUND.

25 No pound shall be operated unless a certificate of
26 registration for the pound is granted by the secretary.
27 Application for the certificate shall be made in the manner
28 approved by the secretary. ~~No fee shall be required for the~~
29 ~~application or certificate.~~ Certificates of registration
30 shall expire annually on March 1 unless revoked and may be
31 renewed upon application in the manner provided by the
32 secretary. A registered pound may engage in the sale of dogs
33 or cats, or both, under its control, if it obtains a license
34 for such activity, ~~but no fee shall be charged therefor unless~~
35 ~~the registered pound is privately owned.~~ The license fee for

1 a registered pound shall be fifteen dollars per year.

2 Sec. 14. Section 162.5, Code 1987, is amended to read as
3 follows:

4 162.5 PET SHOP LICENSE.

5 No person shall operate a pet shop unless the person has
6 obtained a license to operate a pet shop issued by the
7 secretary. Application for the license shall be made in the
8 manner provided by the secretary. The license shall expire
9 annually on March 1 of each year unless revoked and may be
10 renewed in the manner provided by the secretary. The license
11 fee shall be ~~forty~~ fifty dollars per year or ~~ten~~ thirteen
12 dollars for each quarter or portion of a quarter of a year.
13 The license may be renewed if the licensee has conformed to
14 all statutory and regulatory requirements.

15 Sec. 15. Section 162.6, Code 1987, is amended to read as
16 follows:

17 162.6 COMMERCIAL KENNEL OR PUBLIC AUCTION LICENSE.

18 No person shall operate a commercial kennel or public
19 auction, as defined in section 162.2, unless the person has
20 obtained a license to operate a commercial kennel or a public
21 auction issued by the secretary or unless the person has
22 obtained a certificate of registration issued by the secretary
23 if the kennel is federally licensed. Application for the
24 license or the certificate shall be made in the manner
25 provided by the secretary. The license and the certificate
26 shall expire annually on March 1 unless revoked. The license
27 fee shall be ~~twenty-five~~ forty dollars per year or ~~seven~~ ten
28 dollars for each quarter or portion of a quarter of a year and
29 the certification fee shall be five dollars annually. If the
30 person has obtained a federal license, the person need only
31 obtain a certificate. The license may be renewed upon
32 application and payment of the prescribed fee in the manner
33 provided by the secretary ~~provided~~ if the licensee has
34 conformed to all statutory and regulatory requirements. The
35 certificate may be renewed upon application and payment of the

1 prescribed fee in the manner provided by the secretary.

2 Sec. 16. Section 162.7, Code 1987, is amended to read as
3 follows:

4 162.7 DEALER LICENSE.

5 No person shall operate as a dealer unless the person has
6 obtained a license issued by the secretary or unless the
7 person has obtained a certificate of registration issued by
8 the secretary if the kennel is federally licensed.

9 Application for the license or the certificate shall be made
10 in the manner provided by the secretary. The license and
11 certificate shall expire annually on March 1 unless revoked.
12 The license fee shall be fifty one hundred dollars per year or
13 fifteen twenty-five dollars for each quarter or portion of a
14 quarter of a year, and the certification fee shall be five
15 dollars per year. The license may be renewed upon application
16 and payment of the prescribed fee in the manner provided by
17 the secretary, provided if the licensee has conformed to all
18 statutory and regulatory requirements. The certificate may be
19 renewed upon application and payment of the prescribed fee in
20 the manner provided by the secretary.

21 Sec. 17. Section 162.8, Code 1987, is amended to read as
22 follows:

23 162.8 COMMERCIAL BREEDER'S LICENSE.

24 No person shall operate as a commercial breeder unless the
25 person has obtained a license issued by the secretary or
26 unless the person has obtained a certificate of registration
27 issued by the secretary if the kennel is federally licensed.
28 Application for the license or the certificate shall be made
29 in the manner provided by the secretary. The annual license
30 or the certification period shall commence March 1 of each
31 year. The license fee shall be twenty-five forty dollars per
32 year or seven ten dollars for each quarter or portion of a
33 quarter of a year and the certificate fee shall be five twenty
34 dollars per year. The license may be renewed upon application
35 and payment of the prescribed fee in the manner provided by

1 the secretary provided the licensee has conformed to all
2 statutory and regulatory requirements. The certificate may be
3 renewed upon application and payment of the prescribed fee in
4 the manner provided by the secretary.

5 Sec. 18. Section 162.9, Code 1987, is amended to read as
6 follows:

7 162.9 BOARDING KENNEL OPERATOR'S LICENSE.

8 No person shall operate a boarding kennel unless the person
9 has obtained a license to operate a boarding kennel issued by
10 the secretary. Application for the license shall be made in
11 the manner provided by the secretary. The annual license
12 period shall commence March 1 of each year. The license fee
13 shall be ~~fifteen~~ thirty dollars per year or ~~four~~ nine dollars
14 for each quarter or portion of a quarter of a year. The
15 license may be renewed upon application and payment of the
16 prescribed fee in the manner provided by the secretary
17 provided the licensee has conformed to all statutory and
18 regulatory requirements.

19 Sec. 19. Section 162.10, Code 1987, is amended to read as
20 follows:

21 162.10 HOBBY KENNEL OWNER'S LICENSE.

22 No person shall operate a hobby kennel unless the person
23 obtains a license issued by the secretary. Application for
24 the license shall be in the manner provided by the secretary.
25 The annual license period shall commence March 1. The license
26 fee shall be ~~two~~ thirty dollars per year. The license may be
27 renewed upon application in the manner prescribed by the
28 secretary, provided the licensee has conformed to all
29 statutory and regulatory requirements.

30 Sec. 20. Section 177A.9, unnumbered paragraph 2, Code
31 1987, is amended to read as follows:

32 The fees for inspections and certifications shall not be
33 less than ~~fifteen~~ twenty-five dollars nor more than five
34 hundred dollars. Certificates shall be issued to nursery
35 stock growers and dealers on an annual basis. Inspection and

1 certification fees for nursery stock growers shall be ~~fifteen~~
2 twenty-five dollars plus ~~one-dollar~~ five dollars per acre or
3 part thereof, according to the amount of stock inspected. The
4 inspection and certification fee for nursery stock dealers
5 shall be ~~fifteen~~ twenty-five dollars. All fees shall be paid
6 at the time of inspection or before a certificate is issued.
7 Inspection and certification shall take place when necessary
8 to enforce this chapter and the rules pursuant to it.

9 Certificates issued in accordance with this chapter may be
10 revoked when inspection results determine that conditions
11 violate the standards for which certification was issued.

12 Sec. 21. Section 199.15, unnumbered paragraph 1, Code
13 1987, is amended to read as follows:

14 A person shall not sell, distribute, advertise, solicit
15 orders for, offer or expose for sale, agricultural or
16 vegetable seed without first obtaining from the department a
17 permit to engage in the business. A permit is not required of
18 persons selling seeds which have been packed and distributed
19 by a person holding and having in force a permit. A permit is
20 not required of persons selling or advertising seed of their
21 own production, provided that the seed is stored or delivered
22 to a purchaser only on or from the farm or premises where
23 grown. The fee for a new permit is ten dollars and the fee
24 for a renewed permit is based on the gross annual sales of
25 seeds in Iowa during the previous twelve-month period under
26 the permit holder's label and all permits expire on the first
27 day of July following date of issue. Permits shall be issued
28 subject to the following fee schedule:

29	Gross sales of seeds	Fee
30	Not more than \$ 25,000	\$10
31		<u>30</u>
32	Over \$25,000 but not exceeding 50,000	20
33		<u>60</u>
34	Over \$50,000 but not exceeding 100,000	30
35		<u>90</u>

1 Over \$100,000 but not exceeding 200,000 40
 2 120

3 For each additional increment of one hundred thousand dollars
 4 of sales in Iowa the fee shall increase by ten thirty dollars.
 5 The fee shall not exceed one thousand five hundred dollars for
 6 a permit holder.

7 Sec. 22. Section 214.3, unnumbered paragraph 2, Code
 8 Supplement 1987, is amended to read as follows:

9 The fee for each license shall be four six dollars per
 10 annum, except that the fee for motor vehicle fuel pumps and
 11 meters shall be two three dollars per annum if paid within one
 12 month from the date the license fee is due.

13 Sec. 23. Section 215.2, subsection 1, Code 1987, is
 14 amended to read as follows:

15 1. Railroad track scales, fifty sixty-five dollars each.

16 Sec. 24. Section 215.20, unnumbered paragraph 1, Code
 17 1987, is amended to read as follows:

18 The secretary of agriculture shall annually inspect and
 19 test all liquid meters used for the measurement and retail
 20 sale of liquefied petroleum gas and the secretary shall
 21 condemn all meters which are found to be inaccurate. A
 22 reasonable tolerance within a maximum of two percent, plus or
 23 minus, shall be allowed. It is unlawful to use a meter for
 24 retail measurement and sale which has been condemned. All
 25 condemned meters shall be conspicuously marked "inaccurate",
 26 and the mark shall not be removed or defaced except upon
 27 authorization of the secretary of agriculture or the
 28 secretary's authorized representative. The secretary of
 29 agriculture shall charge an annual fee of ten thirty-five
 30 dollars for each meter tested but the testing fee provided for
 31 by this section shall not be charged more than once in a
 32 calendar year to each meter tested. When liquefied petroleum
 33 gas is sold or delivered to a consumer as a liquid and by
 34 liquid measurement, the volume of liquid sold and delivered
 35 shall be corrected to a temperature of 60 degrees F. through

1 use of an approved volume correction factor table, or through
2 use of an approved meter with sealed automatic compensation
3 mechanism. All sale tickets shall show the delivered gallons,
4 the temperature at the time of delivery, and the corrected
5 gallonage, or shall state that temperature correction was
6 automatically made.

7 Sec. 25. All federal grants to and the federal receipts,
8 not otherwise appropriated, of the agencies appropriated funds
9 under this Act are appropriated for the purposes set forth in
10 the federal grants or receipts, unless otherwise provided by
11 the general assembly.

12 EXPLANATION

13 The bill appropriates funds to the department of
14 agriculture and land stewardship and the department of natural
15 resources for the fiscal year beginning July 1, 1988, and
16 ending June 30, 1989.

17 SIMILAR TO LSB 8363HC

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HOUSE FILE 2440

FISCAL NOTE

REQUESTED BY REPRESENTATIVE CARPENTER

In compliance with a written request received March 16, 1988, a fiscal note for HOUSE FILE 2440 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2440 makes appropriations to the Department of Agriculture and Land Stewardship and the Department of Natural Resources and raises fees in the Department of Agriculture and Land Stewardship.

FISCAL EFFECT

The Department of Agriculture and Land Stewardship estimates that House File 2440 will raise an estimated \$379,110 in additional income. All fee increases which are generated will be deposited in the general fund of the State.

DIVISION PROGRAM	CODE SECTION	NUMBER	PRESENT FEE	RECOMMENDED FEE	NET INCREASE	YEAR ENACTED OR LAST CHANGED
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FARM COMMODITY DIVISION

Livestock Market Summary	Set by the Division	1,265	\$ 5	\$ 10	\$ 6,325	
Sheep Clippings	Set by the Division	1,200	\$ 2	\$ 4	\$ 2,400	1982

SOIL CONSERVATION DIVISION

Coal Mine Permits	Sec. 83.4 Set by the Division	1,200	\$ 5 per acre covers a 5 year period.	\$ 15	\$ 3,600	1981
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REGULATORY DIVISION

Veterinary License	Set by Rule	2,300	\$ 15	\$ 30	\$ 34,500	1979
Private Pounds	Sec. 162.3	69	\$ 0	\$ 15	\$ 1,035	1974
Pet Shop License	Sec. 162.5	198	\$ 40	\$ 50	\$ 1,980	1974
Commercial Kennels	Sec. 162.6	384	\$ 25	\$ 40	\$ 5,760	1974
Public Auction	Sec. 162.6	1	\$ 25	\$ 40	\$ 15	1974
Dealer	Sec. 162.7	90	\$ 50	\$100	\$ 4,500	1974

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License							
Commercial Breeders	Sec. 162.8	672	\$ 25	\$ 40	\$ 10,080	1974	
Registration of Federal Licensees	Sec. 162.8	436	\$ 5	\$ 20	\$ 6,540	1974	
Boarding Kennels	Sec. 162.9	135	\$ 15	\$ 30	\$ 2,025	1974	
Converted Hobby Kennels	Sec. 162.10	275	\$ 2	\$ 30	--\$ 7,700..	1974	
Gas Pumps	Sec. 214.3	25,881	\$ 2	\$ 6	\$103,524	1955	
Refined fuel Truck Meters	Sec. 214.3	3,169	\$ 2	\$ 6	\$ 12,676	1955	
Railroad Track Scales	Sec. 215.2	2,993	\$ 50	\$ 65	\$ 44,895	1980	
Liquid Petroleum Gas Meters	Sec. 215.20	2,105	\$ 10	\$ 35	\$ 52,625	1968	

LABORATORY DIVISION

Nursery Stock Growers Fee	Sec. 177A.9	300 firms 3,200 Acres	\$ 15 per firm \$+ 1 per acre	\$ 25 per firm \$ +5 per acre	\$ 15,800		
Nursery Stock Dealer's license	Sec. 177A.9	853	\$ 15	\$ 25	\$ 8,530		
Seed Permit	Sec. 199.15	600	\$ 10/500	\$30/1500	\$ 54,600		

TOTAL PER INCREASE: \$ 379,110

SOURCE: Department of Agriculture and Land Stewardship (LSB 4363H, 1987)

FILED MARCH 16, 1988

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 2440

H-5546

- 5461 Amend House File 2440 as follows:
2 1. Page 2, line 12, by striking the figure
3 "985,270" and inserting the following: "735,270".

H-5546 FILED MARCH 14, 1988 BY STUELAND of Clinton

Lost 3-16 (p 858)

HOUSE FILE 2440

H-5549

- 1 Amend House File 2440 as follows:
2 1. Page 1, line 27, by striking the words
3 "However, the".
4 2. Page 1, by striking lines 28 through 31.
5 3. Page 1, line 32, by striking the word
6 "dollars."
7 4. By striking page 5, line 31, through page 6,
8 line 5.
9 5. By striking page 9, line 22, through page 15,
10 line 6.
11 6. By renumbering as necessary.

H-5549 FILED MARCH 14, 1988 BY VAN MAANEN of Mahaska

Lost 3-16 (p 856)

HOUSE FILE 2440

H-5569

- 1 Amend House File 2440 as follows:
2 1. Page 14, by striking lines 7 through 12.
3 2. By striking page 14, line 16 through page 15,
4 line 6.

H-5569 FILED MARCH 14, 1988 BY VAN MAANEN of Mahaska

Lost 3-16 (p 859)

H-5651

1 Amend the amendment H-5546 to House File 2440 as
2 follows:

3 1. Page 1, by striking lines 2 and 3 and
4 inserting the following:

5 " ". Page 2, by inserting after line 12 the
6 following:

7 "b. Of the amount appropriated from the general
8 fund of the state under paragraph "a" of this
9 subsection, two hundred fifty thousand (250,000)
10 dollars shall be transferred to the department of
11 economic development to establish the position of
12 agricultural trade specialist in each foreign trade
13 office operated by the department of economic
14 development. The specialist, in cooperation with
15 trade officials from federal and other state agencies,
16 including the department of agriculture and land
17 stewardship, shall do both of the following:

18 1. Serve as liaison between the department of
19 economic development and persons in business or
20 government with an interest in promoting trade between
21 agricultural businesses in this state and prospective
22 foreign buyers.

23 2. Facilitate efforts to expand the trade of
24 agricultural commodities produced in this state in
25 foreign markets.

26 The department of economic development shall
27 provide staff to support the trade specialists. In
28 addition, the department shall establish a European
29 trade coordinator and a Far East trade coordinator
30 within the department to provide in-house staff for
31 the specialists.

32 The department of agriculture and land stewardship
33 shall pay the costs related to the salary, support,
34 and maintenance of each agricultural trade specialist
35 and each trade coordinator.""

36 2. By renumbering as necessary.

H-5651 FILED MARCH 16, 1988 DE GROO of Lyon

Lost 3:16 (p 857)

HOUSE FILE 2440

S-5615

- 1 Amend House File 2440, as passed by the House, as
- 2 follows:
- 3 1. Page 5, by striking lines 31 through 35.
- 4 2. By renumbering as necessary.

S-5615

Filed March 28, 1988

OUT OF ORDER
(p. 1078)

BY BERL E. PRIEBE
DALE TIEDEN

HOUSE FILE 2440

S-5616

- 1 Amend House File 2440 as passed by the House as
- 2 follows:
- 3 1. Page 5, line 34, by striking the word "thirty"
- 4 and inserting the following: "fifteen".

S-5616

Filed March 28, 1988

ADOPTED
(p. 1079)

BY BERL E. PRIEBE
DALE L. TIEDEN
EMIL J. HUSAK

HOUSE FILE 2440

S-5523

- 1 Amend House File 2440, as passed by the House, as
- 2 follows:
- 3 1. Page 2, line 10, by striking the word
- 4 "nineteen" and inserting the following: "twenty-
- 5 three".
- 6 2. Title page, line 3, by inserting after the
- 7 word "resources" the following: ", and providing for
- 8 an increase in certain fees".

S-5523

Filed March 23, 1988

Adopted 3/28 (p. 1075)

BY COMMITTEE ON APPROPRIATIONS
JOE WELSH, Chairperson

HOUSE FILE 2440

S-5583

- 1 Amend House File 2440 as passed by the House, as
- 2 follows:
- 3 1. Page 5, line 31, by striking the figure
- 4 "169.4" and inserting the following: "169.5".

S-5583

Filed March 28, 1988

ADOPTED
(p. 1078)

BY JAMES RIORDAN

HOUSE FILE 2440

S-5597

- 1 Amend House File 2440 as passed by the House as
- 2 follows:
- 3 1. By striking page 13, line 12 through page 14,
- 4 line 6.

S-5597

Filed March 28, 1988

LOST
(p. 1079)

BY CALVIN O. HULTMAN

HOUSE FILE 2440

S-5605

- 1 Amend House File 2440 as passed by the House as
- 2 follows:
- 3 1. Page 5, by striking lines 31 through 35.

S-5605

Filed March 28, 1988

WITHDRAWN
(p. 1078)

BY EDGAR H. HOLDEN

HOUSE FILE 2440
AS AMENDED BY H-6014

In compliance with a written request received March 29, 1988, a fiscal note for HOUSE FILE 2440 AS AMENDED BY H-6014 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2440 makes appropriations to the Department of Agriculture and Land Stewardship and the Department of Natural Resources and raises fees in the Department of Agriculture and Land Stewardship.

FISCAL EFFECT

Amendment H-6014 strikes Section 4 of House File 2440 which raises the Veterinary License fee from \$15 to \$30 per year. The fee increase would have generated an estimated \$34,500 in additional revenue per year. The Department of Agriculture and Land Stewardship estimates that House File 2440 will raise an estimated \$344,610 in additional income. All fee increases which are generated will be deposited in the General Fund of the State.

DIVISION/ PROGRAM	CODE SECTION	NUMBER	PRESENT FEE	RECOMMENDED FEE	NET INCREASE	YEAR ENACTED OR LAST CHANGED
=====						

FARM COMMODITY DIVISION

Investment Market Summary	Set by the Division	1,265	\$ 5	\$ 10	\$ 6,325	
Sheep Clippings	Set by the Division	1,200	\$ 2	\$ 4	\$ 2,400	1982

SOIL CONSERVATION DIVISION

Coal Mine Permits	Sec. 83.4 Set by the Division	1,200	\$ 5 per acre covers a 5 year period.	\$ 15	\$ 3,600	1981
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REGULATORY DIVISION

Private Pounds	Sec. 162.3	69	\$ 0	\$ 15	\$ 1,035	1974
Pet Shop License	Sec. 162.5	198	\$ 40	\$ 50	\$ 1,980	1974
Commercial Kennels	Sec. 162.6	384	\$ 25	\$ 40	\$ 5,760	1974
Public Auction Dealer License	Sec. 162.6 Sec. 162.7	1 90	\$ 25 \$ 50	\$ 40 \$100	\$ 15 \$ 4,500	1974 1974

-2-

Commercial Breeders	Sec. 162.8	672	\$ 25	\$ 40	\$ 10,080	1974
Registration of Federal Licensees	Sec. 162.8	436	\$ 5	\$ 20	\$ 6,540	1974
Boarding Kennels	Sec. 162.9	135	\$ 15	\$ 30	\$ 2,025	1974
Converted Hobby Kennels	Sec. 162.10	275	\$ 2	\$ 30	\$ 7,700	1974
Gas Pumps	Sec. 214.3	25,881	\$ 2	\$ 6	\$103,524	1955
Refined Fuel Truck Meters	Sec. 214.3	3,169	\$ 2	\$ 6	\$ 12,676	1955
Railroad Track Scales	Sec. 215.2	2,993	\$ 50	\$ 65	\$ 44,895	1980
Liquid Petroleum Gas Meters	Sec. 215.20	2,105	\$ 10	\$ 35	\$ 52,625	1968

LABORATORY DIVISION

Nursery Stock Growers Fee	Sec. 177A.9	300 firms 3,200 Acres	\$ 15 per firm \$+ 1 per acre	\$ 25 per firm \$ +5 per acre	\$ 15,800	
Nursery Stock Dealer's License	Sec. 177A.9	853	\$ 15	\$ 25	\$ 8,530	
Seed Permit	Sec. 199.15	600	\$ 10/500	\$30/1500	\$ 54,600	

TOTAL FEE INCREASE: \$ 344,610

SOURCE: Department of Agriculture and Land Stewardship (LSB 8363b, 3, JKH)

FILED APRIL 4, 1988

BY DENNIS PROUTY, FISCAL DIRECTOR

SENATE AMENDMENT TO HOUSE FILE 2440

H-6014

- 1 Amend House File 2440, as passed by the House, as
2 follows:
3 1. Page 2, line 10, by striking the word
4 "nineteen" and inserting the following: "twenty-
5 three".
6 2. Page 5, line 31, by striking the figure
7 "169.4" and inserting the following: "169.5".
8 3. Page 5, line 34, by striking the word "thirty"
9 and inserting the following: "fifteen".
10 4. Title page, line 3, by inserting after the
11 word "resources" the following: ", and providing for
12 an increase in certain fees."
13 5. By renumbering, relettering, or redesignating
14 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-6014 FILED MARCH 29, 1988

*House amended (S 153) & concurred
4/7 (S 152)*

HOUSE FILE 2440

H-6133

- 1 Amend the Senate amendment, H-6014, to House File
2 2440, as passed by the House, as follows:
3 1. Page 1, by striking lines 6 through 9, and
4 inserting the following:
5 "_____. Page 5, by striking lines 31 through 35."
6 2. By renumbering as necessary.

By KNAPP of Sabuque

H-6133 FILED MARCH 31, 1988

Adopted 4/7 (S 152)

HOUSE FILE 2440

H-6175

1 Amend the Senate amendment, H-6014, to House File
2 2440, as passed by the House, as follows:

3 1. Page 1, by inserting after line 9, the
4 following:

5 " . Page 13, by inserting after line 11, the
6 following:

7 "Sec. . Section 182.13, Code 1987, is amended
8 to read as follows:

9 182.13 COMPENSATION -- MEETINGS -- CONFLICT OF
10 INTEREST.

11 1. Members of the board may receive payment for
12 their actual expenses and travel in performing
13 official board functions. Payment shall be made from
14 amounts collected from the assessment. No member of
15 the board shall be a salaried employee of the board.
16 However, a member of the board may receive
17 compensation, including a salary, from or any an
18 organization or agency, including an educational
19 institution, receiving funds from the board. The
20 board shall meet at least once every three months, and
21 at other times it deems necessary.

22 2. The board shall meet at least once every three
23 months, and at other times as the board deems
24 necessary.

25 3. If a member of the board has a pecuniary
26 interest, either direct or indirect, in matter
27 considered by the board, the interest shall be
28 disclosed by the member to the board and the interest
29 shall be set forth in the minutes of a meeting of the
30 board. The member having the pecuniary interest shall
31 not participate in an action taken by the board with
32 respect to the matter."

33 2. Page 1, line 11, by inserting before the word
34 "and" the following: "providing for the compensation
35 of certain board members,".

By COOPER of Lucas

H-6175 FILED APRIL 4, 1988

w/ls -/7 Apr 1988

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 2440

S-5871

- 1 Amend the Senate amendment, H-6014, to House File
- 2 2440, as passed by the House, as follows:
- 3 1. Page 1, by striking lines 6 through 9, and
- 4 inserting the following:
- 5 "____. Page 5, by striking lines 31 through 35."
- 6 2. By renumbering as necessary.

S-5871

Filed April 8, 1988 ADOPTED
Senate concurred 4/9/88 13017

RECEIVED FROM THE HOUSE

HOUSE FILE 2440

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO THE DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP AND THE DEPARTMENT OF NATURAL RESOURCES, AND PROVIDING FOR AN INCREASE IN CERTAIN FEES.

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

Section 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. There is appropriated from the general fund of the state and the trust funds indicated to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. ADMINISTRATIVE DIVISION
 - a. From the general fund for salaries, support, maintenance, and miscellaneous purposes:
 - \$ 968,311
 - b. From the fertilizer fund to be transferred to the administration division:
 - \$ 51,100
 - c. From the dairy trade practice fund to be transferred to the administration division:
 - \$ 86,813
 - d. From the commercial feed fund to be transferred to the administration division:
 - \$ 51,100
 - e. Of the amount appropriated from the general fund of the state under paragraph "a" of this subsection, sixty thousand (60,000) dollars shall be allocated for the operations of the statistics bureau.

f. The department of agriculture and land stewardship shall establish annual subscription fees for the regular and periodic publications of the department. However, the subscription fee for a publication by the farm commodity division relating to a livestock market summary shall not exceed ten dollars and a publication by the farm commodity division relating to sheep clippings shall not exceed four dollars. Fees collected from subscribers shall be deposited in the general fund of the state.

g. The department of agriculture and land stewardship shall fund, from moneys appropriated to the department under paragraph "a" for the salary and support of the currently untitled position within the administrative division, the salary and support of the position of programming and planning administrator II.

h. Funds appropriated by this subsection are for the salaries and support of not more than forty-two point twenty-four full-time equivalent positions.

2. FARM COMMODITY DIVISION

- a. From the general fund for salaries and support, for not more than twenty-three full-time equivalent positions, maintenance, and miscellaneous purposes:
 - \$ 985,270
- b. Of the amount appropriated from the general fund of the state under paragraph "a" of this subsection, three hundred forty-six thousand three hundred seventy-nine (346,379) dollars shall be allocated to the horticultural division for the continuation of the agricultural diversification program as enacted by 1986 Iowa Acts, chapter 1246, section 501, subsection 1, paragraph "e".

3. FARMER'S MARKET COUPON PROGRAM

From the general fund of the state to be used by the department to continue and expand the farmer's market coupon program by providing federal special supplemental food program recipients with coupons redeemable at farmer's markets:
..... \$ 100,000

4. REGULATOR DIVISION

a. From the general fund of the state for salaries and support for not more than one hundred forty-nine point twenty full-time equivalent positions, maintenance, and miscellaneous purposes:

..... \$ 3,910,737

b. Of the amount appropriated from the general fund of the state under paragraph "a" of this subsection, one hundred forty-nine thousand seven hundred ninety (149,790) dollars shall be allocated for the operations of the grain warehouse bureau.

c. Of the amount appropriated from the general fund of the state under paragraph "a" of this subsection, one hundred seventy thousand twenty-nine (170,029) dollars shall be allocated as follows: twenty-two thousand six hundred twenty (22,620) dollars to the animal health bureau; forty-one thousand eight hundred fifty-nine (41,859) dollars to the grain warehouse bureau; fifty-two thousand eight hundred seventy (52,870) dollars to the meat and poultry bureau; and fifty-two thousand six hundred eighty (52,680) dollars to the weights and measures bureau for the operations of those bureaus.

5. LABORATORY DIVISION

a. From the general fund for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 596,283

b. From the commercial feed fund to be transferred to the laboratory division:

..... \$ 811,527

c. From the pesticide fund to be transferred to the laboratory division:

..... \$ 495,517

d. From the fertilizer fund to be transferred to the laboratory division:

..... \$ 832,356

e. Funds appropriated by this subsection are for the salaries and support of not more than ninety full-time equivalent positions.

6. SOIL CONSERVATION DIVISION

a. From the general fund for salaries and support for not more than one hundred seventy-five point seventy-eight full-time equivalent positions, maintenance, assistance to soil conservation districts, and for miscellaneous purposes:

..... \$ 4,347,061

b. Of the amount appropriated from the general fund of the state under paragraph "a" of this subsection, three hundred three thousand four hundred thirty-six (303,436) dollars shall be used to conduct soil surveys in conjunction with federal, state, and local agencies in Iowa.

c. To provide financial incentives for soil conservation practices in accordance with the provisions of paragraph "d" of this subsection:

..... \$ 6,789,972

d. The following requirements apply to the funds appropriated by paragraph "c":

(1) Not more than five percent may be allocated for cost sharing to abate complaints filed under section 467A.47 and 467A.48.

(2) Not more than ten percent may be allocated for financial incentives not exceeding seventy-five percent of the approved cost of permanent soil conservation practices under chapter 467A on watersheds above publicly owned lakes in accordance with the priority list required in section 10 of this Act.

(3) The soil conservation district commissioners may allocate financial incentives not exceeding sixty percent of the cost of permanent soil conservation practices for special watershed practices or summer construction incentives under section 467A.7, subsections 17 and 19.

(4) Except for the allocations subject to subparagraphs 1, 2, and 3, these funds shall not be used alone or in combination with other public funds to provide a financial incentive payment greater than fifty percent of the approved cost for voluntary permanent soil conservation practices and priority shall be given to family-operated farms.

(5) The soil conservation committee may allocate funds to conduct research and demonstration projects to promote conservation tillage and nonpoint sources pollution control practices.

(6) Not more than thirty percent of a district's allocation may be allocated by the soil conservation district commissioners for the establishment of management practices to control soil erosion on land that is now row cropped.

(7) The financial incentive payments may be used in combination with department of natural resources funds.

e. The provisions of section 8.33 shall not apply to the funds appropriated by paragraph "c". Unencumbered or unobligated funds remaining on June 30, 1992, from funds appropriated for the fiscal year beginning July 1, 1988, shall revert to the general fund on September 30, 1992.

Sec. 2. There is appropriated to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1988, and ending June 30, 1989, from the funds available under section 99D.13 the sum of one hundred sixteen thousand five hundred seventy-one (116,571) dollars, or so much thereof as necessary, for volunteer assistance and not more than three full-time equivalent positions for the administration of section 99D.22.

Sec. 3. The department shall not make transfers from the funds established in chapter 192A, 198, 200, or 206, to be used for purposes not authorized in those chapters without notifying the chairpersons and ranking members of the agriculture and natural resources appropriations subcommittee in writing prior to the proposed transfer of funds. The notice from the department shall include information concerning the amount of the proposed transfer, the funds affected by the proposed transfer, and the reasons for the proposed transfer. Chairpersons and ranking members notified shall be given at least two weeks to review and comment on the proposed transfer before the transfer of funds is made.

Sec. 4. Notwithstanding section 83.4, the division of soil conservation of the department of agriculture and land stewardship shall set the fee for a mine site permit at fifteen dollars per site acre which shall be deemed to be the cost of administration.

Sec. 5. DEPARTMENT OF NATURAL RESOURCES. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

- 1. For salaries, support, maintenance, and miscellaneous purposes:
 - \$ 10,570,488
- 2. For reimbursement to federal agencies for cooperative contracts:
 - \$ 185,983
- 3. For the green thumb program for the employment of the elderly in conservation and outdoor recreation related fields in coordination with other agencies as provided by law:
 - \$ 200,000
- 4. For the payment of assessments to the midwest interstate low-level radioactive waste compact:
 - \$ 78,000

Sec. 6. There is appropriated from the state fish and game protection fund to the department of natural resources for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

DIVISION OF FISH AND GAME

- 1. From the state fish and game protection fund for salaries, support, maintenance, equipment, and miscellaneous purposes including not more than two million three hundred sixty-three thousand nine hundred fifty-seven (2,363,957) dollars during the fiscal year beginning on July 1, 1988, which shall be available from the state fish and game protection fund for administrative support:

..... \$ 14,655,148

2. From the fees deposited under section 321G.7 to the fish and game protection fund for enforcement of snowmobile laws as part of the state snowmobile program:

..... \$ 150,000

3. From the fees deposited under section 106.52 to the fish and game protection fund for administration and enforcement of navigation laws and water safety:

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

4. Funds remaining in the fish and game protection fund during fiscal year 1988-1989 which are not specifically appropriated by this section are appropriated and may be used for capital projects and contingencies arising during the fiscal year beginning July 1, 1988. 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 are 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.

Sec. 7. MARINE FUEL TAX FUND. There is appropriated from the marine fuel tax fund to the department of natural resources for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as is necessary, to be used for the following purposes:

1. For maintenance and development of boating facilities and access to public waters:

..... \$ 197,179

2. For deposit in the state fish and game protection fund for the administration and enforcement of navigation laws and boat safety:

..... \$ 150,000

The balance of the amount computed as provided in section 324.84 for the fiscal year beginning July 1, 1988, and ending June 30, 1989, is appropriated for the purposes provided in section 324.79, subsections 1, 2, 3, and 5. The unencumbered or unobligated balances of funds specifically allocated for such projects for the fiscal year ending June 30, 1989, shall revert to the fund from which appropriated September 30, 1991.

Sec. 8. Funds appropriated by section 6, subsections 1 and 3, and sections 7 and 8 of this Act are for salaries and support for not more than nine hundred seventy point ten full-time equivalent positions.

Sec. 9. The natural resources commission shall establish a priority list of watersheds which are of highest importance based on soil loss to be used for the allocation of funds set aside in the appropriations to the department of agriculture and land stewardship for permanent soil conservation practices.

Sec. 10. Effective July 1, 1988, the department of natural resources shall establish prices of plant material grown at the state forest nurseries to cover eighty percent of all expenses directly related to the growing of plants.

Effective July 1, 1989, the department shall establish prices of plant material grown at the state forest nurseries to cover all expenses directly related to the growing of the plants.

The department shall develop additional programs to encourage the wise management and preservation of existing woodlands and shall increase its efforts to encourage forestation and reforestation on private and public lands in the state.

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

Sec. 11. If the department of agriculture and land stewardship or the department of natural resources makes an appropriation transfer between appropriation line-items, the chairpersons and ranking members of the agriculture and natural resources appropriations subcommittee shall be notified in writing prior to the proposed transfer of funds. The notice from the department shall include information concerning the amount of the proposed transfer, the appropriation line-items affected by the proposed transfer, and the reasons for the proposed transfer. Chairpersons and ranking members notified shall be given at least two weeks to review and comment on the proposed transfer before the transfer of funds is made.

Sec. 12. Section 162.3, Code 1987, is amended to read as follows:

162.3 CERTIFICATE OF REGISTRATION FOR POUND.

No pound shall be operated unless a certificate of registration for the pound is granted by the secretary. Application for the certificate shall be made in the manner approved by the secretary. ~~No fee shall be required for the application or certificate.~~ Certificates of registration shall expire annually on March 1 unless revoked and may be renewed upon application in the manner provided by the secretary. A registered pound may engage in the sale of dogs or cats, or both, under its control, if it obtains a license for such activity, ~~but no fee shall be charged therefor unless the registered pound is privately owned.~~ The license fee for a registered pound shall be fifteen dollars per year.

Sec. 13. Section 162.5, Code 1987, is amended to read as follows:

162.5 PET SHOP LICENSE.

No person shall operate a pet shop unless the person has obtained a license to operate a pet shop issued by the

secretary. Application for the license shall be made in the manner provided by the secretary. The license shall expire annually on March 1 of each year unless revoked and may be renewed in the manner provided by the secretary. The license fee shall be ~~forty~~ fifty dollars per year or ~~ten~~ thirteen dollars for each quarter or portion of a quarter of a year. The license may be renewed if the licensee has conformed to all statutory and regulatory requirements.

Sec. 14. Section 162.6, Code 1987, is amended to read as follows:

162.6 COMMERCIAL KENNEL OR PUBLIC AUCTION LICENSE.

No person shall operate a commercial kennel or public auction, as defined in section 162.2, unless the person has obtained a license to operate a commercial kennel or a public auction issued by the secretary or unless the person has obtained a certificate of registration issued by the secretary if the kennel is federally licensed. Application for the license or the certificate shall be made in the manner provided by the secretary. The license and the certificate shall expire annually on March 1 unless revoked. The license fee shall be ~~twenty-five~~ forty dollars per year or ~~seven~~ ten dollars for each quarter or portion of a quarter of a year and the certification fee shall be five dollars annually. If the person has obtained a federal license, the person need only obtain a certificate. The license may be renewed upon application and payment of the prescribed fee in the manner provided by the secretary provided if the licensee has conformed to all statutory and regulatory requirements. The certificate may be renewed upon application and payment of the prescribed fee in the manner provided by the secretary.

Sec. 15. Section 162.7, Code 1987, is amended to read as follows:

162.7 DEALER LICENSE.

No person shall operate as a dealer unless the person has obtained a license issued by the secretary or unless the person has obtained a certificate of registration issued by

the secretary if the kennel is federally licensed. Application for the license or the certificate shall be made in the manner provided by the secretary. The license and certificate shall expire annually on March 1 unless revoked. The license fee shall be fifty one hundred dollars per year or fifteen twenty-five dollars for each quarter or portion of a quarter of a year, and the certification fee shall be five dollars per year. The license may be renewed upon application and payment of the prescribed fee in the manner provided by the secretary, provided if the licensee has conformed to all statutory and regulatory requirements. The certificate may be renewed upon application and payment of the prescribed fee in the manner provided by the secretary.

Sec. 16. Section 162.8, Code 1987, is amended to read as follows:

162.8 COMMERCIAL BREEDER'S LICENSE.

No person shall operate as a commercial breeder unless the person has obtained a license issued by the secretary or unless the person has obtained a certificate of registration issued by the secretary if the kennel is federally licensed. Application for the license or the certificate shall be made in the manner provided by the secretary. The annual license or the certification period shall commence March 1 of each year. The license fee shall be twenty-five forty dollars per year or seven ten dollars for each quarter or portion of a quarter of a year and the certificate fee shall be five twenty dollars per year. The license may be renewed upon application and payment of the prescribed fee in the manner provided by the secretary provided the licensee has conformed to all statutory and regulatory requirements. The certificate may be renewed upon application and payment of the prescribed fee in the manner provided by the secretary.

Sec. 17. Section 162.9, Code 1987, is amended to read as follows:

162.9 BOARDING KENNEL OPERATOR'S LICENSE.

No person shall operate a boarding kennel unless the person has obtained a license to operate a boarding kennel issued by the secretary. Application for the license shall be made in the manner provided by the secretary. The annual license period shall commence March 1 of each year. The license fee shall be fifteen thirty dollars per year or four nine dollars for each quarter or portion of a quarter of a year. The license may be renewed upon application and payment of the prescribed fee in the manner provided by the secretary provided the licensee has conformed to all statutory and regulatory requirements.

Sec. 18. Section 162.10, Code 1987, is amended to read as follows:

162.10 HOBBY KENNEL OWNER'S LICENSE.

No person shall operate a hobby kennel unless the person obtains a license issued by the secretary. Application for the license shall be in the manner provided by the secretary. The annual license period shall commence March 1. The license fee shall be two thirty dollars per year. The license may be renewed upon application in the manner prescribed by the secretary, provided the licensee has conformed to all statutory and regulatory requirements.

Sec. 19. Section 177A.9, unnumbered paragraph 2, Code 1987, is amended to read as follows:

The fees for inspections and certifications shall not be less than fifteen twenty-five dollars nor more than five hundred dollars. Certificates shall be issued to nursery stock growers and dealers on an annual basis. Inspection and certification fees for nursery stock growers shall be fifteen twenty-five dollars plus one-dollar five dollars per acre or part thereof, according to the amount of stock inspected. The inspection and certification fee for nursery stock dealers shall be fifteen twenty-five dollars. All fees shall be paid at the time of inspection or before a certificate is issued. Inspection and certification shall take place when necessary to enforce this chapter and the rules pursuant to it.

Certificates issued in accordance with this chapter may be revoked when inspection results determine that conditions violate the standards for which certification was issued.

Sec. 20. Section 199.15, unnumbered paragraph 1, Code 1987, is amended to read as follows:

A person shall not sell, distribute, advertise, solicit orders for, offer or expose for sale, agricultural or vegetable seed without first obtaining from the department a permit to engage in the business. A permit is not required of persons selling seeds which have been packed and distributed by a person holding and having in force a permit. A permit is not required of persons selling or advertising seed of their own production, provided that the seed is stored or delivered to a purchaser only on or from the farm or premises where grown. The fee for a new permit is ten dollars and the fee for a renewed permit is based on the gross annual sales of seeds in Iowa during the previous twelve-month period under the permit holder's label and all permits expire on the first day of July following date of issue. Permits shall be issued subject to the following fee schedule:

Gross sales of seeds		Fee
Not more than	\$ 25,000	\$10
		<u>30</u>
Over \$25,000 but not exceeding	50,000	20
		<u>60</u>
Over \$50,000 but not exceeding	100,000	30
		<u>90</u>
Over \$100,000 but not exceeding	200,000	40
		<u>120</u>

For each additional increment of one hundred thousand dollars of sales in Iowa the fee shall increase by ten thirty dollars. The fee shall not exceed one thousand five hundred dollars for a permit holder.

Sec. 21. Section 214.1, unnumbered paragraph 2, Code Supplement 1987, is amended to read as follows:

The fee for each license shall be four six dollars per annum, except that the fee for motor vehicle fuel pumps and meters shall be two three dollars per annum if paid within one month from the date the license fee is due.

Sec. 22. Section 215.2, subsection 1, Code 1987, is amended to read as follows:

1. Railroad track scales, fifty sixty-five dollars each.

Sec. 23. Section 215.20, unnumbered paragraph 1, Code 1987, is amended to read as follows:

The secretary of agriculture shall annually inspect and test all liquid meters used for the measurement and retail sale of liquefied petroleum gas and the secretary shall condemn all meters which are found to be inaccurate. A reasonable tolerance within a maximum of two percent, plus or minus, shall be allowed. It is unlawful to use a meter for retail measurement and sale which has been condemned. All condemned meters shall be conspicuously marked "inaccurate", and the mark shall not be removed or defaced except upon authorization of the secretary of agriculture or the secretary's authorized representative. The secretary of agriculture shall charge an annual fee of ten thirty-five dollars for each meter tested but the testing fee provided for by this section shall not be charged more than once in a calendar year to each meter tested. When liquefied petroleum gas is sold or delivered to a consumer as a liquid and by liquid measurement, the volume of liquid sold and delivered shall be corrected to a temperature of 60 degrees F. through use of an approved volume correction factor table, or through use of an approved meter with sealed automatic compensation mechanism. All sale tickets shall show the delivered gallons, the temperature at the time of delivery, and the corrected gallonage, or shall state that temperature correction was automatically made.

Sec. 24. All federal grants to and the federal receipts, not otherwise appropriated, of the agencies appropriated funds under this Act are appropriated for the purposes set forth in

the federal grants or receipts, unless otherwise provided by the general assembly.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2440, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 12, 1988

TERRY E. BRANSTAD
Governor