

Substituted for
SF 467
4-13-95
(p. 1213)
APR 3 1995

Reprinted

HOUSE FILE 553
BY COMMITTEE ON APPROPRIATIONS

APPROPRIATIONS CALENDAR

(SUCCESSOR TO LSB 1992HA)

Passed House, Date ^(p.1532) 4/12/95 Passed Senate, Date 4/13/95
Vote: Ayes 61 Nays 35 Vote: Ayes 46 Nays 0
Approved May 31, 1995

A BILL FOR

1 An Act relating to agriculture and natural resources, including
2 for appropriations involving agriculture and natural
3 resources, providing related statutory changes, and providing
4 effective dates.

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

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HF 553

1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

2 Section 1. GENERAL APPROPRIATION. There is appropriated
3 from the general fund of the state to the department of
4 agriculture and land stewardship for the fiscal year beginning
5 July 1, 1995, and ending June 30, 1996, the following amounts,
6 or so much thereof as is necessary, to be used for the
7 purposes designated:

8 1. ADMINISTRATIVE DIVISION

9 a. For salaries, support, maintenance, support of the
10 state 4-H foundation, support of the statistics bureau, and
11 miscellaneous purposes, and for the salaries and support of
12 not more than the following full-time equivalent positions:

13	\$	1,846,079
14	FTEs	45.45

15 The department shall eliminate the position of executive
16 officer II within the administration bureau, and reallocate
17 the duties and functions of the position among departmental
18 staff.

19 (1) Of the amount appropriated and FTEs authorized in this
20 paragraph "a", \$319,550 and 7.00 FTEs shall be used to support
21 horticulture.

22 The department may allocate additional moneys appropriated
23 under this subsection to support salary annualization.

24 (2) Of the amount appropriated in this paragraph "a",
25 \$50,000 shall be allocated to the state 4-H foundation to
26 foster the development of Iowa's youth and to encourage them
27 to study the subject of agriculture.

28 (3) Of the amount appropriated and FTEs authorized in this
29 paragraph "a", \$130,100 and 4 FTEs shall be allocated to the
30 statistics bureau to provide county-by-county information on
31 land in farms, production by crop, acres by crop, and county
32 prices by crop. The department may allocate additional moneys
33 appropriated under this subsection to support salary
34 annualization. Information collected under this subparagraph
35 shall be made available to the department of revenue and

1 finance for use in the productivity formula for valuing and
2 equalizing the values of agricultural land.

3 (4) Of the amount appropriated in this paragraph "a",
4 \$36,681 shall be allocated for purposes of supporting thirteen
5 area reporters as part of the livestock market news program
6 and \$13,000 shall be allocated to support the United States
7 department of agriculture cooperative agreement.

8 b. For the operations of the dairy trade practices bureau:
9 \$ 71,496

10 c. For the purpose of performing commercial feed audits:
11 \$ 62,076

12 d. For the purpose of performing fertilizer audits:
13 \$ 62,075

14 2. REGULATORY DIVISION

15 a. For salaries, support, maintenance, miscellaneous
16 purposes, and for not more than the following full-time
17 equivalent positions:
18 \$ 3,775,773
19 FTEs 122.50

20 b. For the costs of inspection, sampling, analysis, and
21 other expenses necessary for the administration of chapters
22 192, 194, and 195:
23 \$ 642,191

24 3. LABORATORY DIVISION

25 a. For salaries, support, maintenance, and miscellaneous
26 purposes, including the administration of the gypsy moth
27 program, and for not more than the following full-time
28 equivalent positions:
29 \$ 798,549
30 FTEs 76.10

31 Of the amount appropriated under this paragraph "a",
32 \$110,000 shall be used to administer a program relating to the
33 detection, surveillance, and eradication of the gypsy moth.
34 The department shall allocate and use the appropriation made
35 in this paragraph before moneys other than those appropriated

1 in this paragraph are used to support the program.

2 b. For the operations of the commercial feed programs:
3 \$ 738,044

4 c. For the operations of the pesticide programs:
5 \$ 1,232,421

6 Of the amount appropriated in this paragraph "c", \$160,000
7 shall be allocated to Iowa state university for purposes of
8 training commercial pesticide applicators.

9 d. For the operations of the fertilizer programs:
10 \$ 627,946

11 4. SOIL CONSERVATION DIVISION

12 a. For salaries, support, maintenance, assistance to soil
13 conservation districts, miscellaneous purposes, and for not
14 more than the following full-time equivalent positions:
15 \$ 5,456,854
16 FTEs 169.80

17 Of the funds appropriated in this paragraph "a", \$330,000
18 shall be used to reimburse commissioners of soil and water
19 conservation districts for administrative expenses. Moneys
20 used for the payment of meeting dues by counties shall be
21 matched on a dollar-for-dollar basis by the soil conservation
22 division.

23 b. For providing financial incentives for soil
24 conservation practices under chapter 161A:
25 \$ 5,918,606

26 c. The following requirements apply to the moneys
27 appropriated in paragraph "b":

28 (1) Not more than 5 percent of the moneys appropriated in
29 paragraph "b" may be allocated for cost sharing to abate
30 complaints filed under section 161A.47.

31 (2) Of the moneys appropriated in paragraph "b", 5 percent
32 shall be allocated for financial incentives to establish
33 practices to protect watersheds above publicly owned lakes of
34 the state from soil erosion and sediment as provided in
35 section 161A.73.

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

7 (4) The state soil conservation committee created in
8 section 161A.4 may allocate moneys to conduct research and
9 demonstration projects to promote conservation tillage and
10 nonpoint source pollution control practices.

11 (5) The financial incentive payments may be used in
12 combination with department of natural resources moneys.

13 d. The provisions of section 8.33 shall not apply to the
14 moneys appropriated in paragraph "b". Unencumbered or
15 unobligated moneys remaining on June 30, 1999, from moneys
16 appropriated in paragraph "b" for the fiscal year beginning
17 July 1, 1995, shall revert to the general fund on August 31,
18 1999.

19 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
20 appropriated from the general fund of the state to the
21 department of agriculture and land stewardship for the fiscal
22 year beginning July 1, 1995, and ending June 30, 1996, the
23 following amount, or so much thereof as is necessary, to be
24 used for the purpose designated:

25 For salaries, support, maintenance, and miscellaneous
26 purposes, to be used by the department to continue and expand
27 the farmers' market coupon program by providing federal
28 special supplemental food program recipients with coupons
29 redeemable at farmers' markets, and for not more than the
30 following full-time equivalent positions:

31	\$	215,337
32	FTEs	1.00

33 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

34 1. There is appropriated from the general fund of the
35 state to the department of agriculture and land stewardship

1 for the fiscal year beginning July 1, 1995, and ending June
2 30, 1996, the following amount, or so much thereof as is
3 necessary, to be used for the purpose designated:

4 For support of the pseudorabies eradication program:
5 \$ 900,200

6 2. Persons, including organizations interested in swine
7 production in this state and in the promotion of Iowa pork
8 products who contribute support to the program, are encouraged
9 to increase financial support for purposes of ensuring the
10 program's effective continuation.

11 Sec. 4. HORSE AND DOG RACING. There is appropriated from
12 the moneys available under section 99D.13 to the regulatory
13 division of the department of agriculture and land stewardship
14 for the fiscal year beginning July 1, 1995, and ending June
15 30, 1996, the following amount, or so much thereof as is
16 necessary, to be used for the purpose designated:

17 For salaries, support, maintenance, and miscellaneous
18 purposes for the administration of section 99D.22:
19 \$ 191,106

20 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
21 MARKETING. There is appropriated from the general fund of the
22 state to the interstate agricultural grain marketing
23 commission for the fiscal year beginning July 1, 1995, and
24 ending June 30, 1996, the following amount, or so much thereof
25 as is necessary, to be used for the purpose designated:

26 For carrying out duties of the commission as provided in
27 Article IV of the interstate compact on agricultural grain
28 marketing as provided in 1995 Iowa Code, chapter 183:
29 \$ 80,000

30 DEPARTMENT OF NATURAL RESOURCES

31 Sec. 6. GENERAL APPROPRIATION. There is appropriated from
32 the general fund of the state to the department of natural
33 resources for the fiscal year beginning July 1, 1995, and
34 ending June 30, 1996, the following amounts, or so much
35 thereof as is necessary, to be used for the purposes

1 designated:

2 1. ADMINISTRATIVE AND SUPPORT SERVICES

3 For salaries, support, maintenance, miscellaneous purposes,
4 and for not more than the following full-time equivalent
5 positions:

6	\$	1,844,132
7	FTEs	113.50

8 2. PARKS AND PRESERVES DIVISION

9 For salaries, support, maintenance, miscellaneous purposes,
10 and for not more than the following full-time equivalent
11 positions:

12	\$	5,510,976
13	FTEs	195.73

14 3. FORESTS AND FORESTRY DIVISION

15 For salaries, support, maintenance, miscellaneous purposes,
16 and for not more than the following full-time equivalent
17 positions:

18	\$	1,486,281
19	FTEs	48.71

20 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

21 For salaries, support, maintenance, miscellaneous purposes,
22 and for not more than the following full-time equivalent
23 positions:

24	\$	1,675,252
25	FTEs	52.00

26 5. ENVIRONMENTAL PROTECTION DIVISION

27 For salaries, support, maintenance, miscellaneous purposes,
28 and for not more than the following full-time equivalent
29 positions:

30	\$	1,708,888
31	FTEs	208.00

32 6. WATER QUALITY PROTECTION FUND

33 For allocation to the administrative account of the water
34 quality protection fund established pursuant to section
35 455B.183A; for purposes of that account:

1 \$ 404,000

2 7. FISH AND WILDLIFE DIVISION

3 For not more than the following full-time equivalent
4 positions:

5 FTES 340.93

6 8. WASTE MANAGEMENT ASSISTANCE DIVISION

7 For not more than the following full-time equivalent
8 positions:

9 FTES 16.75

10 Sec. 7. STATE FISH AND GAME PROTECTION FUND -- APPRO-
11 PRIATION TO THE DIVISION OF FISH AND WILDLIFE.

12 1. There is appropriated from the state fish and game
13 protection fund to the division of fish and wildlife of the
14 department of natural resources for the fiscal year beginning
15 July 1, 1995, and ending June 30, 1996, the following amount,
16 or so much thereof as is necessary, to be used for the
17 purposes designated:

18 For administrative support, and for salaries, support,
19 maintenance, equipment, and miscellaneous purposes:

20 \$ 20,637,657

21 2. The department shall not expend more moneys from the
22 fish and game protection fund than provided in this section,
23 unless the expenditure derives from contributions made by a
24 private entity, or a grant or moneys received from the federal
25 government, and is approved by the natural resource
26 commission. The department of natural resources shall
27 promptly notify the legislative fiscal bureau of the
28 commission's approval, and the chairpersons and ranking
29 members of the joint appropriations subcommittee on
30 agriculture and natural resources concerning the commission's
31 approval.

32 Sec. 8. MARINE FUEL TAX RECEIPTS -- NONCAPITALS AND
33 BOATING FACILITIES AND ACCESS. There is appropriated from the
34 marine fuel tax receipts deposited in the general fund of the
35 state to the department of natural resources for the fiscal

1 year beginning July 1, 1995, and ending June 30, 1996, the
2 following amounts, or so much thereof as is necessary, to be
3 used for the purposes designated:

4 1. For purposes of funding expenditures traditionally
5 funded from marine fuel tax revenues, but not considered as
6 capitals or operations:

7 \$ 200,000

8 2. For purposes of maintaining and developing boating
9 facilities and access to public waters by the parks and
10 preserves division:

11 \$ 411,311

12 Notwithstanding section 8.33, the unencumbered or
13 unobligated moneys remaining on June 30, 1996, from moneys
14 appropriated in subsection 1, may be expended during the
15 fiscal year beginning July 1, 1996, and ending June 30, 1997,
16 and shall not revert to the general fund until August 31,
17 1997.

18 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT
19 PURPOSES. There is transferred on July 1, 1995, from the fees
20 deposited under section 321G.7 to the fish and game protection
21 fund and appropriated to the department of natural resources
22 for the fiscal year beginning July 1, 1995, and ending June
23 30, 1996, the following amount, or so much thereof as is
24 necessary, to be used for the purpose designated:

25 For the purpose of enforcing snowmobile laws as part of the
26 state snowmobile program administered by the department of
27 natural resources:

28 \$ 100,000

29 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.
30 There is transferred on July 1, 1995, from the fees deposited
31 under section 462A.52 to the fish and game protection fund and
32 appropriated to the department of natural resources for the
33 fiscal year beginning July 1, 1995, and ending June 30, 1996,
34 the following amount, or so much thereof as is necessary, to
35 be used for the purpose designated:

1 For purposes of administration and enforcement of
2 navigation laws and water safety:
3 \$ 1,200,000

4 RESOURCES ENHANCEMENT AND PROTECTION

5 Sec. 11. GENERAL APPROPRIATION. Notwithstanding the
6 amount of the standing appropriation from the general fund of
7 the state under section 455A.18, subsection 3, there is
8 appropriated from the general fund of the state to the Iowa
9 resources enhancement and protection fund, in lieu of the
10 appropriation made in section 455A.18, for the fiscal year
11 beginning July 1, 1995, and ending June 30, 1996, the sum of
12 \$7,000,000, of which all moneys shall be allocated as provided
13 in section 455A.19 and the provisions of this Act.

14 Sec. 12. ALLOCATION OF MONEYS OTHERWISE DEDICATED TO THE
15 LIVING ROADWAY TRUST FUND -- 1995 FISCAL YEAR. On the
16 effective date of this section, notwithstanding section
17 455A.19, subsection 1, paragraph "g", of the unencumbered and
18 unobligated moneys allocated by section 455A.19, subsection 1,
19 paragraph "g", for the fiscal year beginning July 1, 1994, and
20 ending June 30, 1995, which otherwise would be allocated to
21 the living roadway trust fund created in section 314.21, there
22 is allocated for the fiscal year beginning July 1, 1994, and
23 ending June 30, 1995, the following amounts to be used as
24 follows:

25 1. To the Loess Hills development and conservation
26 authority, for deposit in the Loess Hills development and
27 conservation fund as created in section 161D.2 for the
28 purposes specified in section 161D.1:

29 \$ 270,000

30 2. To the division of soil conservation of the department
31 of agriculture and land stewardship for purposes of
32 distributing the moneys by equal share to all soil and water
33 conservation districts for purposes of assisting the districts
34 in meeting expenses:

35 \$ 500,000

1 The moneys allocated pursuant to this section shall not
2 revert pursuant to section 8.33, but shall remain available
3 for the fiscal year beginning July 1, 1995, and ending June
4 30, 1996, for the purposes designated in this section.

5 Sec. 13. ALLOCATION OF MONEYS OTHERWISE DEDICATED TO THE
6 LIVING ROADWAY TRUST FUND -- 1996 FISCAL YEAR.

7 Notwithstanding section 455A.19, and in lieu of the allocation
8 made from the resources enhancement and protection fund to the
9 living roadway trust fund pursuant to section 455A.19,
10 subsection 1, paragraph "g", for the fiscal year beginning
11 July 1, 1995, and ending June 30, 1996, the allocation made
12 pursuant to that paragraph shall instead be allocated to the
13 state land management account of the fund as provided in
14 section 455A.19, subsection 1, paragraph "e", for purposes
15 provided in that paragraph.

16 Sec. 14. OPEN SPACES ACCOUNT -- REDISTRIBUTION.

17 Notwithstanding section 455A.19, subsection 1, paragraph "a",
18 for the fiscal year beginning July 1, 1995, and ending June
19 30, 1996, of the remaining receipts required to be deposited
20 into accounts specified in section 455A.19, subsection 1,
21 paragraphs "a" through "g", twenty percent of the moneys shall
22 be allocated to the open spaces account for purposes provided
23 in section 455A.19, subsection 1, paragraph "a". Of the
24 moneys allocated to the open spaces account pursuant to this
25 section, not more than thirty percent shall be used for the
26 acquisition of land. The remaining moneys allocated to the
27 account shall be used as otherwise provided in that paragraph.
28 Of the moneys otherwise required to be deposited in the open
29 spaces account pursuant to section 455A.19, subsection 1,
30 paragraph "a", five percent of the remaining receipts required
31 to be deposited into accounts specified in section 455A.19,
32 subsection 1, paragraphs "a" through "g", shall be allocated
33 to the soil conservation division of the department of
34 agriculture and land stewardship to provide financial
35 incentives for soil and water conservation practices as

1 provided in section 161A.73. Of the moneys otherwise required
2 to be deposited in the open spaces account pursuant to section
3 455A.19, subsection 1, paragraph "a", three percent of the
4 remaining receipts required to be deposited into accounts
5 specified in section 455A.19, subsection 1, paragraphs "a"
6 through "g", shall be allocated to the loess hills development
7 and conservation fund created in section 161D.2, for purposes
8 specified in section 161D.1.

9 ANIMAL INDUSTRY APPROPRIATIONS

10 Sec. 15. LIVESTOCK PRODUCERS ASSISTANCE.

11 1. There is appropriated from the general fund of the
12 state to Iowa state university of science and technology, for
13 the fiscal year beginning July 1, 1995, and ending June 30,
14 1996, the following amount, or so much thereof as is
15 necessary, to be used for the purposes designated:

16 For the administration of the livestock producers
17 assistance program established pursuant to section 266.39D,
18 including salaries, support, maintenance, miscellaneous
19 purposes, and for not more than the following full-time
20 equivalent positions:

21	\$	100,000
22	FTEs	1.66

23 2. As a condition of this appropriation, the university
24 shall strive to ensure that the program becomes increasingly
25 self-sufficient.

26 3. The provisions of section 8.33 shall not apply to the
27 moneys appropriated in this section. Unencumbered or unobli-
28 gated moneys remaining on June 30, 1999, from moneys
29 appropriated in this section for the fiscal year beginning
30 July 1, 1995, shall revert to the general fund on August 31,
31 1999.

32 Sec. 16. ORGANIC NUTRIENT MANAGEMENT. Notwithstanding the
33 reversion and allocation provisions in section 455A.19,
34 subsection 1, paragraph "c", of the unencumbered and
35 unobligated moneys remaining on June 30, 1995, in the water

1 protection account and the water protection practices account
2 or of the allocations to be made to those accounts during the
3 fiscal year beginning July 1, 1995, \$800,000 shall be
4 transferred to the organic nutrient management fund created in
5 section 161C.5 and are appropriated to be used for the
6 purposes of carrying out the organic nutrient management
7 program as provided in section 161C.6.

8 RELATED APPROPRIATIONS

9 Sec. 17. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
10 UNDERGROUND STORAGE TANK BOARD. There is appropriated from
11 the unassigned revenue fund administered by the Iowa
12 comprehensive underground storage tank board, to the
13 department of natural resources for the fiscal year beginning
14 July 1, 1995, and ending June 30, 1996, the following amount,
15 or so much thereof as is necessary, to be used for the purpose
16 designated:

17 For administration expenses of the underground storage tank
18 section of the department of natural resources:

19 \$ 75,000

20 Sec. 18. TRANSFER -- WIND EROSION CONTROL FUND. On July
21 1, 1995, the department of agriculture and land stewardship
22 shall transfer all unencumbered or unobligated moneys
23 appropriated to the wind erosion control fund, and any moneys
24 which have been credited to the division of soil conservation
25 of the department of agriculture and land stewardship for
26 purposes of planting and maintaining wind erosion control
27 barriers, as originally provided for in 1978 Iowa Acts,
28 chapter 1108, section 7, and subsequently amended, to the road
29 use tax fund created in section 312.1.

30 Sec. 19. LEWIS AND CLARK RURAL WATER SYSTEM.

31 1. There is appropriated from the general fund of the
32 state to the department of natural resources for the fiscal
33 year beginning July 1, 1995, and ending June 30, 1996, the
34 following amount, or so much thereof as is necessary, to be
35 used for the purpose designated:

1 For allocation to local sponsors of the Lewis and Clark
2 rural water system, as required, in order to provide safe and
3 adequate municipal and rural water supplies for residential,
4 agricultural, and industrial use, and to preserve wetlands and
5 mitigate water conservation efforts:

6 \$ 54,026

7 2. Of the amount appropriated from the general fund to the
8 department of natural resources pursuant to section 6 of this
9 Act, the department shall allocate, for the fiscal year
10 beginning July 1, 1995, and ending June 30, 1996, \$9,974 to
11 local sponsors of the Lewis and Clark rural water system for
12 the purposes designated in subsection 1. The department shall
13 reduce its out-of-state travel expenditures budgeted among all
14 divisions receiving a general fund appropriation pursuant to
15 section 6 of this Act, in order to compensate for the
16 allocation required under this subsection.

17 MISCELLANEOUS

18 Sec. 20. STATE NURSERIES.

19 1. Notwithstanding section 17A.2, subsection 10, paragraph
20 "g", the department of natural resources shall adopt
21 administrative rules establishing prices of plant material
22 grown at the state forest nurseries to cover all expenses
23 related to the growing of the plants.

24 2. The department shall develop programs to encourage the
25 wise management and preservation of existing woodlands and
26 shall continue its efforts to encourage forestation and
27 reforestation on private and public lands in the state.

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

31 Sec. 21. IOWA QUALITY GRAIN INITIATIVE PROGRAM. The
32 general assembly supports the Iowa quality grain initiative
33 program administered by the Iowa cooperative extension service
34 in agriculture and home economics at Iowa state university,
35 and expresses a strong desire to support the program during

1 the fiscal year beginning July 1, 1996, and ending June 30,
2 1997, and to every extent practicable to include an
3 appropriation of \$80,000 to fund the program's efforts.

4 Sec. 22. TEMPORARY FUND FOR THE PURCHASE OF MOTOR VEHICLE
5 FUEL EQUIPMENT. Notwithstanding section 18.12, the department
6 of general services, upon authorization by the department of
7 agriculture and land stewardship, may conduct a sale of
8 equipment or a device used to test octane in motor vehicle
9 fuel as part of the department of agriculture and land
10 stewardship's regulatory functions. The proceeds of the sale
11 shall be deposited in a special fund established by the
12 department of agriculture and land stewardship. Moneys from
13 the fund shall only be used for purposes of purchasing a
14 superior device or equipment used to test octane in motor
15 vehicle fuel by the department of agriculture and land
16 stewardship. Unencumbered or unobligated moneys shall remain
17 in the fund until June 30, 1997, at which time remaining
18 moneys shall be deposited into the general fund of the state
19 as a reversion provided in section 8.33, and the fund shall be
20 abolished.

21 Sec. 23. TRUST FUND INFORMATION.

22 1. The department of revenue and finance in cooperation
23 with each appropriate agency shall track receipts to the
24 general fund which under law were previously collected to be
25 used for specific purposes, or to be credited to, or be
26 deposited to a particular account or fund, as provided in
27 section 8.60.

28 2. The department of revenue and finance and each
29 appropriate agency shall prepare reports detailing revenue
30 from receipts traditionally deposited into each of the funds.
31 A report shall be submitted to the legislative fiscal bureau
32 at least once for each three-month period as designated by the
33 legislative fiscal bureau.

34 Sec. 24. DEPARTMENTAL INFORMATION REQUIRED.

35 1. The department of agriculture and land stewardship and

1 the department of natural resources, in cooperation as
2 necessary with the department of management and the department
3 of personnel, shall provide a list to the legislative fiscal
4 bureau, on a quarterly basis, of all permanent positions added
5 to or deleted from the departments' table of organization in
6 the previous fiscal quarter. This list shall include at least
7 the position number, salary range, projected funding source or
8 sources of each position, and the reason for the addition or
9 deletion. The legislative fiscal bureau may use this
10 information to assist in the establishment of the full-time
11 equivalent position limits authorized in law for the
12 departments.

13 2. The department of natural resources shall provide the
14 legislative fiscal bureau information and financial data by
15 cost center, on at least a monthly basis, relating to the
16 indirect cost accounting procedure, the amount of funding from
17 each funding source for each cost center, and the internal
18 budget system used by the department. The information shall
19 include but is not limited to financial data covering the
20 department's budget by cost center and funding source prior to
21 the start of the fiscal year, and to the department's actual
22 expenditures by cost center and funding source after the
23 accounting system has been closed for that fiscal year.

24 3. The department of agriculture and land stewardship
25 shall provide the legislative fiscal bureau information and
26 financial data on at least a monthly basis, relating to the
27 internal budget system used by the department. The
28 information shall include but is not limited to financial data
29 covering the department's budget prior to the start of the
30 fiscal year, and to the department's actual expenditures after
31 the accounting system has been closed for that fiscal year.

32 Sec. 25. PREFERENCE PROVIDED -- PERSONS MEETING
33 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM. In its
34 employment of persons in temporary positions in conservation
35 and outdoor recreation, the department of natural resources

1 shall give preference to persons meeting eligibility
2 requirements for the green thumb program and to persons
3 working toward an advanced education in natural resources and
4 conservation.

5 Sec. 26. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP --
6 BUDGET SUBMISSION. If for the fiscal year beginning July 1,
7 1995, and ending June 30, 1996, the total amount of revenues
8 required to be deposited in the general fund of the state,
9 which before July 1, 1993, was deposited in the pesticide fund
10 as provided in section 8.60, is at least \$1,300,000, the
11 department of agriculture and land stewardship shall provide
12 in its estimate of expenditures required pursuant to section
13 8.23, for the fiscal year beginning July 1, 1996, and ending
14 June 30, 1997, that \$200,000 be allocated from the operations
15 of pesticide programs to Iowa state university for purposes of
16 training commercial pesticide applicators.

17

STATUTORY CHANGES

18 Sec. 27. 1993 Iowa Acts, chapter 176, section 25,
19 subsection 2, as amended by 1994 Iowa Acts, chapter 1198,
20 section 31, is amended to read as follows:

21 2. Notwithstanding section 8.33, unencumbered or
22 unobligated moneys remaining on June 30, 1993, from moneys
23 appropriated pursuant to 1992 Iowa Acts, Second Extraordinary
24 Session, chapter 1001, section 402, may be expended during the
25 fiscal period beginning July 1, 1993, and ending June 30, ~~1995~~
26 1996, and shall not revert to the general fund until August
27 31, ~~1995~~ 1996.

28 Sec. 28. 1994 Iowa Acts, chapter 1119, section 32,
29 subsection 2, unnumbered paragraph 1, is amended to read as
30 follows:

31 Notwithstanding section 423.24, as amended in this Act, for
32 each fiscal year of the period beginning on July 1, 1993, and
33 ending ~~July 1, 1994~~ June 30, 1996, an amount equal to two and
34 one-half percent of the total moneys used to support value-
35 added agricultural products and processes as provided in that

1 section, which would otherwise be allocated to the value-added
2 agricultural products and processes financial assistance fund,
3 shall instead be allocated to the office of renewable fuels
4 and coproducts. The moneys shall be used for purposes of
5 conducting soydiesel demonstration projects administered by
6 the state department of transportation under the oversight of
7 the renewable fuels and coproducts advisory committee.

8 Sec. 29. 1994 Iowa Acts, chapter 1119, section 32,
9 subsection 2, paragraph b, is amended to read as follows:

10 b. The state department of transportation shall evaluate
11 the performance of vehicles operating on soydiesel fuel,
12 including the rate of repairs on the vehicles and comments of
13 persons operating and maintaining the vehicles. The
14 department shall submit initial findings and recommendations
15 to the renewable fuels and coproducts advisory committee which
16 shall submit a report to the senate and chief clerk of the
17 house, the legislative service bureau, the chairpersons and
18 ranking members of the senate standing committee on
19 agriculture, the senate standing committee on small business,
20 economic development and tourism, the house of representatives
21 standing committee on agriculture, and the house of
22 representatives standing committee on small business, economic
23 development and trade. The department shall submit final
24 findings and recommendations to the renewable fuels and
25 coproducts advisory committee which shall submit a report to
26 the general assembly. The initial report shall be due on
27 October 1, 1994. The ~~final~~ second report shall be due on
28 March 1, 1995. A final report shall be due on October 1,
29 1996.

30 Sec. 30. 1994 Iowa Acts, chapter 1119, section 32,
31 subsection 2, paragraph d, is amended to read as follows:

32 d. Moneys available under this section which remain
33 unexpended or unobligated on June 30, ~~1994~~ 1995, shall remain
34 available to support the demonstration project and shall not
35 revert pursuant to section 8.33. Moneys remaining unexpended

1 or unobligated on June 30, ~~1995~~ 1996, shall be credited to the
2 value-added agricultural products and processes financial
3 assistance fund as created in section 15E.112.

4 Sec. 31. 1994 Iowa Acts, chapter 1198, section 1,
5 subsection 3, paragraph a, unnumbered paragraph 3, is amended
6 to read as follows:

7 Of the amount appropriated under this paragraph "a" or
8 paragraph "c" of this subsection, the department shall
9 allocate \$160,000 ~~shall-be-allocated~~ from the either
10 appropriation to Iowa state university for purposes of
11 training commercial pesticide applicators.

12 Sec. 32. Section 159.6, subsection 9, Code 1995, is
13 amended to read as follows:

14 9. State aid received by certain associations as provided
15 in chapters 176 through ~~183~~ 182, 186, and 352.

16 Sec. 33. Section 173.3, Code 1995, is amended to read as
17 follows:

18 173.3 CERTIFICATION OF STATE AID ASSOCIATIONS.

19 On or before November 15 of each year, the secretary of
20 agriculture shall certify to the secretary of the state fair
21 board the names of the various associations and societies
22 which have qualified for state aid under the provisions of
23 chapters 176 through 178, 180 through ~~183~~ 182, 186, and 352,
24 and which are entitled to representation in the convention as
25 provided in section 173.2.

26 Sec. 34. Section 455E.11, subsection 2, paragraph a,
27 subparagraph (12), subparagraph subdivision (c), Code 1995, is
28 amended to read as follows:

29 (c) Twelve and one-half cents per ton per year is
30 appropriated to the department of natural resources to provide
31 additional toxic cleanup days and for the natural resource
32 geographic information system required under section 455E.8,
33 subsection 6. Departmental rules adopted for implementation
34 of toxic cleanup days shall provide sufficient flexibility to
35 respond to the household hazardous material collection needs

1 of both small and large communities.

2 Sec. 35. Section 455E.11, subsection 2, paragraph b,
3 subparagraph (3), subparagraph subdivision (b), Code 1995, is
4 amended by striking the subparagraph subdivision and inserting
5 the following:

6 (b) Two percent is appropriated annually to the department
7 of natural resources for the purpose of administering grants
8 to counties and conducting oversight of county-based programs
9 relative to the testing of private rural water supply wells,
10 private rural water supply well sealing, and the proper
11 closure of private rural abandoned wells and cisterns. Not
12 more than thirty-five percent of the moneys is appropriated
13 annually to the department of natural resources for grants to
14 counties for the purpose of conducting programs of private
15 rural water supply testing, private rural water supply well
16 sealing, or the proper closure of private rural abandoned
17 wells or cisterns.

18 A county shall submit only one application. To be
19 eligible, a county must have adopted standards for private
20 water supply and private disposal facilities at least as
21 stringent as the standards adopted by the commission. During
22 each fiscal year, the amount granted each eligible applicant
23 county shall be the total funds available divided by the
24 number of eligible counties applying. Upon receipt of the
25 grant, the county may apply the funds to any one or more of
26 the above three programs.

27 Not more than six percent of the moneys is appropriated
28 annually to the state hygienic laboratory to assist in well
29 testing. For purposes of this subparagraph subdivision,
30 "cistern" means an artificial reservoir constructed
31 underground for the purpose of storing rainwater.

32 Sec. 36. WITHDRAWAL FROM THE AGRICULTURAL GRAIN MARKETING
33 COMPACT -- REPEAL.

34 1. Pursuant to article VI of the agricultural grain
35 marketing compact, the state of Iowa withdraws from the

1 compact by enacting this section repealing the compact.
2 Notwithstanding this section, the state retains its membership
3 in the compact and shall continue to function under the
4 compact as if it were in effect, until one year following the
5 enactment of this section and notification of withdrawal by
6 the governor of this state to the interstate agricultural
7 grain marketing commission.

8 2. Chapter 183, Code 1995, is repealed.

9 Sec. 37. EFFECTIVE DATES. The following provisions of
10 this Act, being deemed of immediate importance, take effect
11 upon enactment:

12 1. Sections 12 and 16 and this section of this Act.

13 2. The section of this Act that amends 1993 Iowa Acts,
14 chapter 176, section 25, subsection 2, as amended by 1994 Iowa
15 Acts, chapter 1198, section 31.

16 3. The sections of this Act that amends 1994 Iowa Acts,
17 chapter 1119, section 32.

18 4. The section of this Act that amends 1994 Iowa Acts,
19 chapter 1198, section 1, subsection 3, paragraph "a",
20 unnumbered paragraph 3.

21 5. The section of this Act that amends section 455E.11,
22 subsection 2, paragraph "b".

23

EXPLANATION

24 This bill appropriates moneys to the department of
25 agriculture and land stewardship and the department of natural
26 resources, including for administration of those agencies.
27 The bill provides appropriations to support several programs,
28 including the pseudorabies eradication program, inspections
29 for horses and dogs, and provides support to the interstate
30 compact on agricultural grain.

31 The bill appropriates moneys from the general fund to
32 support various divisions of the department of natural
33 resources. The bill appropriates moneys from the state fish
34 and game protection fund and from marine fuel tax receipts.
35 Moneys are transferred to the fish and game protection fund to

1 support the enforcement of snowmobile and navigation laws.
2 The bill reduces the appropriation to the resources
3 enhancement and protection fund and reallocates moneys
4 distributed from the fund for the current and next fiscal
5 year, including for purposes related to soil conservation.
6 The bill provides an appropriation to support a livestock
7 producers assistance program and provides for the transfer of
8 moneys from the water protection fund to the organic nutrient
9 management fund. The bill also provides for the transfer of
10 moneys from the wind erosion control fund to the road use tax
11 fund. Moneys are appropriated from the general fund to
12 support the Lewis and Clark rural water system. The bill
13 provides for the department of agriculture and land
14 stewardship's budgetary estimate for the next fiscal year.
15 The bill provides that the department of natural resources
16 must adopt rules establishing prices of plant material grown
17 at the state forest nurseries.

18 The bill provides that the general assembly supports the
19 Iowa quality grain initiative program administered by Iowa
20 state university, and expresses support for the program in the
21 next fiscal year. The bill establishes a temporary fund for
22 the purchase of a device or equipment used by the department
23 of agriculture and land stewardship to test octane in motor
24 vehicle fuel. The bill requires agencies to track receipts
25 which were previously collected to be used for specific
26 purposes, or to be credited to or be deposited to a particular
27 account or fund. The bill requires the department of
28 agriculture and land stewardship and the department of natural
29 resources to provide the legislative fiscal bureau with budget
30 and personnel information.

31 The bill amends provisions enacted in 1994 Iowa Acts,
32 chapter 1119, which allocated moneys to support value-added
33 agricultural products and processes to be used for purposes of
34 conducting soydiesel demonstration projects. The bill amends
35 a provision enacted in 1994 Iowa Acts, chapter 1198, which

1 appropriated moneys to the department of agriculture and land
2 stewardship for allocation to support the training of
3 commercial pesticide applicators. The bill amends section
4 455E.11 which provides for the allocation of moneys from the
5 groundwater protection fund. The bill provides that moneys
6 required to support toxic cleanup days may be used for the
7 natural resources geographic information system. The bill
8 also rewrites provisions in section 455E.11 allocating moneys
9 from the agriculture management account to support financial
10 assistance to counties. The bill provides for the repeal of
11 Iowa's participation in the agricultural grain marketing
12 compact, and the corresponding repeal of chapter 183. The
13 bill provides a number of effective dates.

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HOUSE FILE 553

H-3854

- 1 Amend House File 553 follows:
 - 2 1. Page 3, line 15, by striking the figure
 - 3 "5,456,854" and inserting the following: "5,621,854".
 - 4 2. Page 3, line 16, by striking the figure
 - 5 "169.80" and inserting the following: "176.30".
- By WEIGEL of Chickasaw

H-3854 FILED APRIL 11, 1995

4-12-95 (P.1513)

HOUSE FILE 553

H-3865

- 1 Amend House File 553 follows:
 - 2 1. Page 3, line 15, by striking the figure
 - 3 "5,456,854" and inserting the following: "5,621,854".
 - 4 2. Page 3, line 16, by striking the figure
 - 5 "169.80" and inserting the following: "176.30".
 - 6 3. Page 3, line 17, by inserting before the word
 - 7 "Of" the following: "(1)".
 - 8 4. Page 3, by inserting after line 22 the
 - 9 following:
 - 10 "(2) Of the amount appropriated and the number of
 - 11 full-time equivalent positions allocated in this
 - 12 paragraph "a", \$165,000 and 6.50 FTEs shall be used to
 - 13 provide that 13 part-time field office secretary I
 - 14 positions are made full-time positions."
- By WEIGEL of Chickasaw

H-3865 FILED APRIL 11, 1995

Adopted
4-12-95 (P.1514)

HOUSE FILE 553

H-3759

- 1 Amend House File 553 as follows:
- 2 1. Page 7, by inserting after line 1 the
- 3 following:
- 4 "Notwithstanding section 455B.183A, subsection 2,
- 5 paragraph "b", the total amount of fees for the
- 6 operation of a public water supply system required to
- 7 be adopted by the environmental protection commission
- 8 pursuant to that paragraph for the fiscal year
- 9 beginning July 1, 1995, and ending June 30, 1996,
- 10 shall not exceed the same amount that is appropriated
- 11 from the general fund of the state to the
- 12 administrative account of the water quality protection
- 13 fund under this subsection. Notwithstanding section
- 14 455B.183A, subsection 2, paragraph "b", the total
- 15 amount of moneys from the fees shall be deposited into
- 16 the water quality protection fund's public water
- 17 supply system account for purposes of supporting the
- 18 program to assist supply systems, as provided in
- 19 section 455B.183B."

By VANDE HOEF of Osceola

H-3759 FILED APRIL 5, 1995

WITHDRAWN

4-12-95

(P.1527)

HOUSE FILE 553

H-3874

1 Amend House File 553 as follows:
 2 1. Page 9, by striking lines 25 through 35 and
 3 inserting the following:
 4 " _____. To the department of natural resources for
 5 purposes of conducting a study of ten animal feeding
 6 operations and their structures, including confinement
 7 feeding operations and confinement feeding operation
 8 structures, and manure management and disposal systems
 9 used by such operations:
 10 \$ 200,000
 11 _____. To the department of natural resources for
 12 deposit into the Iowa resources enhancement and
 13 protection fund created pursuant to section 455A.18,
 14 of which all money shall be reallocated as provided in
 15 section 455A.19:
 16 \$ 300,000"

By KOENIGS of Mitchell

H-3874 FILED APRIL 11, 1995

Lost 4/12/95 (P. 1520)

HOUSE FILE 553

H-3879

1 Amend House File 553 as follows:
 2 1. Page 9, line 23, by striking the word
 3 "amounts" and inserting the following: "amount".
 4 2. Page 9, by striking lines 25 through 29.
 5 3. Page 9, line 30, by striking the figure "2."

By MURPHY of Dubuque

H-3879 FILED APRIL 11, 1995

WITHDRAWN
4-12-95 (P. 1520)

HOUSE FILE 553

H-3882

1 Amend House File 553 as follows:
 2 1. By striking page 9, line 14, through page 10,
 3 line 4.
 4 2. By renumbering as necessary.

By MURPHY of Dubuque

H-3882 FILED APRIL 11, 1995

WITHDRAWN *4-12-95 (P. 1520)*

HOUSE FILE 553

H-3883

1 Amend House File 553 as follows:
 2 1. Page 10, by striking lines 5 through 15.
 3 2. By renumbering as necessary.

By WITT of Black Hawk

H-3883 FILED APRIL 11, 1995

Lost 4/12/95 (P. 1516)

HOUSE FILE 553

H-3884

- 1 Amend House File 553 as follows:
- 2 1. By striking page 10, line 16, through page 11,
- 3 line 8.
- 4 2. By renumbering as necessary.

By MASCHER of Johnson

H-3884 FILED APRIL 11, 1995

WILLIAM WIN (P. 1516)
4-12-95

HOUSE FILE 553

H-3885

- 1 Amend House File 553 as follows:
- 2 1. By striking page 12, line 30, through page 13,
- 3 line 16.
- 4 2. By renumbering as necessary.

By MURPHY of Dubuque

H-3885 FILED APRIL 11, 1995

Lost 4/12/95 (P. 1517)

HOUSE FILE 553

H-3886

- 1 Amend House File 553 as follows:
- 2 1. Page 16, by striking lines 5 through 16.
- 3 2. By renumbering as necessary.

By MURPHY of Dubuque

H-3886 FILED APRIL 11, 1995

Lost 4/12/95 (P. 1517)

HOUSE FILE 553

H-3887

- 1 Amend House File 553 as follows:
 - 2 1. Page 9, line 12, by striking the figure
 - 3 "7,000,000" and inserting the following: "8,000,000".
- By BURNETT of Story RUNNING of Linn
MCCOY of Polk SHOULTZ of Black Hawk
WITT of Black Hawk MERTZ of Kossuth
MURPHY of Dubuque CONNORS of Polk
MASCHER of Johnson OLLIE of Clinton
O'BRIEN of Boone FALLON of Polk
MUNDIE of Webster HARPER of Black Hawk
DREES of Carroll MORELAND of Wapello
NELSON of Pottawattamie COHOON of Des Moines
WEIGEL of Chickasaw BRAND of Benton
DODERER of Johnson SCHRADER of Marion
JOCHUM of Dubuque BELL of Jasper
MYERS of Johnson CATALDO of Polk
KREIMAN of Davis BAKER of Polk
KOENIGS of Mitchell HOLVECK of Polk
MAY of Worth BERNAU of Story
LARKIN of Lee

H-3887 FILED APRIL 11, 1995

Lost 4/12/95 (P. 1515)

HOUSE FILE 553

H-3890

1 Amend House File 553 as follows:
2 1. Page 18, by inserting after line 11 the
3 following:
4 "Sec. ____ . Section 8.60, Code 1995, is amended to
5 read as follows:
6 8.60 USE OF DESIGNATED MONEYS.
7 Moneys credited to or deposited in the general fund
8 of the state on or after July 1, 1993, which under law
9 were previously collected to be used for specific
10 purposes, or to be credited to, or be deposited to a
11 particular account or fund shall only be used for the
12 purposes for which the moneys were collected,
13 including but not limited to moneys collected in
14 accordance with any of the following provisions:
15 1. Pari-mutuel regulation fund created in section
16 99D.17, Code Supplement 1993.
17 2. Excursion boat gambling special account
18 pursuant to section 99F.4, subsection 2, Code
19 Supplement 1993.
20 ~~3. Milk fund created in section 192.1117, Code~~
21 ~~Supplement 1993.~~
22 ~~4. Dairy trade practices trust fund pursuant to~~
23 ~~section 192A.307, Code Supplement 1993.~~
24 ~~5. Commercial feed fund created in section 198.97,~~
25 ~~Code Supplement 1993.~~
26 ~~6. Fertilizer fund created in section 200.97, Code~~
27 ~~Supplement 1993.~~
28 ~~7. Pesticide fund created in section 206.127, Code~~
29 ~~Supplement 1993.~~
30 ~~8.~~ 3. Motor vehicle fraud account pursuant to
31 section 312.2, subsection 13, Code Supplement 1993.
32 ~~9.~~ 4. Public transit assistance fund pursuant to
33 section 312.2, subsection 15, and section 324A.6, Code
34 Supplement 1993.
35 ~~10.~~ 5. Salvage vehicle fee paid to the Iowa law
36 enforcement academy pursuant to section 321.52, Code
37 Supplement 1993.
38 ~~11.~~ 6. Railroad assistance fund created in section
39 327H.18, Code Supplement 1993.
40 ~~12.~~ 7. Special railroad facility fund created in
41 section 327I.23, Code Supplement 1993.
42 ~~13.~~ 8. State aviation fund created in section
43 328.36, Code Supplement 1993.
44 ~~14. Marine fuel tax fund created in section~~
45 ~~452A.797, Code Supplement 1993.~~
46 ~~15.~~ 9. Public outdoor recreation and resources
47 fund pursuant to section 461A.79, Code Supplement
48 1993.
49 ~~16.~~ 10. Energy research and development fund
50 created in section 473.11, Code Supplement 1993.

H-3890

-1-

H-3890

Page 2

1 ~~17-~~ 11. Utilities trust fund created in section
2 476.10, Code Supplement 1993.

3 ~~18-~~ 12. Banking revolving fund created in section
4 524.207, Code Supplement 1993.

5 ~~19-~~ 13. Credit union revolving fund created in
6 section 533.67, Code Supplement 1993.

7 ~~20-~~ 14. Professional licensing revolving fund
8 created in section 546.10, Code Supplement 1993."

9 2. Page 18, by inserting after line 25 the
10 following:

11 "Sec. ____ . Section 192.111, subsection 3, Code
12 1995, is amended by striking the subsection.

13 Sec. ____ . NEW SECTION. 192.112 MILK FUND.

14 1. A milk fund is established in the state
15 treasury under the control of the department. The
16 fund shall consist of any money appropriated by the
17 general assembly and any other moneys available to and
18 obtained or accepted by the department from the
19 federal government or private sources for placement in
20 the fund. Fees collected under sections 192.111,
21 192.133, 194.14, 194.19, 194.20, and 195.9 shall be
22 deposited in the fund. All moneys deposited under
23 this section are appropriated to the department for
24 the costs of inspection, sampling, analysis, and other
25 expenses necessary for the administration of this
26 chapter and chapters 194 and 195.

27 2. In each fiscal year, the secretary shall
28 calculate the balance of funds deposited under this
29 section by subtracting all moneys expended for the
30 costs of inspection, sampling, analysis, and other
31 expenses necessary for the administration of this
32 chapter and chapters 194 and 195. If the calculation
33 shows a balance of funds deposited under this section
34 on June 30 of any fiscal year equal to or exceeding
35 one hundred fifty thousand dollars, the secretary
36 shall reduce the fees provided for in section 192.111
37 and section 194.20 for the next fiscal year in an
38 amount which will result in an ending estimated
39 balance of such funds for June 30 of the next fiscal
40 year of one hundred fifty thousand dollars.

41 3. All moneys in the milk fund are subject to
42 audit by the auditor of state. The milk fund is
43 subject at all times to warrants by the director of
44 revenue and finance, drawn upon written requisition of
45 the secretary. Notwithstanding section 8.33, moneys
46 in the milk fund shall remain in the milk fund and
47 shall not revert to the general fund of the state.
48 Notwithstanding section 12C.7, subsection 2, interest
49 or earnings on moneys deposited in the milk fund shall
50 be credited to the milk fund.

H-3890

-2-

H-3890

Page 3

1 Sec. ____ . Section 192.133, Code 1995, is amended
2 to read as follows:

3 192.133 LICENSE TERM -- FEES.

4 A license, unless earlier revoked, is valid until
5 July 1 after the date of its issuance. The maximum
6 fee for a license is twenty-five dollars, which shall
7 be paid before the license is issued, and standard
8 test bottles and pipettes shall be furnished at actual
9 cost. Fees collected under this section shall be
10 ~~deposited and used as required in section 192.111~~ in
11 the milk fund established in section 192.112.

12 Sec. ____ . Section 192A.30, Code 1995, is amended
13 to read as follows:

14 192A.30 PERMIT FEES.

15 For the purpose of administering and enforcing this
16 chapter, a processor or a person purchasing milk
17 products from a processor for wholesale distribution
18 shall obtain a permit, as provided by departmental
19 rule, before milk products are sold by the person or
20 wholesale purchaser in this state. The processor or
21 wholesale purchaser shall pay to the secretary a
22 permit fee in an amount set by the secretary, not to
23 exceed five mills per hundredweight on milk processed
24 into dairy products as defined in section 192A.1, and
25 sold within the state of Iowa. However, the permit
26 fee for the sale of ice cream or an additive variant
27 of ice cream or nonmilk-fat imitation shall not exceed
28 three mills per gallon. Products upon which fees have
29 been paid are exempt from further fees in successive
30 transactions. The fees for each month thus computed
31 shall be paid to the secretary on or before the
32 twenty-fifth day of the following month. The fees
33 shall be deposited in the milk fund established in
34 section 192.112.

35 ~~Fees paid to the secretary shall be deposited into~~
36 ~~the general fund of the state and shall be subject to~~
37 ~~the requirements of section 8.60.~~

38 Sec. ____ . Section 194.14, Code 1995, is amended to
39 read as follows:

40 194.14 LICENSE TERM -- FEES.

41 A milk grader's license, unless sooner revoked, is
42 valid until July 1 after the date of issuance. The
43 maximum fee for each license is ten dollars, which
44 shall be paid before the license is issued. Fees
45 collected under this section shall be deposited and
46 ~~used as required in section 192.111~~ in the milk fund
47 established pursuant to section 192.112.

48 Sec. ____ . Section 194.19, unnumbered paragraph 1,
49 Code 1995, is amended to read as follows:

50 A vehicle used for the collection of milk for

H-3890

-3-

H-3890

Page 4

1 manufacture of dairy products shall first be licensed
2 by the department. A license, unless earlier revoked,
3 is valid until July 1 after the date of its issuance.
4 The maximum fee for a license is twenty-five dollars,
5 which shall be paid before the license is issued. A
6 fee shall not be imposed under this section if the
7 vehicle or its operator has paid the fee imposed upon
8 milk haulers under section 192.111. Fees collected
9 under this section shall be deposited ~~and used as~~
10 required in section 192.111 in the milk fund
11 established in section 192.112. This section does not
12 apply to individuals transporting their own dairy
13 products.

14 Sec. _____. Section 194.20, Code 1995, is amended to
15 read as follows:

16 194.20 INSPECTION FEES -- GRADE "B" MILK.

17 A purchaser of milk from a grade "B" milk producer
18 shall pay an inspection fee not greater than one-half
19 cent per hundredweight. The fee is payable monthly to
20 the department at a time prescribed by the department.
21 Fees collected under this section shall be deposited
22 ~~and used as required in section 192.111~~ in the milk
23 fund established in section 192.112.

24 Sec. _____. Section 195.9, Code 1995, is amended to
25 read as follows:

26 195.9 LICENSE TERM -- FEES.

27 A license, unless sooner revoked, is valid until
28 July 1 after the date of its issuance. The maximum
29 fee for a license is twenty-five dollars which shall
30 be paid before the license is issued. Fees collected
31 under this section shall be deposited ~~and used as~~
32 required in section 192.111 in the milk fund
33 established in section 192.112.

34 Sec. _____. Section 198.9, subsection 3, Code 1995,
35 is amended to read as follows:

36 3. Fees collected shall be deposited in the
37 ~~general fund of the state and shall be subject to the~~
38 ~~requirements of section 8.60~~ commercial feed trust
39 ~~fund established in section 198.9A. Moneys deposited~~
40 ~~under this section shall be used for the payment of~~
41 ~~the costs of inspection, sampling, analysis,~~
42 ~~supportive research, and other expenses necessary for~~
43 ~~the administration of this chapter.~~

44 ~~If there is an unencumbered balance of funds from~~
45 ~~the fees deposited under this section on June 30 of~~
46 ~~any fiscal year equal to or exceeding one hundred~~
47 ~~thousand dollars, the secretary of agriculture shall~~
48 ~~reduce the per ton fee provided for in subsection 1~~
49 ~~for the next fiscal year in such amount as will result~~
50 ~~in an ending estimated balance of the fees deposited~~

H-3890

-4-

H-3890

Page 5

1 less costs paid for from those fees for June 30 of the
2 next fiscal year of one hundred thousand dollars.

3 The secretary shall publish a report not later than
4 September 1 of each year. The report shall provide a
5 detailed accounting of all sources of revenue
6 deposited under and all dispositions of funds expended
7 under this section. The report shall detail full-time
8 equivalent positions used in fulfilling the
9 requirements of this chapter. The report shall also
10 indicate to what extent any full-time equivalent
11 positions are shared with other programs. Copies of
12 the report issued by the secretary pursuant to this
13 subsection shall be delivered each year to the members
14 of the house of representatives and senate standing
15 committees on agriculture.

16 Sec. . NEW SECTION. 198.9A COMMERCIAL FEED
17 TRUST FUND.

18 1. A commercial feed trust fund is established in
19 the state treasury under the control of the
20 department. The fund shall consist of any moneys
21 appropriated to the fund by the general assembly and
22 any other moneys available to and obtained or accepted
23 by the department from the federal government or
24 private sources for placement in the fund. Fees
25 collected under section 198.9 shall be deposited in
26 the fund. Moneys deposited in the fund shall be used
27 for the payment of the costs of inspection, sampling,
28 analysis, supportive research, and other expenses
29 necessary for the administration of this chapter.

30 2. If there is an unencumbered balance of moneys
31 in the fund on June 30 of any fiscal year equal to or
32 exceeding one hundred thousand dollars, the secretary
33 of agriculture shall reduce the per ton fee provided
34 for in section 198.9, subsection 1, for the next
35 fiscal year in such amount as will result in an ending
36 estimated balance of the fees deposited less costs
37 paid for from those fees for June 30 of the next
38 fiscal year of one hundred thousand dollars.

39 3. The secretary shall publish a report not later
40 than September 1 of each year. The report shall
41 provide a detailed accounting of all sources of
42 revenue deposited under and all dispositions of moneys
43 deposited in the fund. The report shall detail full-
44 time equivalent positions used in fulfilling the
45 requirements of this chapter. The report shall also
46 indicate to what extent any full-time equivalent
47 positions are shared with other programs. Copies of
48 the report issued by the secretary pursuant to this
49 subsection shall be delivered each year to the members
50 of the standing committees on agriculture of the house

H-3890

-5-

H-3890

Page 6

1 of representatives and the senate.

2 Sec. _____. Section 200.4, subsection 1, Code 1995,
3 is amended to read as follows:

4 1. Any person who manufactures, mixes, blends,
5 mixes to customers order, offers for sale, sells, or
6 distributes any fertilizer or soil conditioner in Iowa
7 must first obtain a license from the secretary of
8 agriculture and shall pay a ten-dollar license fee for
9 each place of manufacture or distribution from which
10 fertilizer or soil conditioner products are sold or
11 distributed in Iowa. ~~Such~~ The license fee shall be
12 paid annually on July 1 of each year. The license fee
13 shall be deposited in the fertilizer fund established
14 in section 200.9.

15 Sec. _____. Section 200.8, subsection 3, Code 1995,
16 is amended by striking the subsection.

17 Sec. _____. Section 200.9, Code 1995, is amended to
18 read as follows:

19 200.9 FERTILIZER FEES FUND.

20 1. A fertilizer fund is established in the state
21 treasury under the control of the department of
22 agriculture and land stewardship. The fund shall
23 consist of any moneys appropriated by the general
24 assembly and any other moneys available to and
25 obtained or accepted by the department from the
26 federal government or private sources for placement in
27 the fund. Fees collected for licenses and inspection
28 fees under sections 200.4 and 200.8, with the
29 exception of those fees collected for deposit in the
30 agriculture management account of the groundwater
31 protection fund, shall be deposited in the general
32 fund of the state and shall be subject to the
33 requirements of section 8-60. Fees collected pursuant
34 to chapter 201 shall also be deposited in the fund.
35 Moneys deposited under this section to into the
36 general fund from fees collected pursuant to this
37 chapter shall be used only by the department for the
38 purpose of inspection, sampling, analysis,
39 preparation, and publishing of reports and other
40 expenses necessary for administration of this chapter
41 and chapter 201. The secretary may assign moneys to
42 the Iowa agricultural experiment station for research,
43 work projects, and investigations as needed for the
44 specific purpose of improving the regulatory functions
45 for enforcement of this chapter.

46 2. If there is an unencumbered balance of moneys
47 deposited in the fund from fees collected pursuant to
48 this chapter on June 30 of any fiscal year equal to or
49 exceeding three hundred fifty thousand dollars, the
50 secretary of agriculture shall reduce the per ton fee

H-3890

-6-

H-3890

Page 7

1 provided for in subsection 1 and the annual license
2 fee established pursuant to section 201.3 for the next
3 fiscal year in such amount as will result in an ending
4 estimated balance of such funds for June 30 of the
5 next fiscal year of three hundred fifty thousand
6 dollars.

7 3. All moneys in the fund are subject to audit by
8 the auditor of state. The fund is subject at all
9 times to warrants by the director of revenue and
10 finance, drawn upon written requisition of the
11 secretary. Notwithstanding section 8.33, moneys in
12 the fertilizer fund shall remain in the fertilizer
13 fund and shall not revert to the general fund of the
14 state. Notwithstanding section 12C.7, subsection 2,
15 interest or earnings on moneys deposited in the
16 fertilizer fund shall be credited to the fertilizer
17 fund.

18 Sec. ____. Section 201.13, Code 1995, is amended to
19 read as follows:

20 201.13 MONEYS TO GENERAL THE FERTILIZER FUND --
21 PERIODIC REPORT.

22 The moneys received under this chapter shall be
23 deposited in the ~~general fund of the state and shall~~
24 ~~be subject to the requirements of section 8.60.~~
25 ~~Moneys deposited under this section shall be used by~~
26 ~~the department of agriculture and land stewardship~~
27 ~~only for the purpose of inspection, sampling,~~
28 ~~analyzing, preparing and publishing of reports, and~~
29 ~~other expenses necessary for the administration of~~
30 this chapter fertilizer fund as provided in section
31 200.9. The secretary shall issue an annual report
32 showing a statement of moneys received from license
33 and testing fees, and a biennial report which shall be
34 made available to the public showing the
35 certifications of the effective calcium carbonate
36 equivalent for all agricultural lime, limestone, or
37 aglime certified as provided in this chapter. The
38 report shall list the manufacturers and producers and
39 their locations. Copies of all reports issued by the
40 secretary pursuant to this section shall be sent to
41 the members of the house of representatives and senate
42 standing committees on agriculture.

43 Sec. ____. Section 206.12, subsection 3, Code 1995,
44 is amended to read as follows:

45 3. The registrant, before selling or offering for
46 sale any pesticide for use in this state, shall
47 register each brand and grade of such pesticide with
48 the secretary upon forms furnished by the secretary,
49 and the secretary shall set the registration fee
50 annually at one-fifth of one percent of gross sales

H-3890

-7-

H-3890

Page 8

1 within this state with a minimum fee of two hundred
2 fifty dollars and a maximum fee of three thousand
3 dollars for each and every brand and grade to be
4 offered for sale in this state except as otherwise
5 provided. The annual registration fee for products
6 with gross annual sales in this state of less than one
7 million five hundred thousand dollars shall be the
8 greater of two hundred fifty dollars or one-fifth of
9 one percent of the gross annual sales as established
10 by affidavit of the registrant. The secretary shall
11 adopt by rule exemptions to the minimum fee. Fifty
12 dollars of each fee collected shall be deposited in
13 ~~the general fund of the state, shall be subject to the~~
14 ~~requirements of section 8.60, and shall be used only~~
15 ~~for the purpose of enforcing the provisions of this~~
16 chapter pesticide fund established in section 206.12A,
17 and the remainder of each fee collected shall be
18 placed in the agriculture management account of the
19 groundwater protection fund.

20 Sec. ____ . NEW SECTION. 206.12A PESTICIDE FUND.

21 1. A pesticide fund is established in the state
22 treasury under the control of the department. The
23 fund shall consist of any moneys appropriated to the
24 fund by the general assembly and any other moneys
25 available to and obtained or accepted by the
26 department from the federal government or private
27 sources for placement in the fund. Fees collected
28 under section 206.12 shall be deposited in the fund.
29 The moneys in the fund shall be used only for the
30 purpose of enforcing the provisions of this chapter.

31 2. All moneys in the pesticide fund are subject to
32 audit by the auditor of state. The fund is subject at
33 all times to warrants by the director of revenue and
34 finance, drawn upon written requisition of the
35 secretary. Notwithstanding section 8.33, moneys in
36 the pesticide fund shall remain in the fund and shall
37 not revert to the general fund of the state.
38 Notwithstanding section 12C.7, subsection 2, interest
39 or earnings on moneys deposited in the pesticide fund
40 shall be credited to the pesticide fund.

41 Sec. ____ . Section 452A.79, unnumbered paragraph 2,
42 and subsections 1, 2, 3, 4, and 5, Code 1995, are
43 amended to read as follows:

44 All moneys derived from the excise tax on the sale
45 of motor fuel used in watercraft shall be deposited in
46 the general marine fuel tax fund of the state
47 established in section 452A.83. Moneys deposited to
48 the general fund under this section and section
49 452A.84 are subject to the requirements of section
50 8.60 and are subject to appropriation by the general

H-3890

-8-

H-3890

Page 9

1 ~~assembly-to-the-department-of-natural-resources-for~~
2 ~~use-in-its-recreational-boating-program,which-may~~
3 ~~include-but-is-not-limited-to-~~
4 ~~1.--Dredging-and-renovation-of-natural-lakes-of~~
5 ~~this-state.~~
6 ~~2.--Acquisition,development-and-maintenance-of~~
7 ~~access-to-public-boating-waters.~~
8 ~~3.--Development-and-maintenance-of-boating~~
9 ~~facilities-and-navigation-aids.~~
10 ~~4.--Administration,operation,and-maintenance-of~~
11 ~~recreational-boating-activities-of-the-department-of~~
12 ~~natural-resources.~~
13 ~~5.--Acquisition,development-and-maintenance-of~~
14 ~~recreation-facilities-associated-with-recreational~~
15 ~~boating.~~

16 Sec. ____ . NEW SECTION. 452A.83 MARINE FUEL TAX
17 FUND.

18 1. A marine fuel tax fund is established in the
19 state treasury under the control of the department.
20 The fund shall consist of any moneys appropriated to
21 the fund by the general assembly and any other moneys
22 available to and obtained or accepted by the
23 department from the federal government or private
24 sources for placement in the fund. Moneys collected
25 pursuant to section 452A.79 shall be deposited in the
26 fund. Moneys collected pursuant to this chapter from
27 the motor fuel tax fund shall be transferred to the
28 fund as provided in section 452A.84.

29 2. Moneys deposited or transferred into the fund
30 are subject to appropriation by the general assembly
31 to the department of natural resources for its
32 recreational boating program which may include, but is
33 not limited to:

34 a. Dredging and renovation of natural lakes of
35 this state.

36 b. Acquisition, development, and maintenance of
37 access to public boating waters.

38 c. Development and maintenance of boating
39 facilities and navigation aids.

40 d. Administration, operation, and maintenance of
41 recreational boating activities of the department of
42 natural resources.

43 e. Acquisition, development, and maintenance of
44 recreation facilities associated with recreational
45 boating.

46 3. All moneys in the marine fuel tax fund are
47 subject to audit by the auditor of state. The fund is
48 subject at all times to warrants by the director of
49 revenue and finance, drawn upon written requisition of
50 the department. Notwithstanding section 8.33, moneys

H-3890

H-3890

Page 10

1 in the marine fuel tax fund shall remain in the fund
2 and shall not revert to the general fund of the state.
3 Notwithstanding section 12C.7, subsection 2, interest
4 or earnings on moneys deposited in the marine fuel tax
5 fund shall be credited to the marine fuel tax fund.

6 Sec. ____ . Section 452A.84, Code 1995, is amended
7 to read as follows:

8 452A.84 TRANSFER TO STATE-GENERAL MARINE FUEL TAX
9 FUND.

10 The treasurer of state shall transfer from the
11 motor fuel tax fund to the ~~general~~ marine fuel tax
12 ~~fund of-the-state~~ established pursuant to section
13 452A.83, that portion of moneys collected under this
14 chapter attributable to motor fuel used in watercraft
15 computed as follows:

16 1. Determine monthly the total amount of motor
17 fuel tax collected under this chapter and multiply the
18 amount by nine-tenths of one percent.

19 2. Subtract from the figure computed pursuant to
20 subsection 1 of this section three percent of the
21 figure for administrative costs and further subtract
22 from the figure the amounts refunded to commercial
23 fishers pursuant to section 452A.17, subsection 13.
24 All moneys remaining after claims for refund and the
25 cost of administration have been made shall be
26 transferred to the ~~general~~ marine fuel tax fund of-the
27 state."

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

30 " ____ . Sections 8.60, 192.111, 192.133, 192A.30,
31 194.14, 194.19, 194.20, 195.9, 198.9, 198.9A, 200.4,
32 200.8, 200.9, 201.13, 206.12, 206.12A, 452A.79,
33 452A.83, and 452A.84, Code 1995, as amended or enacted
34 by this Act take effect July 1, 1996."

35 4. By renumbering as necessary.

By MERTZ of Kossuth

H-3890 FILED APRIL 11, 1995

Not German

4/12/95

(P.1527)

HOUSE FILE 553

H-3896

1 Amend House File 553 as follows:
2 1. Page 1, line 14, by striking the figure
3 "45.45" and inserting the following: "46.45".
4 2. Page 9, line 34, by striking the word
5 "expenses" and inserting the following: "one-time
6 expenses to improve technician efficiency".
7 3. Page 10, by striking lines 13 through 15 and
8 inserting the following: "loess hills development and
9 conservation fund created in section 161D.2, for
10 purposes specified in section 161D.1."
11 4. Page 10, line 16, by striking the word
12 "REDISTRIBUTION" and inserting the following: "LIMIT
13 ON LAND ACQUISITION."
14 5. By striking page 10, line 19, through page 11,
15 line 8, and inserting the following: "30, 1996, not
16 more than thirty percent of the amount allocated to
17 the open spaces account of the resources enhancement
18 and protection fund provided in section 455A.19,
19 subsection 1, paragraph "a", shall be used for the
20 acquisition of land."

By HAHN of Muscatine

H-3896 FILED APRIL 11, 1995

Adopted
4-12-95
(p.1513)

HOUSE FILE 553

H-3909

- 1 Amend the amendment, H-3896, to House File 553, as
- 2 follows:
- 3 1. Page 1, by striking lines 11 through 20 and
- 4 inserting the following:
- 5 "_____. By striking page 10, line 16, through page
- 6 11, line 8."
- 7 2. By renumbering as necessary.

By MASCHER of Johnson	CATALDO of Polk
MCCOY of Polk	FALLON of Polk
MERTZ of Kossuth	KOENIGS of Mitchell
BURNETT of Story	SCHRADER of Marion
WITT of Black Hawk	MAY of Worth

H-3909 FILED APRIL 12, 1995

LOST

(P.1513)

HOUSE FILE 553

H-3911

- 1 Amend the amendment, H-3865, to House File 553, as
- 2 follows:
- 3 1. Page 1, by striking lines 2 and 3.
- 4 2. Page 1, by inserting after line 14 the
- 5 following:
- 6 "_____. Page 9, line 35, by striking the figure
- 7 "500,000" and inserting the following: "335,000".
- 8 _____. Page 9, by inserting after line 35 the
- 9 following:
- 10 "_____ To the division of soil conservation of the
- 11 department of agriculture and land stewardship for
- 12 salaries and support of the division:
- 13 \$ 165,000"

By WEIGEL of Chickasaw

H-3911 FILED APRIL 12, 1995

ADOPTED

(P.1514)

HOUSE FILE 553

H-3898

- 1 Amend the amendment, H-3874, to House File 553, as
- 2 follows:
- 3 1. Page 1, line 2, by striking the figure "35"
- 4 and inserting the following: "29".
- 5 2. By renumbering as necessary.

By KOENIGS of Mitchell

H-3898 FILED APRIL 12, 1995

WITHDRAWN

(P.1527)

HOUSE FILE 553

H-3916

1 Amend House File 553 as follows:

2 1. Page 6, line 33, by inserting before the word
3 "For" the following: "a."

4 2. Page 7, by inserting after line 1 the
5 following:

6 "b. For allocation to the public water supply
7 system account established pursuant to section
8 455B.183A for purposes of supporting the program to
9 assist supply systems, as provided in section
10 455B.183B:

11 \$ 625,000"

12 3. Page 18, by inserting after line 25 the following:

13 "Sec. ____ . Section 455B.183A, Code 1995, is amended
14 to read as follows:

15 455B.183A WATER QUALITY PROTECTION
16 FUND.

17 1. A water quality protection fund
18 is created in the state
19 treasury under the control of the
20 department. The fund
21 consists of moneys appropriated to the
22 fund by the general
23 assembly, ~~moneys-deposited-into-the-fund~~
24 ~~from-fees-described~~
25 ~~in-subsection-2,~~ and other moneys
26 available to and obtained or
27 accepted by the department from the
28 United States government
29 or private sources for placement in the
30 fund. The fund is
31 divided into two accounts, including the
32 administration
33 account and the public water supply
34 system account. Moneys in
35 the administration account shall be used
36 for purposes of
37 carrying out the provisions of this
38 division, which relate to
39 the administration, regulation, and
40 enforcement of the federal
41 Safe Drinking Water Act. Moneys in the
42 public water supply
43 system account shall be used to support
44 the program to assist
45 supply systems, as provided in section
46 455B.183B.

47 ~~2.--The-commission-shall-adopt-fees~~
48 ~~as-required-pursuant-to~~
49 ~~section-455B.105-for-permits-required~~
50 ~~for-public-water-supply~~

H-3916

H-3916

Page 2

1 systems-as-provided-in-sections-455B-174
2 and-455B-183---Fees
3 paid-pursuant-to-this-section-shall-not
4 be-subject-to-the
5 sales-or-services-tax---The-fees-shall
6 be-for-each-of-the
7 following:
8 a---The-construction,-installation,
9 or-modification-of-a
10 public-water-supply-system---The-amount
11 of-the-fees-may-be
12 based-on-the-type-of-system-being
13 constructed,-installed,-or
14 modified.
15 b---The-operation-of-a-public-water
16 supply-system,
17 including-any-part-of-the-system---The
18 fees-may-be-based-on
19 the-type-and-size-of-community-served-by
20 the-system---The
21 commission-shall-adopt-a-fee-schedule.
22 The-commission-shall
23 calculate-all-fees-in-the-schedule-to
24 produce-total-revenues
25 equalling-four-hundred-seventy-five
26 thousand-dollars-for-the
27 fiscal-year-beginning-July-17-1994,-and
28 ending-June-30-1995,
29 seven-hundred-thousand-dollars-for-the
30 fiscal-year-beginning
31 July-17-1995,-and-ending-June-30-1996,
32 nine-hundred-thousand
33 dollars-for-the-fiscal-year-beginning
34 July-17-1996,-and-ending
35 June-30-1997,-and-one-million-two
36 hundred-thousand-dollars
37 for-each-subsequent-fiscal-year---For
38 the-fiscal-year
39 beginning-July-17-1994,-and-ending-June
40 30-1995,-twenty-five
41 thousand-dollars-shall-be-deposited-in
42 the-administration
43 account-and-four-hundred-fifty-thousand
44 dollars-shall-be
45 deposited-in-the-public-water-supply
46 system-account---For-each
47 subsequent-fiscal-year,-one-half-of-the
48 fees-shall-be
49 deposited-into-the-administration
50 account-and-one-half-of-the

H-3916

-2-

H-3916

Page 3

~~1 fees shall be deposited into the public~~
~~2 water supply system~~
~~3 account. By May 1 of each year, the~~
~~4 department shall estimate~~
~~5 the total revenue expected to be~~
~~6 collected from the~~
~~7 overpayment of fees, which are all fees~~
~~8 in excess of the~~
~~9 amount of the total revenues which are~~
~~10 expected to be~~
~~11 collected under the current fee~~
~~12 schedule, and the total~~
~~13 revenue expected to be collected from~~
~~14 the payment of fees~~
~~15 during the next fiscal year. The~~
~~16 commission shall adjust the~~
~~17 fees if the estimate exceeds the amount~~
~~18 of revenue required to~~
~~19 be deposited in the fund pursuant to~~
~~20 this paragraph.~~
21 3. 2. Moneys in the fund are subject to
22 an annual audit by
23 the auditor of state. The fund is
24 subject to warrants by the
25 director of revenue and finance, drawn
26 upon the written
27 requisition of the department.
28 4. 3. Section 8.33 does not apply to
29 moneys in the fund.
30 Moneys earned as income, including
31 interest from the fund,
32 shall remain in the fund until expended.
33 5. 4. On or before November 15 of each
34 fiscal year, the
35 department shall transmit to the
36 department of management and
37 the legislative fiscal bureau
38 information regarding the fund
39 and accounts, including all of the
40 following:
41 a. The balance of unobligated and
42 unencumbered moneys in
43 each account as of November 1.
44 b. A summary of revenue deposited in
45 and expenditures from
46 each account during the current fiscal
47 year.
48 c. Estimates of revenues expected to
49 be deposited into the
50 public water supply system account

H-3916

-3-

H-3916

Page 4

- 1 during the current fiscal
- 2 year, and an estimate of the expected
- 3 balance of unobligated
- 4 and unencumbered moneys in the account
- 5 on June 30 of the
- 6 current fiscal year."
- 7 4. By renumbering as necessary.

By HAHN of Muscatine

H-3916 FILED APRIL 12, 1995

RULES SUSPENDED-NOT GERMANE-RULES SUSP, ADOPTED

HOUSE FILE 553

H-3917

- 1 Amend the amendment, H-3885, to House File 553 as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:
- 5 " ". Page 1, line 13, by striking the figure
- 6 "1,846,079" and inserting the following:
- 7 "1,900,105"."
- 8 2. By renumbering as necessary.

By MURPHY of Dubuque

H-3917 FILED APRIL 12, 1995

ADOPTED

(P. 1517)

HOUSE FILE 553

H-3919

- 1 Amend the amendment, H-3874, to House File 553, as
- 2 follows:
- 3 1. Page 1, by striking lines 2 and 3 and
- 4 inserting the following:
- 5 " ". Page 9, line 30, by inserting after the
- 6 figure "2." the following: "a.""
- 7 2. Page 1, by striking line 4 and inserting the
- 8 following:
- 9 " ". Page 9, by inserting after line 35 the
- 10 following:
- 11 " ". Of the amount allocated in paragraph "a" of
- 12 this subsection, the division of soil conservation
- 13 shall transfer \$200,000 to the department of natural
- 14 resources. The department of natural resources shall
- 15 use the moneys for".
- 16 3. Page 1, by striking lines 9 through 16 and
- 17 inserting the following: "used by such operations."

By KOENIGS of Mitchell

H-3919 FILED APRIL 12, 1995

ADOPTED

(P. 1528)

HOUSE FILE 553
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 1992HA)

(As Amended and Passed by the House April 12, 1995)

Passed House, Date 5/3/95 Passed Senate, Date 4/13/95
Vote: Ayes 97 Nays 0 Vote: Ayes 46 Nays 0

Approved

May 31, 1995

Passed 5/3/95
Vote 50-0

A BILL FOR

1 An Act relating to agriculture and natural resources, including
2 for appropriations involving agriculture and natural
3 resources, providing related statutory changes, and providing
4 effective dates.

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

6

7

8

House Amendments

9

House Conf. Committee

Senate Conf. Committee

10

Hahn

Black

11

Greiner

Husak

12

Cornelius

Pride

13

Mertz

Banks

14

Koenigs

McLaren

15

16

17

18

19

20

1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

2 Section 1. GENERAL APPROPRIATION. There is appropriated
3 from the general fund of the state to the department of
4 agriculture and land stewardship for the fiscal year beginning
5 July 1, 1995, and ending June 30, 1996, the following amounts,
6 or so much thereof as is necessary, to be used for the
7 purposes designated:

8 1. ADMINISTRATIVE DIVISION

9 a. For salaries, support, maintenance, support of the
10 state 4-H foundation, support of the statistics bureau, and
11 miscellaneous purposes, and for the salaries and support of
12 not more than the following full-time equivalent positions:

13	\$ 1,846,079
14	FTEs <u>46.45</u>

15 The department shall eliminate the position of executive
16 officer II within the administration bureau, and reallocate
17 the duties and functions of the position among departmental
18 staff.

19 (1) Of the amount appropriated and FTEs authorized in this
20 paragraph "a", \$319,550 and 7.00 FTEs shall be used to support
21 horticulture.

22 The department may allocate additional moneys appropriated
23 under this subsection to support salary annualization.

24 (2) Of the amount appropriated in this paragraph "a",
25 \$50,000 shall be allocated to the state 4-H foundation to
26 foster the development of Iowa's youth and to encourage them
27 to study the subject of agriculture.

28 (3) Of the amount appropriated and FTEs authorized in this
29 paragraph "a", \$130,100 and 4 FTEs shall be allocated to the
30 statistics bureau to provide county-by-county information on
31 land in farms, production by crop, acres by crop, and county
32 prices by crop. The department may allocate additional moneys
33 appropriated under this subsection to support salary
34 annualization. Information collected under this subparagraph
35 shall be made available to the department of revenue and

1 finance for use in the productivity formula for valuing and
2 equalizing the values of agricultural land.

3 (4) Of the amount appropriated in this paragraph "a",
4 \$36,681 shall be allocated for purposes of supporting thirteen
5 area reporters as part of the livestock market news program
6 and \$13,000 shall be allocated to support the United States
7 department of agriculture cooperative agreement.

8 b. For the operations of the dairy trade practices bureau:
9 \$ 71,496

10 c. For the purpose of performing commercial feed audits:
11 \$ 62,076

12 d. For the purpose of performing fertilizer audits:
13 \$ 62,075

14 2. REGULATORY DIVISION

15 a. For salaries, support, maintenance, miscellaneous
16 purposes, and for not more than the following full-time
17 equivalent positions:
18 \$ 3,775,773
19 FTEs 122.50

20 b. For the costs of inspection, sampling, analysis, and
21 other expenses necessary for the administration of chapters
22 192, 194, and 195:
23 \$ 642,191

24 3. LABORATORY DIVISION

25 a. For salaries, support, maintenance, and miscellaneous
26 purposes, including the administration of the gypsy moth
27 program, and for not more than the following full-time
28 equivalent positions:
29 \$ 798,549
30 FTEs 76.10

31 Of the amount appropriated under this paragraph "a",
32 \$110,000 shall be used to administer a program relating to the
33 detection, surveillance, and eradication of the gypsy moth.
34 The department shall allocate and use the appropriation made
35 in this paragraph before moneys other than those appropriated

1 in this paragraph are used to support the program.

2 b. For the operations of the commercial feed programs:
3 \$ 738,044

4 c. For the operations of the pesticide programs:
5 \$ 1,232,421

6 Of the amount appropriated in this paragraph "c", \$160,000
7 shall be allocated to Iowa state university for purposes of
8 training commercial pesticide applicators.

9 d. For the operations of the fertilizer programs:
10 \$ 627,946

11 4. SOIL CONSERVATION DIVISION

12 a. For salaries, support, maintenance, assistance to soil
13 conservation districts, miscellaneous purposes, and for not
14 more than the following full-time equivalent positions:
15 \$ 5,456,854
16 FTEs 176.30

17 (1) Of the funds appropriated in this paragraph "a",
18 \$330,000 shall be used to reimburse commissioners of soil and
19 water conservation districts for administrative expenses.
20 Moneys used for the payment of meeting dues by counties shall
21 be matched on a dollar-for-dollar basis by the soil
22 conservation division.

23 (2) Of the amount appropriated and the number of full-time
24 equivalent positions allocated in this paragraph "a", \$165,000
25 and 6.50 FTEs shall be used to provide that 13 part-time field
26 office secretary I positions are made full-time positions.

27 b. For providing financial incentives for soil
28 conservation practices under chapter 161A:
29 \$ 5,918,606

30 c. The following requirements apply to the moneys
31 appropriated in paragraph "b":

32 (1) Not more than 5 percent of the moneys appropriated in
33 paragraph "b" may be allocated for cost sharing to abate
34 complaints filed under section 161A.47.

35 (2) Of the moneys appropriated in paragraph "b", 5 percent

1 shall be allocated for financial incentives to establish
2 practices to protect watersheds above publicly owned lakes of
3 the state from soil erosion and sediment as provided in
4 section 161A.73.

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

11 (4) The state soil conservation committee created in
12 section 161A.4 may allocate moneys to conduct research and
13 demonstration projects to promote conservation tillage and
14 nonpoint source pollution control practices.

15 (5) The financial incentive payments may be used in
16 combination with department of natural resources moneys.

17 d. The provisions of section 8.33 shall not apply to the
18 moneys appropriated in paragraph "b". Unencumbered or
19 unobligated moneys remaining on June 30, 1999, from moneys
20 appropriated in paragraph "b" for the fiscal year beginning
21 July 1, 1995, shall revert to the general fund on August 31,
22 1999.

23 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
24 appropriated from the general fund of the state to the
25 department of agriculture and land stewardship for the fiscal
26 year beginning July 1, 1995, and ending June 30, 1996, the
27 following amount, or so much thereof as is necessary, to be
28 used for the purpose designated:

29 For salaries, support, maintenance, and miscellaneous
30 purposes, to be used by the department to continue and expand
31 the farmers' market coupon program by providing federal
32 special supplemental food program recipients with coupons
33 redeemable at farmers' markets, and for not more than the
34 following full-time equivalent positions:

35 \$ 215,337

1 FTEs 1.00

2 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

3 1. There is appropriated from the general fund of the
4 state to the department of agriculture and land stewardship
5 for the fiscal year beginning July 1, 1995, and ending June
6 30, 1996, the following amount, or so much thereof as is
7 necessary, to be used for the purpose designated:

8 For support of the pseudorabies eradication program:
9 \$ 900,200

10 2. Persons, including organizations interested in swine
11 production in this state and in the promotion of Iowa pork
12 products who contribute support to the program, are encouraged
13 to increase financial support for purposes of ensuring the
14 program's effective continuation.

15 Sec. 4. HORSE AND DOG RACING. There is appropriated from
16 the moneys available under section 99D.13 to the regulatory
17 division of the department of agriculture and land stewardship
18 for the fiscal year beginning July 1, 1995, and ending June
19 30, 1996, the following amount, or so much thereof as is
20 necessary, to be used for the purpose designated:

21 For salaries, support, maintenance, and miscellaneous
22 purposes for the administration of section 99D.22:
23 \$ 191,106

24 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
25 MARKETING. There is appropriated from the general fund of the
26 state to the interstate agricultural grain marketing
27 commission for the fiscal year beginning July 1, 1995, and
28 ending June 30, 1996, the following amount, or so much thereof
29 as is necessary, to be used for the purpose designated:

30 For carrying out duties of the commission as provided in
31 Article IV of the interstate compact on agricultural grain
32 marketing as provided in 1995 Iowa Code, chapter 183:
33 \$ 80,000

34 DEPARTMENT OF NATURAL RESOURCES

35 Sec. 6. GENERAL APPROPRIATION. There is appropriated from

1 the general fund of the state to the department of natural
2 resources for the fiscal year beginning July 1, 1995, and
3 ending June 30, 1996, the following amounts, or so much
4 thereof as is necessary, to be used for the purposes
5 designated:

6 1. ADMINISTRATIVE AND SUPPORT SERVICES

7 For salaries, support, maintenance, miscellaneous purposes,
8 and for not more than the following full-time equivalent
9 positions:

10	\$	1,844,132
11	FTEs	113.50

12 2. PARKS AND PRESERVES DIVISION

13 For salaries, support, maintenance, miscellaneous purposes,
14 and for not more than the following full-time equivalent
15 positions:

16	\$	5,510,976
17	FTEs	195.73

18 3. FORESTS AND FORESTRY DIVISION

19 For salaries, support, maintenance, miscellaneous purposes,
20 and for not more than the following full-time equivalent
21 positions:

22	\$	1,486,281
23	FTEs	48.71

24 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

25 For salaries, support, maintenance, miscellaneous purposes,
26 and for not more than the following full-time equivalent
27 positions:

28	\$	1,675,252
29	FTEs	52.00

30 5. ENVIRONMENTAL PROTECTION DIVISION

31 For salaries, support, maintenance, miscellaneous purposes,
32 and for not more than the following full-time equivalent
33 positions:

34	\$	1,708,888
35	FTEs	208.00

1 6. WATER QUALITY PROTECTION FUND

2 a. For allocation to the administrative account of the
3 water quality protection fund established pursuant to section
4 455B.183A; for purposes of that account:

5 \$ 404,000

6 b. For allocation to the public water supply system
7 account established pursuant to section 455B.183A for purposes
8 of supporting the program to assist supply systems, as
9 provided in section 455B.183B:

10 \$ 625,000

11 7. FISH AND WILDLIFE DIVISION

12 For not more than the following full-time equivalent
13 positions:

14 FTEs 340.93

15 8. WASTE MANAGEMENT ASSISTANCE DIVISION

16 For not more than the following full-time equivalent
17 positions:

18 FTEs 16.75

19 Sec. 7. STATE FISH AND GAME PROTECTION FUND -- APPRO-
20 PRIATION TO THE DIVISION OF FISH AND WILDLIFE.

21 1. There is appropriated from the state fish and game
22 protection fund to the division of fish and wildlife of the
23 department of natural resources for the fiscal year beginning
24 July 1, 1995, and ending June 30, 1996, the following amount,
25 or so much thereof as is necessary, to be used for the
26 purposes designated:

27 For administrative support, and for salaries, support,
28 maintenance, equipment, and miscellaneous purposes:
29 \$ 20,637,657

30 2. The department shall not expend more moneys from the
31 fish and game protection fund than provided in this section,
32 unless the expenditure derives from contributions made by a
33 private entity, or a grant or moneys received from the federal
34 government, and is approved by the natural resource
35 commission. The department of natural resources shall

1 promptly notify the legislative fiscal bureau of the
2 commission's approval, and the chairpersons and ranking
3 members of the joint appropriations subcommittee on
4 agriculture and natural resources concerning the commission's
5 approval.

6 Sec. 8. MARINE FUEL TAX RECEIPTS -- NONCAPITALS AND
7 BOATING FACILITIES AND ACCESS. There is appropriated from the
8 marine fuel tax receipts deposited in the general fund of the
9 state to the department of natural resources for the fiscal
10 year beginning July 1, 1995, and ending June 30, 1996, the
11 following amounts, or so much thereof as is necessary, to be
12 used for the purposes designated:

13 1. For purposes of funding expenditures traditionally
14 funded from marine fuel tax revenues, but not considered as
15 capitals or operations:

16 \$ 200,000

17 2. For purposes of maintaining and developing boating
18 facilities and access to public waters by the parks and
19 preserves division:

20 \$ 411,311

21 Notwithstanding section 8.33, the unencumbered or
22 unobligated moneys remaining on June 30, 1996, from moneys
23 appropriated in subsection 1, may be expended during the
24 fiscal year beginning July 1, 1996, and ending June 30, 1997,
25 and shall not revert to the general fund until August 31,
26 1997.

27 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT
28 PURPOSES. There is transferred on July 1, 1995, from the fees
29 deposited under section 321G.7 to the fish and game protection
30 fund and appropriated to the department of natural resources
31 for the fiscal year beginning July 1, 1995, and ending June
32 30, 1996, the following amount, or so much thereof as is
33 necessary, to be used for the purpose designated:

34 For the purpose of enforcing snowmobile laws as part of the
35 state snowmobile program administered by the department of

1 natural resources:
2 \$ 100,000

3 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.
4 There is transferred on July 1, 1995, from the fees deposited
5 under section 462A.52 to the fish and game protection fund and
6 appropriated to the department of natural resources for the
7 fiscal year beginning July 1, 1995, and ending June 30, 1996,
8 the following amount, or so much thereof as is necessary, to
9 be used for the purpose designated:

10 For purposes of administration and enforcement of
11 navigation laws and water safety:
12 \$ 1,200,000

13 RESOURCES ENHANCEMENT AND PROTECTION

14 Sec. 11. GENERAL APPROPRIATION. Notwithstanding the
15 amount of the standing appropriation from the general fund of
16 the state under section 455A.18, subsection 3, there is
17 appropriated from the general fund of the state to the Iowa
18 resources enhancement and protection fund, in lieu of the
19 appropriation made in section 455A.18, for the fiscal year
20 beginning July 1, 1995, and ending June 30, 1996, the sum of
21 \$7,000,000, of which all moneys shall be allocated as provided
22 in section 455A.19 and the provisions of this Act.

23 Sec. 12. ALLOCATION OF MONEYS OTHERWISE DEDICATED TO THE
24 LIVING ROADWAY TRUST FUND -- 1995 FISCAL YEAR. On the
25 effective date of this section, notwithstanding section
26 455A.19, subsection 1, paragraph "g", of the unencumbered and
27 unobligated moneys allocated by section 455A.19, subsection 1,
28 paragraph "g", for the fiscal year beginning July 1, 1994, and
29 ending June 30, 1995, which otherwise would be allocated to
30 the living roadway trust fund created in section 314.21, there
31 is allocated for the fiscal year beginning July 1, 1994, and
32 ending June 30, 1995, the following amounts to be used as
33 follows:

34 1. To the Loess Hills development and conservation
35 authority, for deposit in the Loess Hills development and

1 conservation fund as created in section 161D.2 for the
2 purposes specified in section 161D.1:

3 \$ 270,000

4 2. To the division of soil conservation of the department
5 of agriculture and land stewardship for purposes of
6 distributing the moneys by equal share to all soil and water
7 conservation districts for purposes of assisting the districts
8 in meeting one-time expenses to improve technician efficiency:

9 \$ 335,000

10 3. To the division of soil conservation of the department
11 of agriculture and land stewardship for salaries and support
12 of the division:

13 \$ 165,000

14 The moneys allocated pursuant to this section shall not
15 revert pursuant to section 8.33, but shall remain available
16 for the fiscal year beginning July 1, 1995, and ending June
17 30, 1996, for the purposes designated in this section.

18 Sec. 13. ALLOCATION OF MONEYS OTHERWISE DEDICATED TO THE
19 LIVING ROADWAY TRUST FUND -- 1996 FISCAL YEAR.

20 Notwithstanding section 455A.19, and in lieu of the allocation
21 made from the resources enhancement and protection fund to the
22 living roadway trust fund pursuant to section 455A.19,
23 subsection 1, paragraph "g", for the fiscal year beginning
24 July 1, 1995, and ending June 30, 1996, the allocation made
25 pursuant to that paragraph shall instead be allocated to the
26 loess hills development and conservation fund created in
27 section 161D.2, for purposes specified in section 161D.1.

28 Sec. 14. OPEN SPACES ACCOUNT -- LIMIT ON LAND ACQUISITION.

29 Notwithstanding section 455A.19, subsection 1, paragraph "a",
30 for the fiscal year beginning July 1, 1995, and ending June
31 30, 1996, not more than thirty percent of the amount allocated
32 to the open spaces account of the resources enhancement and
33 protection fund provided in section 455A.19, subsection 1,
34 paragraph "a", shall be used for the acquisition of land.

35 ANIMAL INDUSTRY APPROPRIATIONS

1 UNDERGROUND STORAGE TANK BOARD. There is appropriated from
2 the unassigned revenue fund administered by the Iowa
3 comprehensive underground storage tank board, to the
4 department of natural resources for the fiscal year beginning
5 July 1, 1995, and ending June 30, 1996, the following amount,
6 or so much thereof as is necessary, to be used for the purpose
7 designated:

8 For administration expenses of the underground storage tank
9 section of the department of natural resources:

10 \$ 75,000

11 Sec. 18. TRANSFER -- WIND EROSION CONTROL FUND. On July
12 1, 1995, the department of agriculture and land stewardship
13 shall transfer all unencumbered or unobligated moneys
14 appropriated to the wind erosion control fund, and any moneys
15 which have been credited to the division of soil conservation
16 of the department of agriculture and land stewardship for
17 purposes of planting and maintaining wind erosion control
18 barriers, as originally provided for in 1978 Iowa Acts,
19 chapter 1108, section 7, and subsequently amended, to the road
20 use tax fund created in section 312.1.

21 Sec. 19. LEWIS AND CLARK RURAL WATER SYSTEM.

22 1. There is appropriated from the general fund of the
23 state to the department of natural resources for the fiscal
24 year beginning July 1, 1995, and ending June 30, 1996, the
25 following amount, or so much thereof as is necessary, to be
26 used for the purpose designated:

27 For allocation to local sponsors of the Lewis and Clark
28 rural water system, as required, in order to provide safe and
29 adequate municipal and rural water supplies for residential,
30 agricultural, and industrial use, and to preserve wetlands and
31 mitigate water conservation efforts:

32 \$ 54,026

33 2. Of the amount appropriated from the general fund to the
34 department of natural resources pursuant to section 6 of this
35 Act, the department shall allocate, for the fiscal year

1 beginning July 1, 1995, and ending June 30, 1996, \$9,974 to
2 local sponsors of the Lewis and Clark rural water system for
3 the purposes designated in subsection 1. The department shall
4 reduce its out-of-state travel expenditures budgeted among all
5 divisions receiving a general fund appropriation pursuant to
6 section 6 of this Act, in order to compensate for the
7 allocation required under this subsection.

8

MISCELLANEOUS

9

Sec. 20. STATE NURSERIES.

10 1. Notwithstanding section 17A.2, subsection 10, paragraph
11 "g", the department of natural resources shall adopt
12 administrative rules establishing prices of plant material
13 grown at the state forest nurseries to cover all expenses
14 related to the growing of the plants.

15 2. The department shall develop programs to encourage the
16 wise management and preservation of existing woodlands and
17 shall continue its efforts to encourage forestation and
18 reforestation on private and public lands in the state.

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

22 Sec. 21. IOWA QUALITY GRAIN INITIATIVE PROGRAM. The
23 general assembly supports the Iowa quality grain initiative
24 program administered by the Iowa cooperative extension service
25 in agriculture and home economics at Iowa state university,
26 and expresses a strong desire to support the program during
27 the fiscal year beginning July 1, 1996, and ending June 30,
28 1997, and to every extent practicable to include an
29 appropriation of \$80,000 to fund the program's efforts.

30 Sec. 22. TEMPORARY FUND FOR THE PURCHASE OF MOTOR VEHICLE
31 FUEL EQUIPMENT. Notwithstanding section 18.12, the department
32 of general services, upon authorization by the department of
33 agriculture and land stewardship, may conduct a sale of
34 equipment or a device used to test octane in motor vehicle
35 fuel as part of the department of agriculture and land

1 stewardship's regulatory functions. The proceeds of the sale
2 shall be deposited in a special fund established by the
3 department of agriculture and land stewardship. Moneys from
4 the fund shall only be used for purposes of purchasing a
5 superior device or equipment used to test octane in motor
6 vehicle fuel by the department of agriculture and land
7 stewardship. Unencumbered or unobligated moneys shall remain
8 in the fund until June 30, 1997, at which time remaining
9 moneys shall be deposited into the general fund of the state
10 as a reversion provided in section 8.33, and the fund shall be
11 abolished.

12 Sec. 23. TRUST FUND INFORMATION.

13 1. The department of revenue and finance in cooperation
14 with each appropriate agency shall track receipts to the
15 general fund which under law were previously collected to be
16 used for specific purposes, or to be credited to, or be
17 deposited to a particular account or fund, as provided in
18 section 8.60.

19 2. The department of revenue and finance and each
20 appropriate agency shall prepare reports detailing revenue
21 from receipts traditionally deposited into each of the funds.
22 A report shall be submitted to the legislative fiscal bureau
23 at least once for each three-month period as designated by the
24 legislative fiscal bureau.

25 Sec. 24. DEPARTMENTAL INFORMATION REQUIRED.

26 1. The department of agriculture and land stewardship and
27 the department of natural resources, in cooperation as
28 necessary with the department of management and the department
29 of personnel, shall provide a list to the legislative fiscal
30 bureau, on a quarterly basis, of all permanent positions added
31 to or deleted from the departments' table of organization in
32 the previous fiscal quarter. This list shall include at least
33 the position number, salary range, projected funding source or
34 sources of each position, and the reason for the addition or
35 deletion. The legislative fiscal bureau may use this

1 information to assist in the establishment of the full-time
2 equivalent position limits authorized in law for the
3 departments.

4 2. The department of natural resources shall provide the
5 legislative fiscal bureau information and financial data by
6 cost center, on at least a monthly basis, relating to the
7 indirect cost accounting procedure, the amount of funding from
8 each funding source for each cost center, and the internal
9 budget system used by the department. The information shall
10 include but is not limited to financial data covering the
11 department's budget by cost center and funding source prior to
12 the start of the fiscal year, and to the department's actual
13 expenditures by cost center and funding source after the
14 accounting system has been closed for that fiscal year.

15 3. The department of agriculture and land stewardship
16 shall provide the legislative fiscal bureau information and
17 financial data on at least a monthly basis, relating to the
18 internal budget system used by the department. The
19 information shall include but is not limited to financial data
20 covering the department's budget prior to the start of the
21 fiscal year, and to the department's actual expenditures after
22 the accounting system has been closed for that fiscal year.

23 Sec. 25. PREFERENCE PROVIDED -- PERSONS MEETING
24 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM. In its
25 employment of persons in temporary positions in conservation
26 and outdoor recreation, the department of natural resources
27 shall give preference to persons meeting eligibility
28 requirements for the green thumb program and to persons
29 working toward an advanced education in natural resources and
30 conservation.

31 Sec. 26. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP --
32 BUDGET SUBMISSION. If for the fiscal year beginning July 1,
33 1995, and ending June 30, 1996, the total amount of revenues
34 required to be deposited in the general fund of the state,
35 which before July 1, 1993, was deposited in the pesticide fund

1 as provided in section 8.60, is at least \$1,300,000, the
2 department of agriculture and land stewardship shall provide
3 in its estimate of expenditures required pursuant to section
4 8.23, for the fiscal year beginning July 1, 1996, and ending
5 June 30, 1997, that \$200,000 be allocated from the operations
6 of pesticide programs to Iowa state university for purposes of
7 training commercial pesticide applicators.

8 STATUTORY CHANGES

9 Sec. 27. 1993 Iowa Acts, chapter 176, section 25,
10 subsection 2, as amended by 1994 Iowa Acts, chapter 1198,
11 section 31, is amended to read as follows:

12 2. Notwithstanding section 8.33, unencumbered or
13 unobligated moneys remaining on June 30, 1993, from moneys
14 appropriated pursuant to 1992 Iowa Acts, Second Extraordinary
15 Session, chapter 1001, section 402, may be expended during the
16 fiscal period beginning July 1, 1993, and ending June 30, ~~1995~~
17 1996, and shall not revert to the general fund until August
18 31, ~~1995~~ 1996.

19 Sec. 28. 1994 Iowa Acts, chapter 1119, section 32,
20 subsection 2, unnumbered paragraph 1, is amended to read as
21 follows:

22 Notwithstanding section 423.24, as amended in this Act, for
23 each fiscal year of the period beginning on July 1, 1993, and
24 ending ~~July 1, 1994~~ June 30, 1996, an amount equal to two and
25 one-half percent of the total moneys used to support value-
26 added agricultural products and processes as provided in that
27 section, which would otherwise be allocated to the value-added
28 agricultural products and processes financial assistance fund,
29 shall instead be allocated to the office of renewable fuels
30 and coproducts. The moneys shall be used for purposes of
31 conducting soydiesel demonstration projects administered by
32 the state department of transportation under the oversight of
33 the renewable fuels and coproducts advisory committee.

34 Sec. 29. 1994 Iowa Acts, chapter 1119, section 32,
35 subsection 2, paragraph b, is amended to read as follows:

1 b. The state department of transportation shall evaluate
2 the performance of vehicles operating on soydiesel fuel,
3 including the rate of repairs on the vehicles and comments of
4 persons operating and maintaining the vehicles. The
5 department shall submit initial findings and recommendations
6 to the renewable fuels and coproducts advisory committee which
7 shall submit a report to the senate and chief clerk of the
8 house, the legislative service bureau, the chairpersons and
9 ranking members of the senate standing committee on
10 agriculture, the senate standing committee on small business,
11 economic development and tourism, the house of representatives
12 standing committee on agriculture, and the house of
13 representatives standing committee on small business, economic
14 development and trade. The department shall submit final
15 findings and recommendations to the renewable fuels and
16 coproducts advisory committee which shall submit a report to
17 the general assembly. The initial report shall be due on
18 October 1, 1994. The ~~final~~ second report shall be due on
19 March 1, 1995. A final report shall be due on October 1,
20 1996.

21 Sec. 30. 1994 Iowa Acts, chapter 1119, section 32,
22 subsection 2, paragraph d, is amended to read as follows:

23 d. Moneys available under this section which remain
24 unexpended or unobligated on June 30, ~~1994~~ 1995, shall remain
25 available to support the demonstration project and shall not
26 revert pursuant to section 8.33. Moneys remaining unexpended
27 or unobligated on June 30, ~~1995~~ 1996, shall be credited to the
28 value-added agricultural products and processes financial
29 assistance fund as created in section 15E.112.

30 Sec. 31. 1994 Iowa Acts, chapter 1198, section 1,
31 subsection 3, paragraph a, unnumbered paragraph 3, is amended
32 to read as follows:

33 Of the amount appropriated under this paragraph "a" or
34 paragraph "c" of this subsection, the department shall
35 allocate \$160,000 ~~shall be allocated~~ from the either

1 appropriation to Iowa state university for purposes of
2 training commercial pesticide applicators.

3 Sec. 32. Section 159.6, subsection 9, Code 1995, is
4 amended to read as follows:

5 9. State aid received by certain associations as provided
6 in chapters 176 through ~~183~~ 182, 186, and 352.

7 Sec. 33. Section 173.3, Code 1995, is amended to read as
8 follows:

9 173.3 CERTIFICATION OF STATE AID ASSOCIATIONS.

10 On or before November 15 of each year, the secretary of
11 agriculture shall certify to the secretary of the state fair
12 board the names of the various associations and societies
13 which have qualified for state aid under the provisions of
14 chapters 176 through 178, 180 through ~~183~~ 182, 186, and 352,
15 and which are entitled to representation in the convention as
16 provided in section 173.2.

17 Sec. 34. Section 455B.183A, Code 1995, is amended to read
18 as follows:

19 455B.183A WATER QUALITY PROTECTION FUND.

20 1. A water quality protection fund is created in the state
21 treasury under the control of the department. The fund
22 consists of moneys appropriated to the fund by the general
23 assembly, moneys-deposited-into-the-fund-from-fees-described
24 in-subsection-27, and other moneys available to and obtained or
25 accepted by the department from the United States government
26 or private sources for placement in the fund. The fund is
27 divided into two accounts, including the administration
28 account and the public water supply system account. Moneys in
29 the administration account shall be used for purposes of
30 carrying out the provisions of this division, which relate to
31 the administration, regulation, and enforcement of the federal
32 Safe Drinking Water Act. Moneys in the public water supply
33 system account shall be used to support the program to assist
34 supply systems, as provided in section 455B.183B.

35 2.---The-commission-shall-adopt-fees-as-required-pursuant-to

1 section-455B:105-for-permits-required-for-public-water-supply
2 systems-as-provided-in-sections-455B:174-and-455B:183:--Fees
3 paid-pursuant-to-this-section-shall-not-be-subject-to-the
4 sales-or-services-tax:--The-fees-shall-be-for-each-of-the
5 following:
6 a:--The-construction,installation,or-modification-of-a
7 public-water-supply-system:--The-amount-of-the-fees-may-be
8 based-on-the-type-of-system-being-constructed,installed,or
9 modified:
10 b:--The-operation-of-a-public-water-supply-system,
11 including-any-part-of-the-system:--The-fees-may-be-based-on
12 the-type-and-size-of-community-served-by-the-system:--The
13 commission-shall-adopt-a-fee-schedule:--The-commission-shall
14 calculate-all-fees-in-the-schedule-to-produce-total-revenues
15 equaling-four-hundred-seventy-five-thousand-dollars-for-the
16 fiscal-year-beginning-July-1,1994,and-ending-June-30,1995,
17 seven-hundred-thousand-dollars-for-the-fiscal-year-beginning
18 July-1,1995,and-ending-June-30,1996,nine-hundred-thousand
19 dollars-for-the-fiscal-year-beginning-July-1,1996,and-ending
20 June-30,1997,and-one-million-two-hundred-thousand-dollars
21 for-each-subsequent-fiscal-year:--For-the-fiscal-year
22 beginning-July-1,1994,and-ending-June-30,1995,twenty-five
23 thousand-dollars-shall-be-deposited-in-the-administration
24 account-and-four-hundred-fifty-thousand-dollars-shall-be
25 deposited-in-the-public-water-supply-system-account:--For-each
26 subsequent-fiscal-year,one-half-of-the-fees-shall-be
27 deposited-into-the-administration-account-and-one-half-of-the
28 fees-shall-be-deposited-into-the-public-water-supply-system
29 account:--By-May-1-of-each-year,the-department-shall-estimate
30 the-total-revenue-expected-to-be-collected-from-the
31 overpayment-of-fees,which-are-all-fees-in-excess-of-the
32 amount-of-the-total-revenues-which-are-expected-to-be
33 collected-under-the-current-fee-schedule,and-the-total
34 revenue-expected-to-be-collected-from-the-payment-of-fees
35 during-the-next-fiscal-year:--The-commission-shall-adjust-the

~~1 fees-if-the-estimate-exceeds-the-amount-of-revenue-required-to~~
~~2 be-deposited-in-the-fund-pursuant-to-this-paragraph:~~

3 3: 2. Moneys in the fund are subject to an annual audit by
4 the auditor of state. The fund is subject to warrants by the
5 director of revenue and finance, drawn upon the written
6 requisition of the department.

7 4: 3. Section 8.33 does not apply to moneys in the fund.
8 Moneys earned as income, including interest from the fund,
9 shall remain in the fund until expended.

10 5: 4. On or before November 15 of each fiscal year, the
11 department shall transmit to the department of management and
12 the legislative fiscal bureau information regarding the fund
13 and accounts, including all of the following:

14 a. The balance of unobligated and unencumbered moneys in
15 each account as of November 1.

16 b. A summary of revenue deposited in and expenditures from
17 each account during the current fiscal year.

18 c. Estimates of revenues expected to be deposited into the
19 public water supply system account during the current fiscal
20 year, and an estimate of the expected balance of unobligated
21 and unencumbered moneys in the account on June 30 of the
22 current fiscal year.

23 Sec. 35. Section 455E.11, subsection 2, paragraph a,
24 subparagraph (12), subparagraph subdivision (c), Code 1995, is
25 amended to read as follows:

26 (c) Twelve and one-half cents per ton per year is
27 appropriated to the department of natural resources to provide
28 additional toxic cleanup days and for the natural resource
29 geographic information system required under section 455E.8,
30 subsection 6. Departmental rules adopted for implementation
31 of toxic cleanup days shall provide sufficient flexibility to
32 respond to the household hazardous material collection needs
33 of both small and large communities.

34 Sec. 36. Section 455E.11, subsection 2, paragraph b,
35 subparagraph (3), subparagraph subdivision (b), Code 1995, is

1 amended by striking the subparagraph subdivision and inserting
2 the following:

3 (b) Two percent is appropriated annually to the department
4 of natural resources for the purpose of administering grants
5 to counties and conducting oversight of county-based programs
6 relative to the testing of private rural water supply wells,
7 private rural water supply well sealing, and the proper
8 closure of private rural abandoned wells and cisterns. Not
9 more than thirty-five percent of the moneys is appropriated
10 annually to the department of natural resources for grants to
11 counties for the purpose of conducting programs of private
12 rural water supply testing, private rural water supply well
13 sealing, or the proper closure of private rural abandoned
14 wells or cisterns.

15 A county shall submit only one application. To be
16 eligible, a county must have adopted standards for private
17 water supply and private disposal facilities at least as
18 stringent as the standards adopted by the commission. During
19 each fiscal year, the amount granted each eligible applicant
20 county shall be the total funds available divided by the
21 number of eligible counties applying. Upon receipt of the
22 grant, the county may apply the funds to any one or more of
23 the above three programs.

24 Not more than six percent of the moneys is appropriated
25 annually to the state hygienic laboratory to assist in well
26 testing. For purposes of this subparagraph subdivision,
27 "cistern" means an artificial reservoir constructed
28 underground for the purpose of storing rainwater.

29 Sec. 37. WITHDRAWAL FROM THE AGRICULTURAL GRAIN MARKETING
30 COMPACT -- REPEAL.

31 1. Pursuant to article VI of the agricultural grain
32 marketing compact, the state of Iowa withdraws from the
33 compact by enacting this section repealing the compact.
34 Notwithstanding this section, the state retains its membership
35 in the compact and shall continue to function under the

1 compact as if it were in effect, until one year following the
2 enactment of this section and notification of withdrawal by
3 the governor of this state to the interstate agricultural
4 grain marketing commission.

5 2. Chapter 183, Code 1995, is repealed.

6 Sec. 38. EFFECTIVE DATES. The following provisions of
7 this Act, being deemed of immediate importance, take effect
8 upon enactment:

9 1. Sections 12 and 16 and this section of this Act.

10 2. The section of this Act that amends 1993 Iowa Acts,
11 chapter 176, section 25, subsection 2, as amended by 1994 Iowa
12 Acts, chapter 1198, section 31.

13 3. The sections of this Act that amends 1994 Iowa Acts,
14 chapter 1119, section 32.

15 4. The section of this Act that amends 1994 Iowa Acts,
16 chapter 1198, section 1, subsection 3, paragraph "a",
17 unnumbered paragraph 3.

18 5. The section of this Act that amends section 455E.11,
19 subsection 2, paragraph "b".

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HOUSE FILE 553

S-3436

1 Amend House File 553, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

6 Section 1. GENERAL APPROPRIATION. There is
7 appropriated from the general fund of the state to the
8 department of agriculture and land stewardship for the
9 fiscal year beginning July 1, 1995, and ending June
10 30, 1996, the following amounts, or so much thereof as
11 is necessary, to be used for the purposes designated:

12 1. ADMINISTRATIVE DIVISION

13 a. For salaries, support, maintenance, the support
14 of the state 4-H foundation, support of the statistics
15 bureau, and miscellaneous purposes, and for the
16 salaries and support of not more than the following
17 full-time equivalent positions:

18 \$ 1,763,343
19 FTEs 44.50

20 (1) Of the funds appropriated in this paragraph
21 "a", \$319,550 and 7.00 FTEs shall be used to support
22 horticulture.

23 (2) Of the amount appropriated in this paragraph
24 "a", \$50,000 shall be allocated to the state 4-H
25 foundation to foster the development of Iowa's youth
26 and to encourage them to study the subject of
27 agriculture.

28 (3) Of the amount appropriated in this paragraph
29 "a", \$130,100 and 4.00 FTEs shall be allocated to the
30 statistics bureau to provide county-by-county
31 information on land in farms, production by crop,
32 acres by crop, and county prices by crop. This
33 information shall be made available to the department
34 of revenue and finance for use in the productivity
35 formula for valuing and equalizing the values of
36 agricultural land.

37 (4) Of the amount appropriated in this paragraph
38 "a", not more than \$5,000 shall be allocated to the
39 Iowa polled hereford junior association in connection
40 with the 1995 national junior hereford show.

41 (5) As a condition of the amount appropriated in
42 this paragraph "a", none of the following positions
43 shall be supported from the amount:

44 (a) Any executive officer II in the department
45 after September 30, 1995.

46 (b) Any public service executive II in the
47 information bureau after June 30, 1995.

48 (c) Any information specialist III in the
49 information bureau after June 30, 1995.

50 b. For the operations of the dairy trade practices

S-3436

S-3436

Page 2

1 bureau:
2 \$ 66,273
3 c. For the purpose of performing commercial feed
4 audits:
5 \$ 61,932
6 d. For the purpose of performing fertilizer
7 audits:
8 \$ 61,932
9 2. REGULATORY DIVISION
10 a. For salaries, support, maintenance,
11 miscellaneous purposes, and for not more than the
12 following full-time equivalent positions:
13 \$ 3,792,298
14 FTEs 122.50
15 Of the moneys appropriated in this paragraph "a",
16 \$34,300 is allocated for purposes of purchasing
17 equipment for grain examiners to comply with
18 requirements of the United States department of labor
19 occupational safety and health administration.
20 b. For the costs of inspection, sampling,
21 analysis, and other expenses necessary for the
22 administration of chapters 192, 194, and 195:
23 \$ 642,122
24 3. LABORATORY DIVISION
25 a. For salaries, support, maintenance, and
26 miscellaneous purposes, including the administration
27 of the gypsy moth program, and for not more than the
28 following full-time equivalent positions:
29 \$ 845,528
30 FTEs 76.10
31 (1) Of the amount appropriated in this paragraph
32 "a", \$110,000 shall be used to administer a program
33 relating to the detection, surveillance, and
34 eradication of the gypsy moth. The department shall
35 allocate and use the appropriation made in this
36 paragraph before moneys other than those appropriated
37 in this paragraph are used to support the program.
38 (2) Of the amount appropriated in this paragraph
39 "a", \$25,000 shall be allocated to Iowa state
40 university for purposes of supporting multiflora rose
41 eradication research and projects.
42 (3) Of the amount appropriated in this paragraph
43 "a", \$25,000 shall be allocated to support aerial
44 spray calibration efforts at Iowa state university.
45 b. For the operations of the commercial feed
46 programs:
47 \$ 735,631
48 c. For the operations of the pesticide programs:
49 \$ 1,271,464
50 Of the amount appropriated in this paragraph "c",

S-3436

S-3436

Page 3

1 \$200,000 shall be allocated to Iowa state university
2 for purposes of training commercial pesticide
3 applicators.

4 d. For the operations of the fertilizer programs:
5 \$ 626,630

6 4. SOIL CONSERVATION DIVISION

7 a. For salaries, support, maintenance, assistance
8 to soil conservation districts, miscellaneous
9 purposes, and for not more than the following full-
10 time equivalent positions:
11 \$ 5,676,476
12 FTEs 177.30

13 (1) Of the amount appropriated in this paragraph
14 "a", \$330,000 shall be used to reimburse commissioners
15 of soil and water conservation districts for
16 administrative expenses. Moneys used for the payment
17 of meeting dues by counties shall be matched on a
18 dollar-for-dollar basis by the soil conservation
19 division.

20 (2) Of the amount appropriated and the number of
21 full-time equivalent positions allocated in this
22 paragraph "a", \$165,000 and 6.50 FTEs shall be used to
23 provide that 13 part-time field office secretary I
24 positions are made full-time positions. Of the amount
25 appropriated and the number of full-time equivalent
26 positions allocated in paragraph "a", \$55,000 and 1
27 FTE shall be used to support a public service
28 executive I position in the field services section of
29 the division.

30 b. To provide financial incentives for soil
31 conservation practices under chapter 161A:
32 \$ 5,918,606

33 c. The following requirements apply to the moneys
34 appropriated in paragraph "b":

35 (1) Not more than 5 percent of the moneys
36 appropriated in paragraph "b" may be allocated for
37 cost sharing to abate complaints filed under section
38 161A.47.

39 (2) Of the moneys appropriated in paragraph "b", 5
40 percent shall be allocated for financial incentives to
41 establish practices to protect watersheds above
42 publicly owned lakes of the state from soil erosion
43 and sediment as provided in section 161A.73.

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

S-3436

1 (4) The state soil conservation committee created
2 in section 161A.4 may allocate moneys to conduct
3 research and demonstration projects to promote
4 conservation tillage and nonpoint source pollution
5 control practices.

6 (5) The financial incentive payments may be used
7 in combination with department of natural resources
8 moneys.

9 d. The provisions of section 8.33 shall not apply
10 to the moneys appropriated in paragraph "b".
11 Unencumbered or unobligated moneys remaining on June
12 30, 1999, from moneys appropriated in paragraph "b"
13 for the fiscal year beginning July 1, 1995, shall
14 revert to the general fund on August 31, 1999.

15 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
16 appropriated from the general fund of the state to the
17 department of agriculture and land stewardship for the
18 fiscal year beginning July 1, 1995, and ending June
19 30, 1996, the following amount, or so much thereof as
20 is necessary, to be used for the purposes designated:

21 For salaries, support, maintenance, and
22 miscellaneous purposes, to be used by the department
23 to continue and expand the farmers' market coupon
24 program by providing federal special supplemental food
25 program recipients with coupons redeemable at farmers'
26 markets, and for not more than the following full-time
27 equivalent positions:

28 \$ 215,335
29 FTEs 1.00

30 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

31 1. There is appropriated from the general fund of
32 the state to the department of agriculture and land
33 stewardship for the fiscal year beginning July 1,
34 1995, and ending June 30, 1996, the following amount,
35 or so much thereof as is necessary, to be used for the
36 purpose designated:

37 For support of the pseudorabies eradication
38 program:

39 \$ 900,200

40 2. Persons, including organizations interested in
41 swine production in this state and in the promotion of
42 Iowa pork products who contribute support to the
43 program, are encouraged to increase financial support
44 for purposes of ensuring the program's effective
45 continuation.

46 Sec. 4. HORSE AND DOG RACING. There is
47 appropriated from the moneys available under section
48 99D.13 to the regulatory division of the department of
49 agriculture and land stewardship for the fiscal year
50 beginning July 1, 1995, and ending June 30, 1996, the

S-3436

Page 5

1 following amount, or so much thereof as is necessary,
2 to be used for the purpose designated:

3 For salaries, support, maintenance, and
4 miscellaneous purposes for the administration of
5 section 99D.22:

6 \$ 191,106

7 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
8 MARKETING. There is appropriated from the general
9 fund of the state to the interstate agricultural grain
10 marketing commission for the fiscal year beginning
11 July 1, 1995, and ending June 30, 1996, the following
12 amount, or so much thereof as is necessary, to be used
13 for the purpose designated:

14 For carrying out duties of the commission as
15 provided in Article IV of the interstate compact on
16 agricultural grain marketing as provided in chapter
17 183:

18 \$ 80,000

19 DEPARTMENT OF NATURAL RESOURCES

20 Sec. 6. GENERAL APPROPRIATION. There is
21 appropriated from the general fund of the state to the
22 department of natural resources for the fiscal year
23 beginning July 1, 1995, and ending June 30, 1996, the
24 following amounts, or so much thereof as is necessary,
25 to be used for the purposes designated:

26 1. ADMINISTRATIVE AND SUPPORT SERVICES

27 For salaries, support, maintenance, miscellaneous
28 purposes, and for not more than the following full-
29 time equivalent positions:

30 \$ 1,834,654

31 FTEs 113.50

32 2. PARKS AND PRESERVES DIVISION

33 For salaries, support, maintenance, miscellaneous
34 purposes, and for not more than the following full-
35 time equivalent positions:

36 \$ 5,510,462

37 FTEs 195.73

38 3. FORESTS AND FORESTRY DIVISION

39 For salaries, support, maintenance, miscellaneous
40 purposes, and for not more than the following full-
41 time equivalent positions:

42 \$ 1,479,218

43 FTEs 48.71

44 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-
47 time equivalent positions:

48 \$ 1,663,582

49 FTEs 52.00

50 5. ENVIRONMENTAL PROTECTION DIVISION

S-3436

S-3436

Page 6

1 a. For salaries, support, maintenance,
 2 miscellaneous purposes, and for not more than the
 3 following full-time equivalent positions:
 4 \$ 1,591,943
 5 FTEs 206.00

6 b. Of the amount appropriated and the number of
 7 full-time equivalent positions allocated in paragraph
 8 "a" at least \$49,300 and 1 FTE shall be used to
 9 support the regulation of animal feeding operations.

10 6. WATER QUALITY PROTECTION FUND

11 a. For allocation to the administrative account of
 12 the water quality protection fund established pursuant
 13 to section 455B.183A, to carry out the purpose of that
 14 account:
 15 \$ 404,000

16 b. Of the number of FTEs authorized in subsection
 17 5, paragraph "a", 36 FTEs shall be dedicated to
 18 carrying out the provisions of chapter 455B relating
 19 to the administration, regulation, and enforcement of
 20 the federal Safe Drinking Water Act and to support the
 21 program to assist supply systems as provided in
 22 section 455B.183B. However, the limitation on full-
 23 time equivalent positions provided in subsection 5,
 24 paragraph "a", shall not limit the number of
 25 additional full-time equivalent positions supported by
 26 moneys deposited in the water quality protection fund
 27 as provided in section 455B.183A, in order to carry
 28 out the provisions of division III of chapter 455B
 29 relating to the administration, regulation, and
 30 enforcement of the federal Safe Drinking Water Act,
 31 and the administration of the program to assist supply
 32 systems pursuant to section 455B.183B.

33 c. In providing assistance under this subsection,
 34 the department shall provide priority to systems
 35 serving a population of seven thousand or less. At
 36 least two FTEs shall be allocated to provide
 37 assistance to systems serving a population of seven
 38 thousand or less.

39 7. FISH AND WILDLIFE DIVISION

40 For not more than the following full-time
 41 equivalent positions:
 42 FTEs 340.93

43 8. WASTE MANAGEMENT ASSISTANCE DIVISION

44 For not more than the following full-time
 45 equivalent positions:
 46 FTEs 16.75

47 Sec. 7. STATE FISH AND GAME PROTECTION FUND --
 48 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

49 1. There is appropriated from the state fish and
 50 game protection fund to the division of fish and

S-3436

S-3436

Page 7

1 wildlife of the department of natural resources for
2 the fiscal year beginning July 1, 1995, and ending
3 June 30, 1996, the following amount, or so much
4 thereof as is necessary, to be used for the purposes
5 designated:

6 For administrative support, and for salaries,
7 support, maintenance, equipment, and miscellaneous
8 purposes:

9 \$ 20,637,657

10 2. The department shall not expend more moneys
11 from the fish and game protection fund than provided
12 in this section, unless the expenditure derives from
13 contributions made by a private entity, or a grant or
14 moneys received from the federal government, and is
15 approved by the natural resource commission. The
16 department of natural resources shall promptly notify
17 the legislative fiscal bureau and the chairpersons and
18 ranking members of the joint appropriations
19 subcommittee on agriculture and natural resources
20 concerning the commission's approval.

21 Sec. 8. MARINE FUEL TAX RECEIPTS -- NONCAPITALS
22 AND BOATING FACILITIES AND ACCESS. There is
23 appropriated from the marine fuel tax receipts
24 deposited in the general fund of the state to the
25 department of natural resources for the fiscal year
26 beginning July 1, 1995, and ending June 30, 1996, the
27 following amounts, or so much thereof as is necessary,
28 to be used for the purposes designated:

29 1. For purposes of funding expenditures
30 traditionally funded from marine fuel tax revenues,
31 but not considered as capitals or operations:
32 \$ 200,000

33 2. For purposes of maintaining and developing
34 boating facilities and access to public waters by the
35 parks and preserves division:
36 \$ 411,311

37 Notwithstanding section 8.33, the unencumbered or
38 unobligated moneys remaining on June 30, 1996, from
39 moneys appropriated in subsection 1, may be expended
40 during the fiscal year beginning July 1, 1996, and
41 ending June 30, 1997, and shall not revert to the
42 general fund until August 31, 1997.

43 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR
44 ENFORCEMENT PURPOSES. There is transferred on July 1,
45 1995, from the fees deposited under section 321G.7 to
46 the fish and game protection fund and appropriated to
47 the department of natural resources for the fiscal
48 year beginning July 1, 1995, and ending June 30, 1996,
49 the following amount, or so much thereof as is
50 necessary, to be used for the purpose designated:

S-3436

S-3436

Page 8

1 For the purpose of enforcing snowmobile laws as
2 part of the state snowmobile program administered by
3 the department of natural resources:

4 \$ 100,000

5 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT
6 PURPOSES. There is transferred on July 1, 1995, from
7 the fees deposited under section 462A.52 to the fish
8 and game protection fund and appropriated to the
9 department of natural resources for the fiscal year
10 beginning July 1, 1995, and ending June 30, 1996, the
11 following amount, or so much thereof as is necessary,
12 to be used for the purpose designated:

13 For purposes of administration and enforcement of
14 navigation laws and water safety:

15 \$ 1,200,000

16 RESOURCES ENHANCEMENT AND PROTECTION

17 Sec. 11. GENERAL APPROPRIATION. Notwithstanding
18 the amount of the standing appropriation from the
19 general fund of the state under section 455A.18,
20 subsection 3, there is appropriated from the general
21 fund of the state to the Iowa resources enhancement
22 and protection fund, in lieu of the appropriation made
23 in section 455A.18, for the fiscal year beginning July
24 1, 1995, and ending June 30, 1996, the sum of
25 \$8,000,000, of which all moneys shall be allocated as
26 provided in section 455A.19.

27 ANIMAL INDUSTRY APPROPRIATIONS

28 Sec. 12. LIVESTOCK PRODUCERS ASSISTANCE.

29 1. There is appropriated from the general fund of
30 the state to Iowa state university of science and
31 technology, for the fiscal year beginning July 1,
32 1995, and ending June 30, 1996, the following amount,
33 or so much thereof as is necessary, to be used for the
34 purposes designated:

35 For the administration of the livestock producers
36 assistance program established pursuant to section
37 266.39D, including salaries, support, maintenance,
38 miscellaneous purposes, and for not more than the
39 following full-time equivalent positions:

40 \$ 100,000

41 FTEs 1.66

42 2. As a condition of this appropriation, the
43 university shall strive to ensure that the program
44 becomes increasingly self-sufficient. The university
45 shall adopt a plan detailing the manner in which the
46 program will become self-sufficient, including the
47 expected amount of state funds necessary to support
48 the program until it becomes self-sufficient, the
49 sources of revenue expected to contribute to the
50 program, and the amount each source is expected to

S-3436

S-3436

Page 9

1 contribute to the program. The plan shall be
2 submitted to the legislative fiscal bureau by November
3 1, 1995.

4 3. The provisions of section 8.33 shall not apply
5 to the moneys appropriated in this section.
6 Unencumbered or unobligated moneys remaining on June
7 30, 1999, from moneys appropriated in this section for
8 the fiscal year beginning July 1, 1995, shall revert
9 to the general fund on August 31, 1999.

10 Sec. 13. ORGANIC NUTRIENT MANAGEMENT.

11 1. There is appropriated from the general fund of
12 the state to the department of agriculture and land
13 stewardship for the fiscal year beginning July 1,
14 1995, and ending June 30, 1996, the following amount,
15 or so much thereof as is necessary, to be used for the
16 purposes designated:

17 For deposit in the organic nutrient management fund
18 for administration of the organic nutrient management
19 program, as provided in section 161C.6:

20 \$ 450,000

21 2. Notwithstanding section 161C.5, unencumbered or
22 unobligated moneys remaining on June 30, 1999, from
23 moneys appropriated in this section for the fiscal
24 year beginning July 1, 1995, shall revert to the
25 general fund on August 31, 1999.

26 RELATED APPROPRIATIONS

27 Sec. 14. TRANSFERS FROM THE WATER PROTECTION FUND.

28 Notwithstanding section 161C.4 and the reversion and
29 allocation provisions in section 455A.19, subsection
30 1, paragraph "c", of the unencumbered and unobligated
31 moneys remaining on the effective date of this
32 section, in the water protection fund created pursuant
33 to section 161C.4, the following amounts shall be
34 transferred first from the water protection practices
35 account, and if necessary from the water quality
36 protection projects account, which shall be used for
37 the following purposes:

38 1. To the organic nutrient management fund created
39 in section 161C.5 for the purposes of carrying out the
40 organic nutrient management program as provided in
41 section 161C.6:

42 \$ 350,000

43 2. To provide financial incentives for soil
44 conservation practices under chapter 161A, as provided
45 in section 1 of this Act:

46 \$ 500,000

47 Moneys provided in this section shall be
48 transferred first to the organic nutrient management
49 fund as provided in subsection 1 before remaining
50 moneys are transferred to provide financial incentives

S-3436

S-3436

Page 10

1 for soil conservation as provided in subsection 2.

2 The provisions of section 8.33 shall not apply to
3 the moneys transferred pursuant to this section.

4 Unencumbered or unobligated moneys remaining on June
5 30, 1999, from moneys transferred pursuant to this
6 section for the fiscal year beginning July 1, 1995,
7 shall revert to the account from which transferred on
8 August 31, 1999.

9 Sec. 15. REVENUE ADMINISTERED BY THE IOWA

10 COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD --

11 TRANSFER. There is appropriated from the unassigned
12 revenue fund administered by the Iowa comprehensive
13 underground storage tank fund board, to the department
14 of natural resources for the fiscal year beginning
15 July 1, 1995, and ending June 30, 1996, the following
16 amount, or so much thereof as is necessary, to be used
17 for the purpose designated:

18 For administration expenses of the underground
19 storage tank section of the department of natural
20 resources:

21 \$ 75,000

22 Sec. 16. TRANSFER -- AIR QUALITY. For the fiscal
23 year beginning July 1, 1995, and ending June 30, 1996,
24 the department of natural resources may transfer up to
25 \$281,000 from the hazardous substance remedial fund to
26 support purposes related to carrying out the duties of
27 the commission under section 455B.133, or the director
28 under section 455B.134, or for carrying out the
29 provisions of chapter 455B, division II.

30 Sec. 17. WIND EROSION CONTROL FUND. On the
31 effective date of this section, all unencumbered or
32 unobligated moneys appropriated to the wind erosion
33 control fund, and any unencumbered or unobligated
34 moneys which have been credited to the division of
35 soil conservation of the department of agriculture and
36 land stewardship for purposes of planting and
37 maintaining wind erosion control barriers, as
38 originally provided in 1978 Iowa Acts, chapter 1108,
39 section 7, and subsequently amended, shall be
40 transferred to the road use tax fund created in
41 section 312.1.

42 MISCELLANEOUS

43 Sec. 18. STATE NURSERIES. Notwithstanding section
44 17A.2, subsection 10, paragraph "g", the department of
45 natural resources shall adopt administrative rules
46 establishing prices of plant material grown at the
47 state forest nurseries to cover all expenses related
48 to the growing of the plants.

49 The department shall develop programs to encourage
50 the wise management and preservation of existing

S-3436

S-3436

Page 11

1 woodlands and shall continue its efforts to encourage
2 forestation and reforestation on private and public
3 lands in the state.

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

8 Sec. 19. HUNGRY CANYONS CONFERENCE.

9 1. The department of natural resources in
10 cooperation with the loess hills development and
11 conservation authority, shall sponsor a conference not
12 later than September 1, 1995, regarding the erosion
13 and degradation of stream channels in counties in the
14 deep loess region of western Iowa, and specifically
15 the area referred to as hungry canyons. The
16 conference shall discuss the impacts of the erosion
17 and degradation of stream channels in the area and its
18 adverse effect upon rural infrastructure, including
19 public roads and bridges, agricultural production,
20 stream water quality, and riparian habitat. The
21 conference shall consider impacts of policies of the
22 United States army corps of engineers upon the area.

23 2. Conferees shall include representatives of the
24 department of natural resources, the loess hills
25 development and conservation authority, the division
26 of soil conservation of the department of agriculture
27 and land stewardship, and the state department of
28 transportation. Each soil and water conservation
29 district in the area may elect one commissioner to
30 serve as a conferee. Each county board of supervisors
31 in a county in the area may elect one supervisor to
32 serve as a conferee. The department of natural
33 resources shall invite other interested persons to
34 serve as conferees, including members of Iowa's
35 congressional delegation, the chairperson and ranking
36 member of the standing committee on natural resources,
37 environment and energy of the senate, the chairperson
38 and ranking member of the standing committees on
39 natural resources and environmental protection of the
40 house of representatives, the chairpersons and ranking
41 members of the joint appropriations subcommittee on
42 agriculture and natural resources, members of the Iowa
43 general assembly who represent affected legislative
44 districts, and representatives of the United States
45 army corps of engineers, the United States
46 environmental protection agency, the United States
47 department of interior, and the natural resources
48 conservation service of the United States department
49 of agriculture.

50 3. The department of natural resources shall

S-3436

-11-

S-3436

Page 12

1 report to the general assembly not later than January
2 15, 1996, regarding findings and recommendations of
3 the conferees.

4 Sec. 20. TRANSFER OF MONEYS OR POSITIONS; CHANGES
5 IN TABLES OF ORGANIZATION -- NOTIFICATION. Each
6 fiscal quarter of the fiscal year beginning July 1,
7 1995, the department of agriculture and land
8 stewardship and the department of natural resources
9 shall notify the chairpersons, vice chairpersons, and
10 ranking members of the joint appropriations
11 subcommittee on agriculture and natural resources for
12 the previous fiscal quarter of any transfer of moneys
13 or full-time equivalent positions made by either
14 department which is not authorized in this Act, or any
15 permanent position added to or deleted from either
16 department's table of organization.

17 Sec. 21. TRUST FUND INFORMATION. For the fiscal
18 year beginning July 1, 1995, and ending June 30, 1996,
19 the department of revenue and finance in cooperation
20 with each appropriate agency shall track receipts to
21 the general fund of the state which under law were
22 previously collected to be used for specific purposes,
23 or to be credited to, or be deposited to a particular
24 account or fund, as provided in section 8.60.

25 The department of revenue and finance and each
26 appropriate agency shall prepare reports detailing
27 revenue from receipts previously deposited into each
28 of the funds. A report shall be submitted to the
29 legislative fiscal bureau at least once for each
30 three-month period as designated by the legislative
31 fiscal bureau.

32 Sec. 22. DEPARTMENTAL INFORMATION REQUIRED.

33 1. For the fiscal year beginning July 1, 1995, and
34 ending June 30, 1996, the department of agriculture
35 and land stewardship and the department of natural
36 resources, in cooperation as necessary with the
37 department of management and the department of
38 personnel, shall provide a list to the legislative
39 fiscal bureau, on a quarterly basis, of all permanent
40 positions added to or deleted from the departments'
41 table of organization in the previous fiscal quarter.
42 This list shall include at least the position number,
43 salary range, projected funding source or sources of
44 each position, and the reason for the addition or
45 deletion. The legislative fiscal bureau may use this
46 information to assist in the establishment of the
47 full-time equivalent position limits authorized in law
48 for the departments.

49 2. For the fiscal year beginning July 1, 1995, and
50 ending June 30, 1996, the department of natural

S-3436

-12-

S-3436

Page 13

1 resources shall provide the legislative fiscal bureau
2 information and financial data by cost center, on at
3 least a monthly basis, relating to the indirect cost
4 accounting procedure, the amount of funding from each
5 funding source for each cost center, and the internal
6 budget system used by the department. The information
7 shall include but is not limited to financial data
8 covering the department's budget by cost center and
9 funding source prior to the start of the fiscal year,
10 and to the department's actual expenditures by cost
11 center and funding source after the accounting system
12 has been closed for that fiscal year.

13 3. For the fiscal year beginning July 1, 1995, and
14 ending June 30, 1996, the department of agriculture
15 and land stewardship shall provide the legislative
16 fiscal bureau information and financial data on at
17 least a monthly basis, relating to the internal budget
18 system used by the department. The information shall
19 include but is not limited to financial data covering
20 the department's budget prior to the start of the
21 fiscal year, and to the department's actual
22 expenditures after the accounting system has been
23 closed for that fiscal year.

24 Sec. 23. DIRECTION TO CODE EDITOR -- UPDATE
25 REFERENCES TO UNITS REORGANIZED UNDER THE UNITED
26 STATES DEPARTMENT OF AGRICULTURE. The Code editor is
27 directed, to every extent possible, to update
28 references in the Code relating to units of government
29 under the authority of the United States department of
30 agriculture to conform with the current names of those
31 units.

32 Sec. 24. PREFERENCE PROVIDED -- PERSONS MEETING
33 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM.
34 In its employment of persons in temporary positions in
35 conservation and outdoor recreation for the fiscal
36 year beginning July 1, 1995, and ending June 30, 1996,
37 the department of natural resources shall give
38 preference to persons meeting eligibility requirements
39 for the green thumb program and to persons working
40 toward an advanced education in natural resources and
41 conservation.

42 Sec. 25. GYPSY MOTH LITIGATION. The department of
43 agriculture and land stewardship and the office of the
44 attorney general shall cooperate in bringing legal
45 action against parties liable for damages caused by
46 the shipment from the state of Michigan of trees or
47 other plants infested with gypsy moths.

48 Sec. 26. SOIL CONSERVATION DIVISION -- USE OF
49 UNOBLIGATED MONEYS FOR THE PURCHASE OF EQUIPMENT.
50 Notwithstanding section 8.33, or 1994 Iowa Acts,

S-3436

-13-

S-3436

Page 14

1 chapter 1199, section 8, subsection 17, and section
2 88, the moneys appropriated to the soil conservation
3 division of the department of agriculture and land
4 stewardship pursuant to chapter 1199, section 8,
5 subsection 17, and section 88, which are not obligated
6 or encumbered on June 30, 1995, for purposes of
7 supporting soil conservation technicians, shall not
8 revert to the general fund of the state but shall be
9 used by the division of soil conservation for the
10 fiscal year beginning July 1, 1995, and ending June
11 30, 1996, for purposes of purchasing equipment for
12 soil conservation field offices.

13 Sec. 27. AIR QUALITY PROGRAM -- NONGENERAL FUND
14 SUPPORT. The department of natural resources for the
15 fiscal year beginning July 1, 1995, and ending June
16 30, 1996, shall not use moneys appropriated from the
17 general fund of the state pursuant to this Act, to
18 support any purpose related to carrying out the duties
19 of the commission under section 455B.133 or the
20 director under section 455B.134, or for carrying out
21 the provisions of chapter 455B, division II.

22 Notwithstanding section 455B.133B, the department
23 may use moneys deposited in the air contaminant source
24 fund created in section 455B.133B during the fiscal
25 year beginning July 1, 1995, and ending June 30, 1996,
26 for any purpose related to carrying out the duties of
27 the commission under section 455B.133 or the director
28 under section 455B.134, or for carrying out the
29 provisions of chapter 455B, division II.

30 Sec. 28. RULES RELATING TO PESTICIDE AND
31 FERTILIZER CONTAMINATED SITES -- ENVIRONMENTAL
32 PROTECTION COMMISSION. The environmental protection
33 commission shall adopt all rules required to establish
34 criteria for the classification and prioritization of
35 sites upon which pesticide or fertilizer contamination
36 has been discovered, as provided in section 455B.601
37 not later than January 1, 1996.

38 Sec. 29. DEPUTY SECRETARY OF AGRICULTURE -- STUDY.
39 The joint appropriations subcommittee on agriculture
40 and natural resources shall conduct a study of the
41 functions and duties of the deputy secretary of
42 agriculture, the effectiveness of the position, and
43 any methods to improve the position's effectiveness.

44 STATUTORY CHANGES

45 Sec. 30. 1993 Iowa Acts, chapter 176, section 25,
46 subsection 2, as amended by 1994 Iowa Acts, chapter
47 1198, section 31, is amended to read as follows:

48 2. Notwithstanding section 8.33, unencumbered or
49 unobligated moneys remaining on June 30, 1993, from
50 moneys appropriated pursuant to 1992 Iowa Acts, Second

S-3436

-14-

S-3436

Page 15

1 Extraordinary Session, chapter 1001, section 402, may
2 be expended during the fiscal period beginning July 1,
3 1993, and ending June 30, ~~1995~~ 1996, and shall not
4 revert to the general fund until August 31, ~~1995~~ 1996.

5 Sec. 31. 1994 Iowa Acts, chapter 1119, section 32,
6 subsection 2, unnumbered paragraph 1, is amended to
7 read as follows:

8 Notwithstanding section 423.24, as amended in this
9 Act, for each fiscal year of the period beginning on
10 July 1, 1993, and ending ~~July 1, 1994~~ June 30, 1996,
11 an amount equal to two and one-half percent of the
12 total moneys used to support value-added agricultural
13 products and processes as provided in that section,
14 which would otherwise be allocated to the value-added
15 agricultural products and processes financial
16 assistance fund, shall instead be allocated to the
17 office of renewable fuels and coproducts. The moneys
18 shall be used for purposes of conducting soydiesel
19 demonstration projects administered by the state
20 department of transportation under the oversight of
21 the renewable fuels and coproducts advisory committee.

22 Sec. 32. 1994 Iowa Acts, chapter 1119, section 32,
23 subsection 2, paragraph b, is amended to read as
24 follows:

25 b. The state department of transportation shall
26 evaluate the performance of vehicles operating on
27 soydiesel fuel, including the rate of repairs on the
28 vehicles and comments of persons operating and
29 maintaining the vehicles. The department shall submit
30 initial findings and recommendations to the renewable
31 fuels and coproducts advisory committee which shall
32 submit a report to the senate and chief clerk of the
33 house, the legislative service bureau, the
34 chairpersons and ranking members of the senate
35 standing committee on agriculture, the senate standing
36 committee on small business, economic development and
37 tourism, the house of representatives standing
38 committee on agriculture, and the house of
39 representatives standing committee on small business,
40 economic development and trade. The department shall
41 submit final findings and recommendations to the
42 renewable fuels and coproducts advisory committee
43 which shall submit a report to the general assembly.
44 ~~The~~ An initial report shall be due on October 1, 1994;
45 ~~The final,~~ an interim report shall be due on March 1,
46 1995, and a final report shall be due on October 1,
47 1996.

48 Sec. 33. 1994 Iowa Acts, chapter 1119, section 32,
49 subsection 2, paragraph d, is amended to read as
50 follows:

S-3436

-15-

S-3436

Page 16

1 d. Moneys available under this section which
2 remain unexpended or unobligated on June 30, 1994,
3 shall remain available to support the demonstration
4 project and shall not revert pursuant to section 8.33.
5 Moneys remaining unexpended or unobligated on June 30,
6 ~~1995~~ 1996, shall be credited to the value-added
7 agricultural products and processes financial
8 assistance fund as created in section 15E.112.

9 Sec. 34. Section 8.60, Code 1995, is amended to
10 read as follows:

11 8.60 USE OF DESIGNATED MONEYS.

12 Moneys credited to or deposited in the general fund
13 of the state on or after July 1, 1993, which under law
14 were previously collected to be used for specific
15 purposes, or to be credited to, or be deposited to a
16 particular account or fund shall only be used for the
17 purposes for which the moneys were collected,
18 including but not limited to moneys collected in
19 accordance with any of the following provisions:

20 1. Pari-mutuel regulation fund created in section
21 99D.17, Code Supplement 1993.

22 2. Excursion boat gambling special account
23 pursuant to section 99F.4, subsection 2, Code
24 Supplement 1993.

25 ~~3. Milk fund created in section 192.111, Code
26 Supplement 1993.~~

27 ~~4. Dairy trade practices trust fund pursuant to
28 section 192A.30, Code Supplement 1993.~~

29 ~~5. Commercial feed fund created in section 198.9,
30 Code Supplement 1993.~~

31 ~~6. Fertilizer fund created in section 200.9, Code
32 Supplement 1993.~~

33 ~~7. Pesticide fund created in section 206.12, Code
34 Supplement 1993.~~

35 ~~8. 3. Motor vehicle fraud account pursuant to
36 section 312.2, subsection 13, Code Supplement 1993.~~

37 ~~9. 4. Public transit assistance fund pursuant to
38 section 312.2, subsection 15, and section 324A.6, Code
39 Supplement 1993.~~

40 ~~10. 5. Salvage vehicle fee paid to the Iowa law
41 enforcement academy pursuant to section 321.52, Code
42 Supplement 1993.~~

43 ~~11. 6. Railroad assistance fund created in section
44 327H.18, Code Supplement 1993.~~

45 ~~12. 7. Special railroad facility fund created in
46 section 327I.23, Code Supplement 1993.~~

47 ~~13. 8. State aviation fund created in section
48 328.36, Code Supplement 1993.~~

49 ~~14. Marine fuel tax fund created in section
50 452A.79, Code Supplement 1993.~~

S-3436

-16-

S-3436

Page 17

1 ~~15-~~ 9. Public outdoor recreation and resources
2 fund pursuant to section 461A.79, Code Supplement
3 1993.

4 ~~16-~~ 10. Energy research and development fund
5 created in section 473.11, Code Supplement 1993.

6 ~~17-~~ 11. Utilities trust fund created in section
7 476.10, Code Supplement 1993.

8 ~~18-~~ 12. Banking revolving fund created in section
9 524.207, Code Supplement 1993.

10 ~~19-~~ 13. Credit union revolving fund created in
11 section 533.67, Code Supplement 1993.

12 ~~20-~~ 14. Professional licensing revolving fund
13 created in section 546.10, Code Supplement 1993.

14 Sec. 35. Section 161C.4, unnumbered paragraph 1,
15 Code 1995, is amended to read as follows:

16 A water protection fund is created within the
17 division. The fund is composed of money appropriated
18 by the general assembly for that purpose, and moneys
19 available to and obtained or accepted by the state
20 soil conservation committee from the United States or
21 private sources for placement in the fund. The fund
22 shall be divided into two accounts, the water quality
23 protection projects account and the water protection
24 practices account. The first account shall be used to
25 carry out water quality protection projects to protect
26 the state's surface and groundwater from point and
27 nonpoint sources of contamination. The second account
28 shall be used to establish water protection practices
29 with individual landowners including but not limited
30 to woodland establishment and protection,
31 establishment of native grasses and forbs, sinkhole
32 management, agricultural drainage well management,
33 streambank stabilization, grass waterway
34 establishment, stream buffer strip establishment, and
35 erosion control structure construction. Twenty-five
36 percent of funds appropriated to the water protection
37 practices account shall be used for woodland
38 establishment and protection, and establishment of
39 native grasses and forbs. Soil and water conservation
40 district commissioners shall give priority to
41 applications for practices that implement their soil
42 and water resource conservation plan. The fund shall
43 be a revolving fund from which moneys may be used for
44 loans, grants, administrative costs, and cost-sharing.

45 Sec. 36. Section 192.111, subsection 3, Code 1995,
46 is amended by striking the subsection.

47 Sec. 37. NEW SECTION. 192.112 MILK FUND.

48 1. A milk fund is established in the state
49 treasury under the control of the department. The
50 fund shall consist of any money appropriated by the

S-3436

-17-

S-3436

Page 18

1 general assembly and any other moneys available to and
2 obtained or accepted by the department from the
3 federal government or private sources for placement in
4 the fund. Fees collected under sections 192.111,
5 192.133, 194.14, 194.19, 194.20, and 195.9 shall be
6 deposited in the fund. All moneys deposited under
7 this section are appropriated to the department for
8 the costs of inspection, sampling, analysis, and other
9 expenses necessary for the administration of this
10 chapter and chapters 194 and 195.

11 2. In each fiscal year, the secretary shall
12 calculate the balance of funds deposited under this
13 section by subtracting all moneys expended for the
14 costs of inspection, sampling, analysis, and other
15 expenses necessary for the administration of this
16 chapter and chapters 194 and 195. If the calculation
17 shows a balance of funds deposited under this section
18 on June 30 of any fiscal year equal to or exceeding
19 one hundred fifty thousand dollars, the secretary
20 shall reduce the fees provided for in section 192.111
21 and section 194.20 for the next fiscal year in an
22 amount which will result in an ending estimated
23 balance of such funds for June 30 of the next fiscal
24 year of one hundred fifty thousand dollars.

25 3. All moneys in the milk fund are subject to
26 audit by the auditor of state. The milk fund is
27 subject at all times to warrants by the director of
28 revenue and finance, drawn upon written requisition of
29 the secretary. Notwithstanding section 8.33, moneys
30 in the milk fund shall remain in the milk fund and
31 shall not revert to the general fund of the state.
32 Notwithstanding section 12C.7, subsection 2, interest
33 or earnings on moneys deposited in the milk fund shall
34 be credited to the milk fund.

35 Sec. 38. Section 192.133, Code 1995, is amended to
36 read as follows:

37 192.133 LICENSE TERM -- FEES.

38 A license, unless earlier revoked, is valid until
39 July 1 after the date of its issuance. The maximum
40 fee for a license is twenty-five dollars, which shall
41 be paid before the license is issued, and standard
42 test bottles and pipettes shall be furnished at actual
43 cost. Fees collected under this section shall be
44 deposited ~~and used as required in section 192.111~~ in
45 the milk fund established in section 192.112.

46 Sec. 39. Section 192A.30, Code 1995, is amended to
47 read as follows:

48 192A.30 PERMIT FEES.

49 For the purpose of administering and enforcing this
50 chapter, a processor or a person purchasing milk

S-3436

-18-

S-3436

Page 19

1 products from a processor for wholesale distribution
2 shall obtain a permit, as provided by departmental
3 rule, before milk products are sold by the person or
4 wholesale purchaser in this state. The processor or
5 wholesale purchaser shall pay to the secretary a
6 permit fee in an amount set by the secretary, not to
7 exceed five mills per hundredweight on milk processed
8 into dairy products as defined in section 192A.1, and
9 sold within the state of Iowa. However, the permit
10 fee for the sale of ice cream or an additive variant
11 of ice cream or nonmilk-fat imitation shall not exceed
12 three mills per gallon. Products upon which fees have
13 been paid are exempt from further fees in successive
14 transactions. The fees for each month thus computed
15 shall be paid to the secretary on or before the
16 twenty-fifth day of the following month. The fees
17 shall be deposited in the milk fund established in
18 section 192.112.

19 ~~Fees paid to the secretary shall be deposited into~~
20 ~~the general fund of the state and shall be subject to~~
21 ~~the requirements of section 8-60.~~

22 Sec. 40. Section 194.14, Code 1995, is amended to
23 read as follows:

24 194.14 LICENSE TERM -- FEES.

25 A milk grader's license, unless sooner revoked, is
26 valid until July 1 after the date of issuance. The
27 maximum fee for each license is ten dollars, which
28 shall be paid before the license is issued. Fees
29 collected under this section shall be deposited ~~and~~
30 ~~used as required in section 192.111~~ in the milk fund
31 established pursuant to section 192.112.

32 Sec. 41. Section 194.19, unnumbered paragraph 1,
33 Code 1995, is amended to read as follows:

34 A vehicle used for the collection of milk for
35 manufacture of dairy products shall first be licensed
36 by the department. A license, unless earlier revoked,
37 is valid until July 1 after the date of its issuance.
38 The maximum fee for a license is twenty-five dollars,
39 which shall be paid before the license is issued. A
40 fee shall not be imposed under this section if the
41 vehicle or its operator has paid the fee imposed upon
42 milk haulers under section 192.111. Fees collected
43 under this section shall be deposited ~~and used as~~
44 ~~required in section 192.111~~ in the milk fund
45 established in section 192.112. This section does not
46 apply to individuals transporting their own dairy
47 products.

48 Sec. 42. Section 194.20, Code 1995, is amended to
49 read as follows:

50 194.20 INSPECTION FEES -- GRADE "B" MILK.

S-3436

-19-

1 A purchaser of milk from a grade "B" milk producer
 2 shall pay an inspection fee not greater than one-half
 3 cent per hundredweight. The fee is payable monthly to
 4 the department at a time prescribed by the department.
 5 Fees collected under this section shall be deposited
 6 ~~and used as required in section 192.111~~ in the milk
 7 fund established in section 192.112.

8 Sec. 43. Section 195.9, Code 1995, is amended to
 9 read as follows:

10 195.9 LICENSE TERM -- FEES.

11 A license, unless sooner revoked, is valid until
 12 July 1 after the date of its issuance. The maximum
 13 fee for a license is twenty-five dollars which shall
 14 be paid before the license is issued. Fees collected
 15 under this section shall be deposited ~~and used as~~
 16 ~~required in section 192.111~~ in the milk fund
 17 established in section 192.112.

18 Sec. 44. Section 198.9, subsection 3, Code 1995,
 19 is amended to read as follows:

20 3. Fees collected shall be deposited in the
 21 ~~general fund of the state and shall be subject to the~~
 22 ~~requirements of section 8-60~~ commercial feed trust
 23 fund established in section 198.9A. Moneys deposited
 24 ~~under this section shall be used for the payment of~~
 25 ~~the costs of inspection, sampling, analysis,~~
 26 ~~supportive research, and other expenses necessary for~~
 27 ~~the administration of this chapter.~~

28 ~~If there is an unencumbered balance of funds from~~
 29 ~~the fees deposited under this section on June 30 of~~
 30 ~~any fiscal year equal to or exceeding one hundred~~
 31 ~~thousand dollars, the secretary of agriculture shall~~
 32 ~~reduce the per-ton fee provided for in subsection 1~~
 33 ~~for the next fiscal year in such amount as will result~~
 34 ~~in an ending estimated balance of the fees deposited~~
 35 ~~less costs paid for from those fees for June 30 of the~~
 36 ~~next fiscal year of one hundred thousand dollars.~~

37 ~~The secretary shall publish a report not later than~~
 38 ~~September 1 of each year. The report shall provide a~~
 39 ~~detailed accounting of all sources of revenue~~
 40 ~~deposited under and all dispositions of funds expended~~
 41 ~~under this section. The report shall detail full-time~~
 42 ~~equivalent positions used in fulfilling the~~
 43 ~~requirements of this chapter. The report shall also~~
 44 ~~indicate to what extent any full-time equivalent~~
 45 ~~positions are shared with other programs. Copies of~~
 46 ~~the report issued by the secretary pursuant to this~~
 47 ~~subsection shall be delivered each year to the members~~
 48 ~~of the house of representatives and senate standing~~
 49 ~~committees on agriculture.~~

50 Sec. 45. NEW SECTION. 198.9A COMMERCIAL FEED

S-3436

Page 21

1 TRUST FUND.

2 1. A commercial feed trust fund is established in
3 the state treasury under the control of the
4 department. The fund shall consist of any moneys
5 appropriated to the fund by the general assembly and
6 any other moneys available to and obtained or accepted
7 by the department from the federal government or
8 private sources for placement in the fund. Fees
9 collected under section 198.9 shall be deposited in
10 the fund. Moneys deposited in the fund shall be used
11 for the payment of the costs of inspection, sampling,
12 analysis, supportive research, and other expenses
13 necessary for the administration of this chapter.

14 2. If there is an unencumbered balance of moneys
15 in the fund on June 30 of any fiscal year equal to or
16 exceeding one hundred thousand dollars, the secretary
17 of agriculture shall reduce the per ton fee provided
18 for in section 198.9, subsection 1, for the next
19 fiscal year in such amount as will result in an ending
20 estimated balance of the fees deposited less costs
21 paid for from those fees for June 30 of the next
22 fiscal year of one hundred thousand dollars.

23 3. The secretary shall publish a report not later
24 than September 1 of each year. The report shall
25 provide a detailed accounting of all sources of
26 revenue deposited under and all dispositions of moneys
27 deposited in the fund. The report shall detail full-
28 time equivalent positions used in fulfilling the
29 requirements of this chapter. The report shall also
30 indicate to what extent any full-time equivalent
31 positions are shared with other programs. Copies of
32 the report issued by the secretary pursuant to this
33 subsection shall be delivered each year to the members
34 of the standing committees on agriculture of the house
35 of representatives and the senate.

36 Sec. 46. Section 200.4, subsection 1, Code 1995,
37 is amended to read as follows:

38 1. Any person who manufactures, mixes, blends,
39 mixes to customers order, offers for sale, sells, or
40 distributes any fertilizer or soil conditioner in Iowa
41 must first obtain a license from the secretary of
42 agriculture and shall pay a ten-dollar license fee for
43 each place of manufacture or distribution from which
44 fertilizer or soil conditioner products are sold or
45 distributed in Iowa. ~~Such~~ The license fee shall be
46 paid annually on July 1 of each year. The license fee
47 shall be deposited in the fertilizer fund established
48 in section 200.9.

49 Sec. 47. Section 200.8, subsection 3, Code 1995,
50 is amended by striking the subsection.

S-3436

-21-

S-3436

Page 22

1 Sec. 48. Section 200.9, Code 1995, is amended to
2 read as follows:

3 200.9 FERTILIZER FEES FUND.

4 1. A fertilizer fund is established in the state
5 treasury under the control of the department of
6 agriculture and land stewardship. The fund shall
7 consist of any moneys appropriated by the general
8 assembly and any other moneys available to and
9 obtained or accepted by the department from the
10 federal government or private sources for placement in
11 the fund. Fees collected for licenses and inspection
12 fees under sections 200.4 and 200.8, with the
13 exception of those fees collected for deposit in the
14 agriculture management account of the groundwater
15 protection fund, shall be deposited in the general
16 fund of-the-state-and-shall-be-subject-to-the
17 requirements-of-section-8-60. Fees collected pursuant
18 to chapter 201 shall also be deposited in the fund.
19 Moneys deposited under-this-section-to into the
20 general fund from fees collected pursuant to this
21 chapter shall be used only by the department for the
22 purpose of inspection, sampling, analysis,
23 preparation, and publishing of reports and other
24 expenses necessary for administration of this chapter
25 and chapter 201. The secretary may assign moneys to
26 the Iowa agricultural experiment station for research,
27 work projects, and investigations as needed for the
28 specific purpose of improving the regulatory functions
29 for enforcement of this chapter.

30 2. If there is an unencumbered balance of moneys
31 deposited in the fund from fees collected pursuant to
32 this chapter on June 30 of any fiscal year equal to or
33 exceeding three hundred fifty thousand dollars, the
34 secretary of agriculture shall reduce the per ton fee
35 provided for in subsection 1 and the annual license
36 fee established pursuant to section 201.3 for the next
37 fiscal year in such amount as will result in an ending
38 estimated balance of such funds for June 30 of the
39 next fiscal year of three hundred fifty thousand
40 dollars.

41 3. All moneys in the fund are subject to audit by
42 the auditor of state. The fund is subject at all
43 times to warrants by the director of revenue and
44 finance, drawn upon written requisition of the
45 secretary. Notwithstanding section 8.33, moneys in
46 the fertilizer fund shall remain in the fertilizer
47 fund and shall not revert to the general fund of the
48 state. Notwithstanding section 12C.7, subsection 2,
49 interest or earnings on moneys deposited in the
50 fertilizer fund shall be credited to the fertilizer

S-3436

-22-

S-3436

Page 23

1 fund.

2 Sec. 49. Section 201.13, Code 1995, is amended to
3 read as follows:

4 201.13 MONEYS TO GENERAL THE FERTILIZER FUND --
5 PERIODIC REPORT.

6 The moneys received under this chapter shall be
7 deposited in the ~~general fund of the state and shall~~
8 ~~be subject to the requirements of section 8.60.~~
9 ~~Moneys deposited under this section shall be used by~~
10 ~~the department of agriculture and land stewardship~~
11 ~~only for the purpose of inspection, sampling,~~
12 ~~analyzing, preparing and publishing of reports, and~~
13 ~~other expenses necessary for the administration of~~
14 this chapter fertilizer fund as provided in section
15 200.9. The secretary shall issue an annual report
16 showing a statement of moneys received from license
17 and testing fees, and a biennial report which shall be
18 made available to the public showing the
19 certifications of the effective calcium carbonate
20 equivalent for all agricultural lime, limestone, or
21 aglime certified as provided in this chapter. The
22 report shall list the manufacturers and producers and
23 their locations. Copies of all reports issued by the
24 secretary pursuant to this section shall be sent to
25 the members of the house of representatives and senate
26 standing committees on agriculture.

27 Sec. 50. Section 206.12, subsection 3, Code 1995,
28 is amended to read as follows:

29 3. The registrant, before selling or offering for
30 sale any pesticide for use in this state, shall
31 register each brand and grade of such pesticide with
32 the secretary upon forms furnished by the secretary,
33 and the secretary shall set the registration fee
34 annually at one-fifth of one percent of gross sales
35 within this state with a minimum fee of two hundred
36 fifty dollars and a maximum fee of three thousand
37 dollars for each and every brand and grade to be
38 offered for sale in this state except as otherwise
39 provided. The annual registration fee for products
40 with gross annual sales in this state of less than one
41 million five hundred thousand dollars shall be the
42 greater of two hundred fifty dollars or one-fifth of
43 one percent of the gross annual sales as established
44 by affidavit of the registrant. The secretary shall
45 adopt by rule exemptions to the minimum fee. Fifty
46 dollars of each fee collected shall be deposited in
47 the ~~general fund of the state, shall be subject to the~~
48 ~~requirements of section 8.60, and shall be used only~~
49 ~~for the purpose of enforcing the provisions of this~~
50 chapter pesticide fund established in section 206.12A,

S-3436

-23-

S-3436

Page 24

1 and the remainder of each fee collected shall be
 2 placed in the agriculture management account of the
 3 groundwater protection fund.

4 Sec. 51. NEW SECTION. 206.12A PESTICIDE FUND.

5 1. A pesticide fund is established in the state
 6 treasury under the control of the department. The
 7 fund shall consist of any moneys appropriated to the
 8 fund by the general assembly and any other moneys
 9 available to and obtained or accepted by the
 10 department from the federal government or private
 11 sources for placement in the fund. Fees collected
 12 under section 206.12 shall be deposited in the fund.
 13 The moneys in the fund shall be used only for the
 14 purpose of enforcing the provisions of this chapter.

15 2. All moneys in the pesticide fund are subject to
 16 audit by the auditor of state. The fund is subject at
 17 all times to warrants by the director of revenue and
 18 finance, drawn upon written requisition of the
 19 secretary. Notwithstanding section 8.33, moneys in
 20 the pesticide fund shall remain in the fund and shall
 21 not revert to the general fund of the state.
 22 Notwithstanding section 12C.7, subsection 2, interest
 23 or earnings on moneys deposited in the pesticide fund
 24 shall be credited to the pesticide fund.

25 Sec. 52. Section 452A.79, unnumbered paragraph 2,
 26 and subsections 1, 2, 3, 4, and 5, Code 1995, are
 27 amended to read as follows:

28 All moneys derived from the excise tax on the sale
 29 of motor fuel used in watercraft shall be deposited in
 30 the ~~general marine fuel tax fund of the state~~
 31 ~~established in section 452A.83. Moneys deposited to~~
 32 ~~the general fund under this section and section~~
 33 ~~452A.84 are subject to the requirements of section~~
 34 ~~8.60 and are subject to appropriation by the general~~
 35 ~~assembly to the department of natural resources for~~
 36 ~~use in its recreational boating program, which may~~
 37 ~~include but is not limited to:~~

38 1.--Dredging and renovation of natural lakes of
 39 this state.

40 2.--Acquisition, development and maintenance of
 41 access to public boating waters.

42 3.--Development and maintenance of boating
 43 facilities and navigation aids.

44 4.--Administration, operation, and maintenance of
 45 recreational boating activities of the department of
 46 natural resources.

47 5.--Acquisition, development and maintenance of
 48 recreation facilities associated with recreational
 49 boating.

50 Sec. 53. NEW SECTION. 452A.83 MARINE FUEL TAX

S-3436

-24-

S-3436

Page 25

1 FUND.

2 1. A marine fuel tax fund is established in the
3 state treasury under the control of the department.
4 The fund shall consist of any moneys appropriated to
5 the fund by the general assembly and any other moneys
6 available to and obtained or accepted by the
7 department from the federal government or private
8 sources for placement in the fund. Moneys collected
9 pursuant to section 452A.79 shall be deposited in the
10 fund. Moneys collected pursuant to this chapter from
11 the motor fuel tax fund shall be transferred to the
12 fund as provided in section 452A.84.

13 2. Moneys deposited or transferred into the fund
14 are subject to appropriation by the general assembly
15 to the department of natural resources for its
16 recreational boating program which may include, but is
17 not limited to:

18 a. Dredging and renovation of natural lakes of
19 this state.

20 b. Acquisition, development, and maintenance of
21 access to public boating waters.

22 c. Development and maintenance of boating
23 facilities and navigation aids.

24 d. Administration, operation, and maintenance of
25 recreational boating activities of the department of
26 natural resources.

27 e. Acquisition, development, and maintenance of
28 recreation facilities associated with recreational
29 boating.

30 3. All moneys in the marine fuel tax fund are
31 subject to audit by the auditor of state. The fund is
32 subject at all times to warrants by the director of
33 revenue and finance, drawn upon written requisition of
34 the department. Notwithstanding section 8.33, moneys
35 in the marine fuel tax fund shall remain in the fund
36 and shall not revert to the general fund of the state.
37 Notwithstanding section 12C.7, subsection 2, interest
38 or earnings on moneys deposited in the marine fuel tax
39 fund shall be credited to the marine fuel tax fund.

40 Sec. 54. Section 452A.84, Code 1995, is amended to
41 read as follows:

42 452A.84 TRANSFER TO STATE-GENERAL MARINE FUEL TAX
43 FUND.

44 The treasurer of state shall transfer from the
45 motor fuel tax fund to the general marine fuel tax
46 fund of-the-state established pursuant to section
47 452A.83, that portion of moneys collected under this
48 chapter attributable to motor fuel used in watercraft
49 computed as follows:

50 1. Determine monthly the total amount of motor

S-3436

-25-

S-3436

Page 26

1 fuel tax collected under this chapter and multiply the
2 amount by nine-tenths of one percent.

3 2. Subtract from the figure computed pursuant to
4 subsection 1 of this section three percent of the
5 figure for administrative costs and further subtract
6 from the figure the amounts refunded to commercial
7 fishers pursuant to section 452A.17, subsection 13.
8 All moneys remaining after claims for refund and the
9 cost of administration have been made shall be
10 transferred to the general marine fuel tax fund of the
11 state.

12 Sec. 55. Section 455B.183A, subsection 2,
13 paragraph b, Code 1995, is amended to read as follows:

14 b. The operation of a public water supply system,
15 including any part of the system. ~~The fees may be~~
16 ~~based on the type and size of community served by the~~
17 ~~system.~~ The commission shall adopt a fee schedule
18 which shall be based on the total number of persons
19 served by public water supply systems in this state.

20 The commission shall calculate all fees in the
21 schedule to produce total revenues equaling four
22 hundred seventy-five thousand dollars for the fiscal
23 year beginning July 1, 1994, and ending June 30, 1995,
24 seven hundred thousand dollars for the fiscal year
25 beginning July 1, 1995, and ending June 30, 1996, nine
26 hundred thousand dollars for the fiscal year beginning
27 July 1, 1996, and ending June 30, 1997, and one
28 million two hundred thousand dollars for each
29 subsequent fiscal year. For the fiscal year beginning
30 July 1, 1994, and ending June 30, 1995, twenty-five
31 thousand dollars shall be deposited in the
32 administration account and four hundred fifty thousand
33 dollars shall be deposited in the public water supply
34 system account. For each subsequent fiscal year, one-
35 half of the fees shall be deposited into the
36 administration account and one-half of the fees shall
37 be deposited into the public water supply system
38 account. By May 1 of each year, the department shall
39 estimate the total revenue expected to be collected
40 from the overpayment of fees, which are all fees in
41 excess of the amount of the total revenues which are
42 expected to be collected under the current fee
43 schedule, and the total revenue expected to be
44 collected from the payment of fees during the next
45 fiscal year. The commission shall adjust the fees if
46 the estimate exceeds the amount of revenue required to
47 be deposited in the fund pursuant to this paragraph.

48 Sec. 56. Section 455E.11, subsection 2, paragraph
49 a, subparagraph (12), subparagraph subdivision (c),
50 Code 1995, is amended to read as follows:

S-3436

-26-

S-3436

Page 27

1 (c) Twelve and one-half cents per ton per year is
2 appropriated to the department of natural resources to
3 provide additional toxic cleanup days and for the
4 natural resource geographic information system
5 required under section 455E.8, subsection 6.
6 Departmental rules adopted for implementation of toxic
7 cleanup days shall provide sufficient flexibility to
8 respond to the household hazardous material collection
9 needs of both small and large communities.

10 Sec. 57. EFFECTIVE DATES.

11 1. Sections 14, 17, 19, and 26 of this Act, being
12 deemed of immediate importance, take effect upon
13 enactment.

14 2. The amendments in this Act to 1993 Iowa Acts,
15 chapter 176, section 25, subsection 2, as amended by
16 1994 Iowa Acts, chapter 1198, section 31, being deemed
17 of immediate importance, take effect upon enactment.

18 3. The amendments in this Act to 1994 Iowa Acts,
19 chapter 1119, section 32, being deemed of immediate
20 importance, take effect upon enactment.

21 4. The amendments in this Act to section
22 455B.183A, being deemed of immediate importance, take
23 effect upon enactment.

24 5. Sections 8.60, 192.111, 192.112, 192.133,
25 192A.30, 194.14, 194.19, 194.20, 195.9, 198.9, 198.9A,
26 200.4, 200.8, 200.9, 201.13, 206.12, 206.12A, 452A.79,
27 452A.83, and 452A.84, Code 1995, as amended or enacted
28 by this Act take effect July 1, 1996.

29 6. This section, being deemed of immediate
30 importance, takes effect upon enactment."

31 2. Title page, by striking lines 1 through 4 and
32 inserting the following: "An Act relating to
33 agriculture and natural resources, by providing for
34 appropriations and revenue, providing related
35 statutory changes, and providing effective dates."

By DENNIS H. BLACK

S-3436 FILED APRIL 13, 1995

ADOPTED

(P.1214)

HOUSE FILE 553

S-3440

1 Amend the amendment, S-3436, to House File 553, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 9, line 20, by striking the figure
5 "450,000" and inserting the following: "400,000".

6 2. Page 14, by inserting after line 12 the
7 following:

8 "Sec. . . . ANIMAL FEEDING OPERATIONS -- PILOT
9 PROJECTS. There is appropriated from the general fund
10 of the state to the division of soil conservation of
11 the department of agriculture and land stewardship for
12 the fiscal year beginning July 1, 1995, and ending
13 June 30, 1996, the following amount, or so much
14 thereof as is necessary, to be used for the purposes
15 designated:

16 For purposes of supporting pilot projects to
17 determine the impact of plantings, including fast
18 growing trees, surrounding manure storage structures
19 which are connected to or part of an animal feeding
20 operation, in reducing or redirecting the dispersal of
21 odor originating from such structure:

22 \$ 50,000

23 The moneys shall be awarded to the owner of an
24 animal feeding operation who applies to the division
25 according to procedures adopted by the division. The
26 division shall provide for an initial application
27 period of sixty days in which not more than one person
28 from each county may be awarded moneys under this
29 section. After the completion of the initial
30 application period, any person may be awarded moneys
31 under this section, regardless of whether another
32 person in the same county has received an award. All
33 moneys shall be awarded on a cost-share basis.
34 However, a person shall not receive more than \$1,500,
35 regardless of the number of animal feeding operations
36 owned by the person.

37 The division shall submit a report containing
38 findings and recommendations to the general assembly
39 not later than January 10, 1998.

40 On August 31 following the close of the fiscal year
41 beginning July 1, 1995, and ending June 30, 1996,
42 moneys which are not obligated or encumbered on June
43 30, 1996, shall be deposited into the organic nutrient
44 management fund as created in section 161C.5 for
45 purposes of supporting the organic nutrient management
46 program."

47 3. By renumbering as necessary.

By BERL E. PRIEBE

S-3440 FILED APRIL 13, 1995

ADOPTED

(p.1214)

HOUSE FILE 553

S-3442

1 Amend the amendment, S-3436, to House File 553, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, line 19, by striking the figure
5 "44.50" and inserting the following: "46.45".
6 2. Page 1, by striking lines 42 through 49 and
7 inserting the following: "this paragraph "a", no
8 executive officer II position shall be supported from
9 that amount in the department after September 30,
10 1995."

By PATTY JUDGE

S-3442 FILED APRIL 13, 1995

LOST

(P.1213)

HOUSE FILE 553

S-3443

1 Amend the amendment, S-3436, to House File 553, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 14, by striking lines 38 through 43.
5 2. By renumbering as necessary.

By PATTY JUDGE

MARY NEUHAUSER

S-3443 FILED APRIL 13, 1995

ADOPTED

(P.1214)

HOUSE FILE 553

S-3444

1 Amend the amendment, S-3436, to House File 553, as
2 amended, passed, and reprinted as follows:
3 1. Page 24, by inserting after line 24 the fol-
4 lowing:
5 "Sec. ____ . Section 331.427, subsection 2, Code
6 1995, is amended by adding the following new
7 paragraph:
8 NEW PARAGRAPH. m. Closure and postclosure care of
9 a sanitary disposal project under section 455B.302."
10 2. By renumbering as necessary.

By LARRY MURPHY
ALLEN BORLAUGDENNIS H. BLACK
BRAD BANKS

S-3444 FILED APRIL 13, 1995

ADOPTED

(P.1214)

SENATE AMENDMENT TO HOUSE FILE 553

H-3945

1 Amend House File 553, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

6 Section 1. GENERAL APPROPRIATION. There is
7 appropriated from the general fund of the state to the
8 department of agriculture and land stewardship for the
9 fiscal year beginning July 1, 1995, and ending June
10 30, 1996, the following amounts, or so much thereof as
11 is necessary, to be used for the purposes designated:

12 1. ADMINISTRATIVE DIVISION

13 a. For salaries, support, maintenance, the support
14 of the state 4-H foundation, support of the statistics
15 bureau, and miscellaneous purposes, and for the
16 salaries and support of not more than the following
17 full-time equivalent positions:

18	\$	1,763,343
19	FTEs	44.50

20 (1) Of the funds appropriated in this paragraph
21 "a", \$319,550 and 7.00 FTEs shall be used to support
22 horticulture.

23 (2) Of the amount appropriated in this paragraph
24 "a", \$50,000 shall be allocated to the state 4-H
25 foundation to foster the development of Iowa's youth
26 and to encourage them to study the subject of
27 agriculture.

28 (3) Of the amount appropriated in this paragraph
29 "a", \$130,100 and 4.00 FTEs shall be allocated to the
30 statistics bureau to provide county-by-county
31 information on land in farms, production by crop,
32 acres by crop, and county prices by crop. This
33 information shall be made available to the department
34 of revenue and finance for use in the productivity
35 formula for valuing and equalizing the values of
36 agricultural land.

37 (4) Of the amount appropriated in this paragraph
38 "a", not more than \$5,000 shall be allocated to the
39 Iowa polled hereford junior association in connection
40 with the 1995 national junior hereford show.

41 (5) As a condition of the amount appropriated in
42 this paragraph "a", none of the following positions
43 shall be supported from the amount:

44 (a) Any executive officer II in the department
45 after September 30, 1995.

46 (b) Any public service executive II in the
47 information bureau after June 30, 1995.

48 (c) Any information specialist III in the
49 information bureau after June 30, 1995.

50 b. For the operations of the dairy trade practices

H-3945

H-3945

Page 2

1 bureau:
 2 \$ 66,273
 3 c. For the purpose of performing commercial feed
 4 audits:
 5 \$ 61,932
 6 d. For the purpose of performing fertilizer
 7 audits:
 8 \$ 61,932

9 2. REGULATORY DIVISION

10 a. For salaries, support, maintenance,
 11 miscellaneous purposes, and for not more than the
 12 following full-time equivalent positions:
 13 \$ 3,792,298
 14 FTEs 122.50

15 Of the moneys appropriated in this paragraph "a",
 16 \$34,300 is allocated for purposes of purchasing
 17 equipment for grain examiners to comply with
 18 requirements of the United States department of labor
 19 occupational safety and health administration.

20 b. For the costs of inspection, sampling,
 21 analysis, and other expenses necessary for the
 22 administration of chapters 192, 194, and 195:
 23 \$ 642,122

24 3. LABORATORY DIVISION

25 a. For salaries, support, maintenance, and
 26 miscellaneous purposes, including the administration
 27 of the gypsy moth program, and for not more than the
 28 following full-time equivalent positions:
 29 \$ 845,528
 30 FTEs 76.10

31 (1) Of the amount appropriated in this paragraph
 32 "a", \$110,000 shall be used to administer a program
 33 relating to the detection, surveillance, and
 34 eradication of the gypsy moth. The department shall
 35 allocate and use the appropriation made in this
 36 paragraph before moneys other than those appropriated
 37 in this paragraph are used to support the program.

38 (2) Of the amount appropriated in this paragraph
 39 "a", \$25,000 shall be allocated to Iowa state
 40 university for purposes of supporting multiflora rose
 41 eradication research and projects.

42 (3) Of the amount appropriated in this paragraph
 43 "a", \$25,000 shall be allocated to support aerial
 44 spray calibration efforts at Iowa state university.

45 b. For the operations of the commercial feed
 46 programs:
 47 \$ 735,631
 48 c. For the operations of the pesticide programs:
 49 \$ 1,271,464

50 Of the amount appropriated in this paragraph "c",

H-3945

H-3945

Page 3

1 \$200,000 shall be allocated to Iowa state university
2 for purposes of training commercial pesticide
3 applicators.

4 d. For the operations of the fertilizer programs:
5 \$ 626,630

6 4. SOIL CONSERVATION DIVISION

7 a. For salaries, support, maintenance, assistance
8 to soil conservation districts, miscellaneous
9 purposes, and for not more than the following full-
10 time equivalent positions:

11 \$ 5,676,476
12 FTEs 177.30

13 (1) Of the amount appropriated in this paragraph
14 "a", \$330,000 shall be used to reimburse commissioners
15 of soil and water conservation districts for
16 administrative expenses. Moneys used for the payment
17 of meeting dues by counties shall be matched on a
18 dollar-for-dollar basis by the soil conservation
19 division.

20 (2) Of the amount appropriated and the number of
21 full-time equivalent positions allocated in this
22 paragraph "a", \$165,000 and 6.50 FTEs shall be used to
23 provide that 13 part-time field office secretary I
24 positions are made full-time positions. Of the amount
25 appropriated and the number of full-time equivalent
26 positions allocated in paragraph "a", \$55,000 and 1
27 FTE shall be used to support a public service
28 executive I position in the field services section of
29 the division.

30 b. To provide financial incentives for soil
31 conservation practices under chapter 161A:
32 \$ 5,918,606

33 c. The following requirements apply to the moneys
34 appropriated in paragraph "b":

35 (1) Not more than 5 percent of the moneys
36 appropriated in paragraph "b" may be allocated for
37 cost sharing to abate complaints filed under section
38 161A.47.

39 (2) Of the moneys appropriated in paragraph "b", 5
40 percent shall be allocated for financial incentives to
41 establish practices to protect watersheds above
42 publicly owned lakes of the state from soil erosion
43 and sediment as provided in section 161A.73.

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

H-3945

H-3945

Page 4

1 (4) The state soil conservation committee created
2 in section 161A.4 may allocate moneys to conduct
3 research and demonstration projects to promote
4 conservation tillage and nonpoint source pollution
5 control practices.

6 (5) The financial incentive payments may be used
7 in combination with department of natural resources
8 moneys.

9 d. The provisions of section 8.33 shall not apply
10 to the moneys appropriated in paragraph "b".
11 Unencumbered or unobligated moneys remaining on June
12 30, 1999, from moneys appropriated in paragraph "b"
13 for the fiscal year beginning July 1, 1995, shall
14 revert to the general fund on August 31, 1999.

15 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
16 appropriated from the general fund of the state to the
17 department of agriculture and land stewardship for the
18 fiscal year beginning July 1, 1995, and ending June
19 30, 1996, the following amount, or so much thereof as
20 is necessary, to be used for the purposes designated:

21 For salaries, support, maintenance, and
22 miscellaneous purposes, to be used by the department
23 to continue and expand the farmers' market coupon
24 program by providing federal special supplemental food
25 program recipients with coupons redeemable at farmers'
26 markets, and for not more than the following full-time
27 equivalent positions:

28	\$	215,335
29	FTEs	1.00

30 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

31 1. There is appropriated from the general fund of
32 the state to the department of agriculture and land
33 stewardship for the fiscal year beginning July 1,
34 1995, and ending June 30, 1996, the following amount,
35 or so much thereof as is necessary, to be used for the
36 purpose designated:

37 For support of the pseudorabies eradication
38 program:

39	\$	900,200
----------	----	---------

40 2. Persons, including organizations interested in
41 swine production in this state and in the promotion of
42 Iowa pork products who contribute support to the
43 program, are encouraged to increase financial support
44 for purposes of ensuring the program's effective
45 continuation.

46 Sec. 4. HORSE AND DOG RACING. There is
47 appropriated from the moneys available under section
48 99D.13 to the regulatory division of the department of
49 agriculture and land stewardship for the fiscal year
50 beginning July 1, 1995, and ending June 30, 1996, the

H-3945

H-3945

Page 5

1 following amount, or so much thereof as is necessary,
2 to be used for the purpose designated:

3 For salaries, support, maintenance, and
4 miscellaneous purposes for the administration of
5 section 99D.22:

6 \$ 191,106

7 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
8 MARKETING. There is appropriated from the general
9 fund of the state to the interstate agricultural grain
10 marketing commission for the fiscal year beginning
11 July 1, 1995, and ending June 30, 1996, the following
12 amount, or so much thereof as is necessary, to be used
13 for the purpose designated:

14 For carrying out duties of the commission as
15 provided in Article IV of the interstate compact on
16 agricultural grain marketing as provided in chapter
17 183:

18 \$ 80,000

19 DEPARTMENT OF NATURAL RESOURCES

20 Sec. 6. GENERAL APPROPRIATION. There is
21 appropriated from the general fund of the state to the
22 department of natural resources for the fiscal year
23 beginning July 1, 1995, and ending June 30, 1996, the
24 following amounts, or so much thereof as is necessary,
25 to be used for the purposes designated:

26 1. ADMINISTRATIVE AND SUPPORT SERVICES

27 For salaries, support, maintenance, miscellaneous
28 purposes, and for not more than the following full-
29 time equivalent positions:

30 \$ 1,834,654

31 FTEs 113.50

32 2. PARKS AND PRESERVES DIVISION

33 For salaries, support, maintenance, miscellaneous
34 purposes, and for not more than the following full-
35 time equivalent positions:

36 \$ 5,510,462

37 FTEs 195.73

38 3. FORESTS AND FORESTRY DIVISION

39 For salaries, support, maintenance, miscellaneous
40 purposes, and for not more than the following full-
41 time equivalent positions:

42 \$ 1,479,218

43 FTEs 48.71

44 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-
47 time equivalent positions:

48 \$ 1,663,582

49 FTEs 52.00

50 5. ENVIRONMENTAL PROTECTION DIVISION

H-3945

H-3945

Page 6

1 a. For salaries, support, maintenance,
 2 miscellaneous purposes, and for not more than the
 3 following full-time equivalent positions:
 4 \$ 1,591,943
 5 FTEs 206.00

6 b. Of the amount appropriated and the number of
 7 full-time equivalent positions allocated in paragraph
 8 "a" at least \$49,300 and 1 FTE shall be used to
 9 support the regulation of animal feeding operations.

10 6. WATER QUALITY PROTECTION FUND

11 a. For allocation to the administrative account of
 12 the water quality protection fund established pursuant
 13 to section 455B.183A, to carry out the purpose of that
 14 account:
 15 \$ 404,000

16 b. Of the number of FTEs authorized in subsection
 17 5, paragraph "a", 36 FTEs shall be dedicated to
 18 carrying out the provisions of chapter 455B relating
 19 to the administration, regulation, and enforcement of
 20 the federal Safe Drinking Water Act and to support the
 21 program to assist supply systems as provided in
 22 section 455B.183B. However, the limitation on full-
 23 time equivalent positions provided in subsection 5,
 24 paragraph "a", shall not limit the number of
 25 additional full-time equivalent positions supported by
 26 moneys deposited in the water quality protection fund
 27 as provided in section 455B.183A, in order to carry
 28 out the provisions of division III of chapter 455B
 29 relating to the administration, regulation, and
 30 enforcement of the federal Safe Drinking Water Act,
 31 and the administration of the program to assist supply
 32 systems pursuant to section 455B.183B.

33 c. In providing assistance under this subsection,
 34 the department shall provide priority to systems
 35 serving a population of seven thousand or less. At
 36 least two FTEs shall be allocated to provide
 37 assistance to systems serving a population of seven
 38 thousand or less.

39 7. FISH AND WILDLIFE DIVISION

40 For not more than the following full-time
 41 equivalent positions:
 42 FTEs 340.93

43 8. WASTE MANAGEMENT ASSISTANCE DIVISION

44 For not more than the following full-time
 45 equivalent positions:
 46 FTEs 16.75

47 Sec. 7. STATE FISH AND GAME PROTECTION FUND --
 48 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

49 1. There is appropriated from the state fish and
 50 game protection fund to the division of fish and

H-3945

H-3945

Page 7

1 wildlife of the department of natural resources for
2 the fiscal year beginning July 1, 1995, and ending
3 June 30, 1996, the following amount, or so much
4 thereof as is necessary, to be used for the purposes
5 designated:

6 For administrative support, and for salaries,
7 support, maintenance, equipment, and miscellaneous
8 purposes:

9 \$ 20,637,657

10 2. The department shall not expend more moneys
11 from the fish and game protection fund than provided
12 in this section, unless the expenditure derives from
13 contributions made by a private entity, or a grant or
14 moneys received from the federal government, and is
15 approved by the natural resource commission. The
16 department of natural resources shall promptly notify
17 the legislative fiscal bureau and the chairpersons and
18 ranking members of the joint appropriations
19 subcommittee on agriculture and natural resources
20 concerning the commission's approval.

21 Sec. 8. MARINE FUEL TAX RECEIPTS -- NONCAPITALS
22 AND BOATING FACILITIES AND ACCESS. There is
23 appropriated from the marine fuel tax receipts
24 deposited in the general fund of the state to the
25 department of natural resources for the fiscal year
26 beginning July 1, 1995, and ending June 30, 1996, the
27 following amounts, or so much thereof as is necessary,
28 to be used for the purposes designated:

29 1. For purposes of funding expenditures
30 traditionally funded from marine fuel tax revenues,
31 but not considered as capitals or operations:

32 \$ 200,000

33 2. For purposes of maintaining and developing
34 boating facilities and access to public waters by the
35 parks and preserves division:

36 \$ 411,311

37 Notwithstanding section 8.33, the unencumbered or
38 unobligated moneys remaining on June 30, 1996, from
39 moneys appropriated in subsection 1, may be expended
40 during the fiscal year beginning July 1, 1996, and
41 ending June 30, 1997, and shall not revert to the
42 general fund until August 31, 1997.

43 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR
44 ENFORCEMENT PURPOSES. There is transferred on July 1,
45 1995, from the fees deposited under section 321G.7 to
46 the fish and game protection fund and appropriated to
47 the department of natural resources for the fiscal
48 year beginning July 1, 1995, and ending June 30, 1996,
49 the following amount, or so much thereof as is
50 necessary, to be used for the purpose designated:

H-3945

H-3945

Page 8

1 For the purpose of enforcing snowmobile laws as
2 part of the state snowmobile program administered by
3 the department of natural resources:

4 \$ 100,000

5 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT
6 PURPOSES. There is transferred on July 1, 1995, from
7 the fees deposited under section 462A.52 to the fish
8 and game protection fund and appropriated to the
9 department of natural resources for the fiscal year
10 beginning July 1, 1995, and ending June 30, 1996, the
11 following amount, or so much thereof as is necessary,
12 to be used for the purpose designated:

13 For purposes of administration and enforcement of
14 navigation laws and water safety:

15 \$ 1,200,000

16 RESOURCES ENHANCEMENT AND PROTECTION

17 Sec. 11. GENERAL APPROPRIATION. Notwithstanding
18 the amount of the standing appropriation from the
19 general fund of the state under section 455A.18,
20 subsection 3, there is appropriated from the general
21 fund of the state to the Iowa resources enhancement
22 and protection fund, in lieu of the appropriation made
23 in section 455A.18, for the fiscal year beginning July
24 1, 1995, and ending June 30, 1996, the sum of
25 \$8,000,000, of which all moneys shall be allocated as
26 provided in section 455A.19.

27 ANIMAL INDUSTRY APPROPRIATIONS

28 Sec. 12. LIVESTOCK PRODUCERS ASSISTANCE.

29 1. There is appropriated from the general fund of
30 the state to Iowa state university of science and
31 technology, for the fiscal year beginning July 1,
32 1995, and ending June 30, 1996, the following amount,
33 or so much thereof as is necessary, to be used for the
34 purposes designated:

35 For the administration of the livestock producers
36 assistance program established pursuant to section
37 266.39D, including salaries, support, maintenance,
38 miscellaneous purposes, and for not more than the
39 following full-time equivalent positions:

40 \$ 100,000

41 FTEs 1.66

42 2. As a condition of this appropriation, the
43 university shall strive to ensure that the program
44 becomes increasingly self-sufficient. The university
45 shall adopt a plan detailing the manner in which the
46 program will become self-sufficient, including the
47 expected amount of state funds necessary to support
48 the program until it becomes self-sufficient, the
49 sources of revenue expected to contribute to the
50 program, and the amount each source is expected to

H-3945

H-3945

Page 9

1 contribute to the program. The plan shall be
2 submitted to the legislative fiscal bureau by November
3 1, 1995.

4 3. The provisions of section 8.33 shall not apply
5 to the moneys appropriated in this section.
6 Unencumbered or unobligated moneys remaining on June
7 30, 1999, from moneys appropriated in this section for
8 the fiscal year beginning July 1, 1995, shall revert
9 to the general fund on August 31, 1999.

10 Sec. 13. ORGANIC NUTRIENT MANAGEMENT.

11 1. There is appropriated from the general fund of
12 the state to the department of agriculture and land
13 stewardship for the fiscal year beginning July 1,
14 1995, and ending June 30, 1996, the following amount,
15 or so much thereof as is necessary, to be used for the
16 purposes designated:

17 For deposit in the organic nutrient management fund
18 for administration of the organic nutrient management
19 program, as provided in section 161C.6:

20 \$ 400,000

21 2. Notwithstanding section 161C.5, unencumbered or
22 unobligated moneys remaining on June 30, 1999, from
23 moneys appropriated in this section for the fiscal
24 year beginning July 1, 1995, shall revert to the
25 general fund on August 31, 1999.

26 RELATED APPROPRIATIONS

27 Sec. 14. TRANSFERS FROM THE WATER PROTECTION FUND.

28 Notwithstanding section 161C.4 and the reversion and
29 allocation provisions in section 455A.19, subsection
30 1, paragraph "c", of the unencumbered and unobligated
31 moneys remaining on the effective date of this
32 section, in the water protection fund created pursuant
33 to section 161C.4, the following amounts shall be
34 transferred first from the water protection practices
35 account, and if necessary from the water quality
36 protection projects account, which shall be used for
37 the following purposes:

38 1. To the organic nutrient management fund created
39 in section 161C.5 for the purposes of carrying out the
40 organic nutrient management program as provided in
41 section 161C.6:

42 \$ 350,000

43 2. To provide financial incentives for soil
44 conservation practices under chapter 161A, as provided
45 in section 1 of this Act:

46 \$ 500,000

47 Moneys provided in this section shall be
48 transferred first to the organic nutrient management
49 fund as provided in subsection 1 before remaining
50 moneys are transferred to provide financial incentives

H-3945

H-3945

Page 10

1 for soil conservation as provided in subsection 2.
 2 The provisions of section 8.33 shall not apply to
 3 the moneys transferred pursuant to this section.
 4 Unencumbered or unobligated moneys remaining on June
 5 30, 1999, from moneys transferred pursuant to this
 6 section for the fiscal year beginning July 1, 1995,
 7 shall revert to the account from which transferred on
 8 August 31, 1999.

9 Sec. 15. REVENUE ADMINISTERED BY THE IOWA
 10 COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD --
 11 TRANSFER. There is appropriated from the unassigned
 12 revenue fund administered by the Iowa comprehensive
 13 underground storage tank fund board, to the department
 14 of natural resources for the fiscal year beginning
 15 July 1, 1995, and ending June 30, 1996, the following
 16 amount, or so much thereof as is necessary, to be used
 17 for the purpose designated:

18 For administration expenses of the underground
 19 storage tank section of the department of natural
 20 resources:
 21 \$ 75,000

22 Sec. 16. TRANSFER -- AIR QUALITY. For the fiscal
 23 year beginning July 1, 1995, and ending June 30, 1996,
 24 the department of natural resources may transfer up to
 25 \$281,000 from the hazardous substance remedial fund to
 26 support purposes related to carrying out the duties of
 27 the commission under section 455B.133, or the director
 28 under section 455B.134, or for carrying out the
 29 provisions of chapter 455B, division II.

30 Sec. 17. WIND EROSION CONTROL FUND. On the
 31 effective date of this section, all unencumbered or
 32 unobligated moneys appropriated to the wind erosion
 33 control fund, and any unencumbered or unobligated
 34 moneys which have been credited to the division of
 35 soil conservation of the department of agriculture and
 36 land stewardship for purposes of planting and
 37 maintaining wind erosion control barriers, as
 38 originally provided in 1978 Iowa Acts, chapter 1108,
 39 section 7, and subsequently amended, shall be
 40 transferred to the road use tax fund created in
 41 section 312.1.

MISCELLANEOUS

42
 43 Sec. 18. STATE NURSERIES. Notwithstanding section
 44 17A.2, subsection 10, paragraph "g", the department of
 45 natural resources shall adopt administrative rules
 46 establishing prices of plant material grown at the
 47 state forest nurseries to cover all expenses related
 48 to the growing of the plants.

49 The department shall develop programs to encourage
 50 the wise management and preservation of existing

H-3945

H-3945

Page 11

1 woodlands and shall continue its efforts to encourage
2 forestation and reforestation on private and public
3 lands in the state.

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

8 Sec. 19. HUNGRY CANYONS CONFERENCE.

9 1. The department of natural resources in
10 cooperation with the loess hills development and
11 conservation authority, shall sponsor a conference not
12 later than September 1, 1995, regarding the erosion
13 and degradation of stream channels in counties in the
14 deep loess region of western Iowa, and specifically
15 the area referred to as hungry canyons. The
16 conference shall discuss the impacts of the erosion
17 and degradation of stream channels in the area and its
18 adverse effect upon rural infrastructure, including
19 public roads and bridges, agricultural production,
20 stream water quality, and riparian habitat. The
21 conference shall consider impacts of policies of the
22 United States army corps of engineers upon the area.

23 2. Conferees shall include representatives of the
24 department of natural resources, the loess hills
25 development and conservation authority, the division
26 of soil conservation of the department of agriculture
27 and land stewardship, and the state department of
28 transportation. Each soil and water conservation
29 district in the area may elect one commissioner to
30 serve as a conferee. Each county board of supervisors
31 in a county in the area may elect one supervisor to
32 serve as a conferee. The department of natural
33 resources shall invite other interested persons to
34 serve as conferees, including members of Iowa's
35 congressional delegation, the chairperson and ranking
36 member of the standing committee on natural resources,
37 environment and energy of the senate, the chairperson
38 and ranking member of the standing committees on
39 natural resources and environmental protection of the
40 house of representatives, the chairpersons and ranking
41 members of the joint appropriations subcommittee on
42 agriculture and natural resources, members of the Iowa
43 general assembly who represent affected legislative
44 districts, and representatives of the United States
45 army corps of engineers, the United States
46 environmental protection agency, the United States
47 department of interior, and the natural resources
48 conservation service of the United States department
49 of agriculture.

50 3. The department of natural resources shall

H-3945

-11-

H-3945

Page 12

1 report to the general assembly not later than January
2 15, 1996, regarding findings and recommendations of
3 the conferees.

4 Sec. 20. TRANSFER OF MONEYS OR POSITIONS; CHANGES
5 IN TABLES OF ORGANIZATION -- NOTIFICATION. Each
6 fiscal quarter of the fiscal year beginning July 1,
7 1995, the department of agriculture and land
8 stewardship and the department of natural resources
9 shall notify the chairpersons, vice chairpersons, and
10 ranking members of the joint appropriations
11 subcommittee on agriculture and natural resources for
12 the previous fiscal quarter of any transfer of moneys
13 or full-time equivalent positions made by either
14 department which is not authorized in this Act, or any
15 permanent position added to or deleted from either
16 department's table of organization.

17 Sec. 21. TRUST FUND INFORMATION. For the fiscal
18 year beginning July 1, 1995, and ending June 30, 1996,
19 the department of revenue and finance in cooperation
20 with each appropriate agency shall track receipts to
21 the general fund of the state which under law were
22 previously collected to be used for specific purposes,
23 or to be credited to, or be deposited to a particular
24 account or fund, as provided in section 8.60.

25 The department of revenue and finance and each
26 appropriate agency shall prepare reports detailing
27 revenue from receipts previously deposited into each
28 of the funds. A report shall be submitted to the
29 legislative fiscal bureau at least once for each
30 three-month period as designated by the legislative
31 fiscal bureau.

32 Sec. 22. DEPARTMENTAL INFORMATION REQUIRED.

33 1. For the fiscal year beginning July 1, 1995, and
34 ending June 30, 1996, the department of agriculture
35 and land stewardship and the department of natural
36 resources, in cooperation as necessary with the
37 department of management and the department of
38 personnel, shall provide a list to the legislative
39 fiscal bureau, on a quarterly basis, of all permanent
40 positions added to or deleted from the departments'
41 table of organization in the previous fiscal quarter.
42 This list shall include at least the position number,
43 salary range, projected funding source or sources of
44 each position, and the reason for the addition or
45 deletion. The legislative fiscal bureau may use this
46 information to assist in the establishment of the
47 full-time equivalent position limits authorized in law
48 for the departments.

49 2. For the fiscal year beginning July 1, 1995, and
50 ending June 30, 1996, the department of natural

H-3945

-12-

H-3945

Page 13

1 resources shall provide the legislative fiscal bureau
2 information and financial data by cost center, on at
3 least a monthly basis, relating to the indirect cost
4 accounting procedure, the amount of funding from each
5 funding source for each cost center, and the internal
6 budget system used by the department. The information
7 shall include but is not limited to financial data
8 covering the department's budget by cost center and
9 funding source prior to the start of the fiscal year,
10 and to the department's actual expenditures by cost
11 center and funding source after the accounting system
12 has been closed for that fiscal year.

13 3. For the fiscal year beginning July 1, 1995, and
14 ending June 30, 1996, the department of agriculture
15 and land stewardship shall provide the legislative
16 fiscal bureau information and financial data on at
17 least a monthly basis, relating to the internal budget
18 system used by the department. The information shall
19 include but is not limited to financial data covering
20 the department's budget prior to the start of the
21 fiscal year, and to the department's actual
22 expenditures after the accounting system has been
23 closed for that fiscal year.

24 Sec. 23. DIRECTION TO CODE EDITOR -- UPDATE
25 REFERENCES TO UNITS REORGANIZED UNDER THE UNITED
26 STATES DEPARTMENT OF AGRICULTURE. The Code editor is
27 directed, to every extent possible, to update
28 references in the Code relating to units of government
29 under the authority of the United States department of
30 agriculture to conform with the current names of those
31 units.

32 Sec. 24. PREFERENCE PROVIDED -- PERSONS MEETING
33 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM.
34 In its employment of persons in temporary positions in
35 conservation and outdoor recreation for the fiscal
36 year beginning July 1, 1995, and ending June 30, 1996,
37 the department of natural resources shall give
38 preference to persons meeting eligibility requirements
39 for the green thumb program and to persons working
40 toward an advanced education in natural resources and
41 conservation.

42 Sec. 25. GYPSY MOTH LITIGATION. The department of
43 agriculture and land stewardship and the office of the
44 attorney general shall cooperate in bringing legal
45 action against parties liable for damages caused by
46 the shipment from the state of Michigan of trees or
47 other plants infested with gypsy moths.

48 Sec. 26. SOIL CONSERVATION DIVISION -- USE OF
49 UNOBLIGATED MONEYS FOR THE PURCHASE OF EQUIPMENT.
50 Notwithstanding section 8.33, or 1994 Iowa Acts,

H-3945

-13-

H-3945

Page 14

1 chapter 1199, section 8, subsection 17, and section
 2 88, the moneys appropriated to the soil conservation
 3 division of the department of agriculture and land
 4 stewardship pursuant to chapter 1199, section 8,
 5 subsection 17, and section 88, which are not obligated
 6 or encumbered on June 30, 1995, for purposes of
 7 supporting soil conservation technicians, shall not
 8 revert to the general fund of the state but shall be
 9 used by the division of soil conservation for the
 10 fiscal year beginning July 1, 1995, and ending June
 11 30, 1996, for purposes of purchasing equipment for
 12 soil conservation field offices.

13 Sec. 27. ANIMAL FEEDING OPERATIONS -- PILOT
 14 PROJECTS. There is appropriated from the general fund
 15 of the state to the division of soil conservation of
 16 the department of agriculture and land stewardship for
 17 the fiscal year beginning July 1, 1995, and ending
 18 June 30, 1996, the following amount, or so much
 19 thereof as is necessary, to be used for the purposes
 20 designated:

21 For purposes of supporting pilot projects to
 22 determine the impact of plantings, including fast
 23 growing trees, surrounding manure storage structures
 24 which are connected to or part of an animal feeding
 25 operation, in reducing or redirecting the dispersal of
 26 odor originating from such structure:

27 \$ 50,000

28 The moneys shall be awarded to the owner of an
 29 animal feeding operation who applies to the division
 30 according to procedures adopted by the division. The
 31 division shall provide for an initial application
 32 period of sixty days in which not more than one person
 33 from each county may be awarded moneys under this
 34 section. After the completion of the initial
 35 application period, any person may be awarded moneys
 36 under this section, regardless of whether another
 37 person in the same county has received an award. All
 38 moneys shall be awarded on a cost-share basis.
 39 However, a person shall not receive more than \$1,500,
 40 regardless of the number of animal feeding operations
 41 owned by the person.

42 The division shall submit a report containing
 43 findings and recommendations to the general assembly
 44 not later than January 10, 1998.

45 On August 31 following the close of the fiscal year
 46 beginning July 1, 1995, and ending June 30, 1996,
 47 moneys which are not obligated or encumbered on June
 48 30, 1996, shall be deposited into the organic nutrient
 49 management fund as created in section 161C.5 for
 50 purposes of supporting the organic nutrient management

H-3945

H-3945

Page 15

1 program.

2 Sec. 28. AIR QUALITY PROGRAM -- NONGENERAL FUND
3 SUPPORT. The department of natural resources for the
4 fiscal year beginning July 1, 1995, and ending June
5 30, 1996, shall not use moneys appropriated from the
6 general fund of the state pursuant to this Act, to
7 support any purpose related to carrying out the duties
8 of the commission under section 455B.133 or the
9 director under section 455B.134, or for carrying out
10 the provisions of chapter 455B, division II.

11 Notwithstanding section 455B.133B, the department
12 may use moneys deposited in the air contaminant source
13 fund created in section 455B.133B during the fiscal
14 year beginning July 1, 1995, and ending June 30, 1996,
15 for any purpose related to carrying out the duties of
16 the commission under section 455B.133 or the director
17 under section 455B.134, or for carrying out the
18 provisions of chapter 455B, division II.

19 Sec. 29. RULES RELATING TO PESTICIDE AND
20 FERTILIZER CONTAMINATED SITES -- ENVIRONMENTAL
21 PROTECTION COMMISSION. The environmental protection
22 commission shall adopt all rules required to establish
23 criteria for the classification and prioritization of
24 sites upon which pesticide or fertilizer contamination
25 has been discovered, as provided in section 455B.601
26 not later than January 1, 1996.

27 STATUTORY CHANGES

28 Sec. 30. 1993 Iowa Acts, chapter 176, section 25,
29 subsection 2, as amended by 1994 Iowa Acts, chapter
30 1198, section 31, is amended to read as follows:

31 2. Notwithstanding section 8.33, unencumbered or
32 unobligated moneys remaining on June 30, 1993, from
33 moneys appropriated pursuant to 1992 Iowa Acts, Second
34 Extraordinary Session, chapter 1001, section 402, may
35 be expended during the fiscal period beginning July 1,
36 1993, and ending June 30, ~~1995~~ 1996, and shall not
37 revert to the general fund until August 31, ~~1995~~ 1996.

38 Sec. 31. 1994 Iowa Acts, chapter 1119, section 32,
39 subsection 2, unnumbered paragraph 1, is amended to
40 read as follows:

41 Notwithstanding section 423.24, as amended in this
42 Act, for each fiscal year of the period beginning on
43 July 1, 1993, and ending ~~July 1, 1994~~ June 30, 1996,
44 an amount equal to two and one-half percent of the
45 total moneys used to support value-added agricultural
46 products and processes as provided in that section,
47 which would otherwise be allocated to the value-added
48 agricultural products and processes financial
49 assistance fund, shall instead be allocated to the
50 office of renewable fuels and coproducts. The moneys

H-3945

-15-

H-3945

Page 16

1 shall be used for purposes of conducting soydiesel
2 demonstration projects administered by the state
3 department of transportation under the oversight of
4 the renewable fuels and coproducts advisory committee.
5 Sec. 32. 1994 Iowa Acts, chapter 1119, section 32,
6 subsection 2, paragraph b, is amended to read as
7 follows:

8 b. The state department of transportation shall
9 evaluate the performance of vehicles operating on
10 soydiesel fuel, including the rate of repairs on the
11 vehicles and comments of persons operating and
12 maintaining the vehicles. The department shall submit
13 initial findings and recommendations to the renewable
14 fuels and coproducts advisory committee which shall
15 submit a report to the senate and chief clerk of the
16 house, the legislative service bureau, the
17 chairpersons and ranking members of the senate
18 standing committee on agriculture, the senate standing
19 committee on small business, economic development and
20 tourism, the house of representatives standing
21 committee on agriculture, and the house of
22 representatives standing committee on small business,
23 economic development and trade. The department shall
24 submit final findings and recommendations to the
25 renewable fuels and coproducts advisory committee
26 which shall submit a report to the general assembly.
27 ~~The An~~ initial report shall be due on October 1, 1994-
28 ~~The final~~, an interim report shall be due on March 1,
29 1995, and a final report shall be due on October 1,
30 1996.

31 Sec. 33. 1994 Iowa Acts, chapter 1119, section 32,
32 subsection 2, paragraph d, is amended to read as
33 follows:

34 d. Moneys available under this section which
35 remain unexpended or unobligated on June 30, 1994,
36 shall remain available to support the demonstration
37 project and shall not revert pursuant to section 8.33.
38 Moneys remaining unexpended or unobligated on June 30,
39 ~~1995~~ 1996, shall be credited to the value-added
40 agricultural products and processes financial
41 assistance fund as created in section 15E.112.

42 Sec. 34. Section 8.60, Code 1995, is amended to
43 read as follows:

44 8.60 USE OF DESIGNATED MONEYS.

45 Moneys credited to or deposited in the general fund
46 of the state on or after July 1, 1993, which under law
47 were previously collected to be used for specific
48 purposes, or to be credited to, or be deposited to a
49 particular account or fund shall only be used for the
50 purposes for which the moneys were collected,

H-3945

-16-

H-3945

Page 17

1 including but not limited to moneys collected in
2 accordance with any of the following provisions:
3 1. Pari-mutuel regulation fund created in section
4 99D.17, Code Supplement 1993.
5 2. Excursion boat gambling special account
6 pursuant to section 99F.4, subsection 2, Code
7 Supplement 1993.
8 ~~3. Milk fund created in section 192.111, Code~~
9 ~~Supplement 1993.~~
10 ~~4. Dairy trade practices trust fund pursuant to~~
11 ~~section 192A.30, Code Supplement 1993.~~
12 ~~5. Commercial feed fund created in section 198.9,~~
13 ~~Code Supplement 1993.~~
14 ~~6. Fertilizer fund created in section 200.9, Code~~
15 ~~Supplement 1993.~~
16 ~~7. Pesticide fund created in section 206.12, Code~~
17 ~~Supplement 1993.~~
18 8. 3. Motor vehicle fraud account pursuant to
19 section 312.2, subsection 13, Code Supplement 1993.
20 9. 4. Public transit assistance fund pursuant to
21 section 312.2, subsection 15, and section 324A.6, Code
22 Supplement 1993.
23 ~~10. 5. Salvage vehicle fee paid to the Iowa law~~
24 ~~enforcement academy pursuant to section 321.52, Code~~
25 ~~Supplement 1993.~~
26 ~~11. 6. Railroad assistance fund created in section~~
27 ~~327H.18, Code Supplement 1993.~~
28 ~~12. 7. Special railroad facility fund created in~~
29 ~~section 327I.23, Code Supplement 1993.~~
30 ~~13. 8. State aviation fund created in section~~
31 ~~328.36, Code Supplement 1993.~~
32 ~~14. Marine fuel tax fund created in section~~
33 ~~452A.79, Code Supplement 1993.~~
34 ~~15. 9. Public outdoor recreation and resources~~
35 ~~fund pursuant to section 461A.79, Code Supplement~~
36 ~~1993.~~
37 ~~16. 10. Energy research and development fund~~
38 ~~created in section 473.11, Code Supplement 1993.~~
39 ~~17. 11. Utilities trust fund created in section~~
40 ~~476.10, Code Supplement 1993.~~
41 ~~18. 12. Banking revolving fund created in section~~
42 ~~524.207, Code Supplement 1993.~~
43 ~~19. 13. Credit union revolving fund created in~~
44 ~~section 533.67, Code Supplement 1993.~~
45 ~~20. 14. Professional licensing revolving fund~~
46 ~~created in section 546.10, Code Supplement 1993.~~
47 Sec. 35. Section 161C.4, unnumbered paragraph 1,
48 Code 1995, is amended to read as follows:
49 A water protection fund is created within the
50 division. The fund is composed of money appropriated

H-3945

-17-

H-3945

Page 18

1 by the general assembly for that purpose, and moneys
2 available to and obtained or accepted by the state
3 soil conservation committee from the United States or
4 private sources for placement in the fund. The fund
5 shall be divided into two accounts, the water quality
6 protection projects account and the water protection
7 practices account. The first account shall be used to
8 carry out water quality protection projects to protect
9 the state's surface and groundwater from point and
10 nonpoint sources of contamination. The second account
11 shall be used to establish water protection practices
12 with individual landowners including but not limited
13 to woodland establishment and protection,
14 establishment of native grasses and forbs, sinkhole
15 management, agricultural drainage well management,
16 streambank stabilization, grass waterway
17 establishment, stream buffer strip establishment, and
18 erosion control structure construction. Twenty-five
19 percent of funds appropriated to the water protection
20 practices account shall be used for woodland
21 establishment and protection, and establishment of
22 native grasses and forbs. Soil and water conservation
23 district commissioners shall give priority to
24 applications for practices that implement their soil
25 and water resource conservation plan. The fund shall
26 be a revolving fund from which moneys may be used for
27 loans, grants, administrative costs, and cost-sharing.

28 Sec. 36. Section 192.111, subsection 3, Code 1995,
29 is amended by striking the subsection.

30 Sec. 37. NEW SECTION. 192.112 MILK FUND.

31 1. A milk fund is established in the state
32 treasury under the control of the department. The
33 fund shall consist of any money appropriated by the
34 general assembly and any other moneys available to and
35 obtained or accepted by the department from the
36 federal government or private sources for placement in
37 the fund. Fees collected under sections 192.111,
38 192.133, 194.14, 194.19, 194.20, and 195.9 shall be
39 deposited in the fund. All moneys deposited under
40 this section are appropriated to the department for
41 the costs of inspection, sampling, analysis, and other
42 expenses necessary for the administration of this
43 chapter and chapters 194 and 195.

44 2. In each fiscal year, the secretary shall
45 calculate the balance of funds deposited under this
46 section by subtracting all moneys expended for the
47 costs of inspection, sampling, analysis, and other
48 expenses necessary for the administration of this
49 chapter and chapters 194 and 195. If the calculation
50 shows a balance of funds deposited under this section

H-3945

-18-

H-3945

Page 19

1 on June 30 of any fiscal year equal to or exceeding
2 one hundred fifty thousand dollars, the secretary
3 shall reduce the fees provided for in section 192.111
4 and section 194.20 for the next fiscal year in an
5 amount which will result in an ending estimated
6 balance of such funds for June 30 of the next fiscal
7 year of one hundred fifty thousand dollars.

8 3. All moneys in the milk fund are subject to
9 audit by the auditor of state. The milk fund is
10 subject at all times to warrants by the director of
11 revenue and finance, drawn upon written requisition of
12 the secretary. Notwithstanding section 8.33, moneys
13 in the milk fund shall remain in the milk fund and
14 shall not revert to the general fund of the state.
15 Notwithstanding section 12C.7, subsection 2, interest
16 or earnings on moneys deposited in the milk fund shall
17 be credited to the milk fund.

18 Sec. 38. Section 192.133, Code 1995, is amended to
19 read as follows:

20 192.133 LICENSE TERM -- FEES.

21 A license, unless earlier revoked, is valid until
22 July 1 after the date of its issuance. The maximum
23 fee for a license is twenty-five dollars, which shall
24 be paid before the license is issued, and standard
25 test bottles and pipettes shall be furnished at actual
26 cost. Fees collected under this section shall be
27 deposited ~~and used as required in section 192.111~~ in
28 the milk fund established in section 192.112.

29 Sec. 39. Section 192A.30, Code 1995, is amended to
30 read as follows:

31 192A.30 PERMIT FEES.

32 For the purpose of administering and enforcing this
33 chapter, a processor or a person purchasing milk
34 products from a processor for wholesale distribution
35 shall obtain a permit, as provided by departmental
36 rule, before milk products are sold by the person or
37 wholesale purchaser in this state. The processor or
38 wholesale purchaser shall pay to the secretary a
39 permit fee in an amount set by the secretary, not to
40 exceed five mills per hundredweight on milk processed
41 into dairy products as defined in section 192A.1, and
42 sold within the state of Iowa. However, the permit
43 fee for the sale of ice cream or an additive variant
44 of ice cream or nonmilk-fat imitation shall not exceed
45 three mills per gallon. Products upon which fees have
46 been paid are exempt from further fees in successive
47 transactions. The fees for each month thus computed
48 shall be paid to the secretary on or before the
49 twenty-fifth day of the following month. The fees
50 shall be deposited in the milk fund established in

H-3945

-19-

H-3945

Page 20

1 section 192.112.

2 ~~Fees-paid-to-the-secretary-shall-be-deposited-into~~
3 ~~the-general-fund-of-the-state-and-shall-be-subject-to~~
4 ~~the-requirements-of-section-8.60.~~

5 Sec. 40. Section 194.14, Code 1995, is amended to
6 read as follows:

7 194.14 LICENSE TERM -- FEES.

8 A milk grader's license, unless sooner revoked, is
9 valid until July 1 after the date of issuance. The
10 maximum fee for each license is ten dollars, which
11 shall be paid before the license is issued. Fees
12 collected under this section shall be deposited ~~and~~
13 ~~used-as-required-in-section-192.111~~ in the milk fund
14 established pursuant to section 192.112.

15 Sec. 41. Section 194.19, unnumbered paragraph 1,
16 Code 1995, is amended to read as follows:

17 A vehicle used for the collection of milk for
18 manufacture of dairy products shall first be licensed
19 by the department. A license, unless earlier revoked,
20 is valid until July 1 after the date of its issuance.
21 The maximum fee for a license is twenty-five dollars,
22 which shall be paid before the license is issued. A
23 fee shall not be imposed under this section if the
24 vehicle or its operator has paid the fee imposed upon
25 milk haulers under section 192.111. Fees collected
26 under this section shall be deposited ~~and-used-as~~
27 ~~required-in-section-192.111~~ in the milk fund
28 established in section 192.112. This section does not
29 apply to individuals transporting their own dairy
30 products.

31 Sec. 42. Section 194.20, Code 1995, is amended to
32 read as follows:

33 194.20 INSPECTION FEES -- GRADE "B" MILK.

34 A purchaser of milk from a grade "B" milk producer
35 shall pay an inspection fee not greater than one-half
36 cent per hundredweight. The fee is payable monthly to
37 the department at a time prescribed by the department.
38 Fees collected under this section shall be deposited
39 ~~and-used-as-required-in-section-192.111~~ in the milk
40 fund established in section 192.112.

41 Sec. 43. Section 195.9, Code 1995, is amended to
42 read as follows:

43 195.9 LICENSE TERM -- FEES.

44 A license, unless sooner revoked, is valid until
45 July 1 after the date of its issuance. The maximum
46 fee for a license is twenty-five dollars which shall
47 be paid before the license is issued. Fees collected
48 under this section shall be deposited ~~and-used-as~~
49 ~~required-in-section-192.111~~ in the milk fund
50 established in section 192.112.

H-3945

-20-

H-3945

Page 21

1 Sec. 44. Section 198.9, subsection 3, Code 1995,
2 is amended to read as follows:

3 3. Fees collected shall be deposited in the
4 ~~general fund of the state and shall be subject to the~~
5 ~~requirements of section 8-60~~ commercial feed trust
6 ~~fund established in section 198.9A. Moneys deposited~~
7 ~~under this section shall be used for the payment of~~
8 ~~the costs of inspection, sampling, analysis,~~
9 ~~supportive research, and other expenses necessary for~~
10 ~~the administration of this chapter.~~

11 ~~If there is an unencumbered balance of funds from~~
12 ~~the fees deposited under this section on June 30 of~~
13 ~~any fiscal year equal to or exceeding one hundred~~
14 ~~thousand dollars, the secretary of agriculture shall~~
15 ~~reduce the per ton fee provided for in subsection 1~~
16 ~~for the next fiscal year in such amount as will result~~
17 ~~in an ending estimated balance of the fees deposited~~
18 ~~less costs paid for from those fees for June 30 of the~~
19 ~~next fiscal year of one hundred thousand dollars.~~

20 ~~The secretary shall publish a report not later than~~
21 ~~September 1 of each year. The report shall provide a~~
22 ~~detailed accounting of all sources of revenue~~
23 ~~deposited under and all dispositions of funds expended~~
24 ~~under this section. The report shall detail full-time~~
25 ~~equivalent positions used in fulfilling the~~
26 ~~requirements of this chapter. The report shall also~~
27 ~~indicate to what extent any full-time equivalent~~
28 ~~positions are shared with other programs. Copies of~~
29 ~~the report issued by the secretary pursuant to this~~
30 ~~subsection shall be delivered each year to the members~~
31 ~~of the house of representatives and senate standing~~
32 ~~committees on agriculture.~~

33 Sec. 45. NEW SECTION. 198.9A COMMERCIAL FEED
34 TRUST FUND.

35 1. A commercial feed trust fund is established in
36 the state treasury under the control of the
37 department. The fund shall consist of any moneys
38 appropriated to the fund by the general assembly and
39 any other moneys available to and obtained or accepted
40 by the department from the federal government or
41 private sources for placement in the fund. Fees
42 collected under section 198.9 shall be deposited in
43 the fund. Moneys deposited in the fund shall be used
44 for the payment of the costs of inspection, sampling,
45 analysis, supportive research, and other expenses
46 necessary for the administration of this chapter.

47 2. If there is an unencumbered balance of moneys
48 in the fund on June 30 of any fiscal year equal to or
49 exceeding one hundred thousand dollars, the secretary
50 of agriculture shall reduce the per ton fee provided

H-3945

-21-

H-3945

Page 22

1 for in section 198.9, subsection 1, for the next
2 fiscal year in such amount as will result in an ending
3 estimated balance of the fees deposited less costs
4 paid for from those fees for June 30 of the next
5 fiscal year of one hundred thousand dollars.

6 3. The secretary shall publish a report not later
7 than September 1 of each year. The report shall
8 provide a detailed accounting of all sources of
9 revenue deposited under and all dispositions of moneys
10 deposited in the fund. The report shall detail full-
11 time equivalent positions used in fulfilling the
12 requirements of this chapter. The report shall also
13 indicate to what extent any full-time equivalent
14 positions are shared with other programs. Copies of
15 the report issued by the secretary pursuant to this
16 subsection shall be delivered each year to the members
17 of the standing committees on agriculture of the house
18 of representatives and the senate.

19 Sec. 46. Section 200.4, subsection 1, Code 1995,
20 is amended to read as follows:

21 1. Any person who manufactures, mixes, blends,
22 mixes to customers order, offers for sale, sells, or
23 distributes any fertilizer or soil conditioner in Iowa
24 must first obtain a license from the secretary of
25 agriculture and shall pay a ten-dollar license fee for
26 each place of manufacture or distribution from which
27 fertilizer or soil conditioner products are sold or
28 distributed in Iowa. ~~Such~~ The license fee shall be
29 paid annually on July 1 of each year. The license fee
30 shall be deposited in the fertilizer fund established
31 in section 200.9.

32 Sec. 47. Section 200.8, subsection 3, Code 1995,
33 is amended by striking the subsection.

34 Sec. 48. Section 200.9, Code 1995, is amended to
35 read as follows:

36 200.9 FERTILIZER FEES FUND.

37 1. A fertilizer fund is established in the state
38 treasury under the control of the department of
39 agriculture and land stewardship. The fund shall
40 consist of any moneys appropriated by the general
41 assembly and any other moneys available to and
42 obtained or accepted by the department from the
43 federal government or private sources for placement in
44 the fund. Fees collected for licenses and inspection
45 fees under sections 200.4 and 200.8, with the
46 exception of those fees collected for deposit in the
47 agriculture management account of the groundwater
48 protection fund, shall be deposited in the general
49 fund of the state and shall be subject to the
50 requirements of section 8-60. Fees collected pursuant

H-3945

-22-

H-3945

Page 23

1 to chapter 201 shall also be deposited in the fund.
2 ~~Moneys deposited under this section to~~ into the
3 ~~general~~ fund from fees collected pursuant to this
4 chapter shall be used only by the department for the
5 purpose of inspection, sampling, analysis,
6 preparation, and publishing of reports and other
7 expenses necessary for administration of this chapter
8 and chapter 201. The secretary may assign moneys to
9 the Iowa agricultural experiment station for research,
10 work projects, and investigations as needed for the
11 specific purpose of improving the regulatory functions
12 for enforcement of this chapter.

13 2. If there is an unencumbered balance of moneys
14 deposited in the fund from fees collected pursuant to
15 this chapter on June 30 of any fiscal year equal to or
16 exceeding three hundred fifty thousand dollars, the
17 secretary of agriculture shall reduce the per ton fee
18 provided for in subsection 1 and the annual license
19 fee established pursuant to section 201.3 for the next
20 fiscal year in such amount as will result in an ending
21 estimated balance of such funds for June 30 of the
22 next fiscal year of three hundred fifty thousand
23 dollars.

24 3. All moneys in the fund are subject to audit by
25 the auditor of state. The fund is subject at all
26 times to warrants by the director of revenue and
27 finance, drawn upon written requisition of the
28 secretary. Notwithstanding section 8.33, moneys in
29 the fertilizer fund shall remain in the fertilizer
30 fund and shall not revert to the general fund of the
31 state. Notwithstanding section 12C.7, subsection 2,
32 interest or earnings on moneys deposited in the
33 fertilizer fund shall be credited to the fertilizer
34 fund.

35 Sec. 49. Section 201.13, Code 1995, is amended to
36 read as follows:

37 201.13 MONEYS TO GENERAL THE FERTILIZER FUND --
38 PERIODIC REPORT.

39 The moneys received under this chapter shall be
40 deposited in the ~~general fund of the state and shall~~
41 ~~be subject to the requirements of section 8.60.~~
42 ~~Moneys deposited under this section shall be used by~~
43 ~~the department of agriculture and land stewardship~~
44 ~~only for the purpose of inspection, sampling,~~
45 ~~analyzing, preparing and publishing of reports, and~~
46 ~~other expenses necessary for the administration of~~
47 this chapter fertilizer fund as provided in section
48 200.9. The secretary shall issue an annual report
49 showing a statement of moneys received from license
50 and testing fees, and a biennial report which shall be

H-3945

-23-

H-3945

Page 24

1 made available to the public showing the
2 certifications of the effective calcium carbonate
3 equivalent for all agricultural lime, limestone, or
4 aglime certified as provided in this chapter. The
5 report shall list the manufacturers and producers and
6 their locations. Copies of all reports issued by the
7 secretary pursuant to this section shall be sent to
8 the members of the house of representatives and senate
9 standing committees on agriculture.

10 Sec. 50. Section 206.12, subsection 3, Code 1995,
11 is amended to read as follows:

12 3. The registrant, before selling or offering for
13 sale any pesticide for use in this state, shall
14 register each brand and grade of such pesticide with
15 the secretary upon forms furnished by the secretary,
16 and the secretary shall set the registration fee
17 annually at one-fifth of one percent of gross sales
18 within this state with a minimum fee of two hundred
19 fifty dollars and a maximum fee of three thousand
20 dollars for each and every brand and grade to be
21 offered for sale in this state except as otherwise
22 provided. The annual registration fee for products
23 with gross annual sales in this state of less than one
24 million five hundred thousand dollars shall be the
25 greater of two hundred fifty dollars or one-fifth of
26 one percent of the gross annual sales as established
27 by affidavit of the registrant. The secretary shall
28 adopt by rule exemptions to the minimum fee. Fifty
29 dollars of each fee collected shall be deposited in
30 ~~the general fund of the state, shall be subject to the~~
31 ~~requirements of section 8-607, and shall be used only~~
32 ~~for the purpose of enforcing the provisions of this~~
33 chapter pesticide fund established in section 206.12A,
34 and the remainder of each fee collected shall be
35 placed in the agriculture management account of the
36 groundwater protection fund.

37 Sec. 51. NEW SECTION. 206.12A PESTICIDE FUND.

38 1. A pesticide fund is established in the state
39 treasury under the control of the department. The
40 fund shall consist of any moneys appropriated to the
41 fund by the general assembly and any other moneys
42 available to and obtained or accepted by the
43 department from the federal government or private
44 sources for placement in the fund. Fees collected
45 under section 206.12 shall be deposited in the fund.
46 The moneys in the fund shall be used only for the
47 purpose of enforcing the provisions of this chapter.

48 2. All moneys in the pesticide fund are subject to
49 audit by the auditor of state. The fund is subject at
50 all times to warrants by the director of revenue and

H-3945

-24-

H-3945

Page 25

1 finance, drawn upon written requisition of the
2 secretary. Notwithstanding section 8.33, moneys in
3 the pesticide fund shall remain in the fund and shall
4 not revert to the general fund of the state.

5 Notwithstanding section 12C.7, subsection 2, interest
6 or earnings on moneys deposited in the pesticide fund
7 shall be credited to the pesticide fund.

8 Sec. 52. Section 331.427, subsection 2, Code 1995,
9 is amended by adding the following new paragraph:

10 NEW PARAGRAPH. m. Closure and postclosure care of
11 a sanitary disposal project under section 455B.302.

12 Sec. 53. Section 452A.79, unnumbered paragraph 2,
13 and subsections 1, 2, 3, 4, and 5, Code 1995, are
14 amended to read as follows:

15 All moneys derived from the excise tax on the sale
16 of motor fuel used in watercraft shall be deposited in
17 the ~~general marine fuel tax fund of the state~~
18 ~~established in section 452A.83. Moneys deposited to~~
19 ~~the general fund under this section and section~~
20 ~~452A.84 are subject to the requirements of section~~
21 ~~8.60 and are subject to appropriation by the general~~
22 ~~assembly to the department of natural resources for~~
23 ~~use in its recreational boating program, which may~~
24 ~~include but is not limited to:~~

25 1. ~~Bredging and renovation of natural lakes of~~
26 ~~this state.~~

27 2. ~~Acquisition, development and maintenance of~~
28 ~~access to public boating waters.~~

29 3. ~~Development and maintenance of boating~~
30 ~~facilities and navigation aids.~~

31 4. ~~Administration, operation, and maintenance of~~
32 ~~recreational boating activities of the department of~~
33 ~~natural resources.~~

34 5. ~~Acquisition, development and maintenance of~~
35 ~~recreation facilities associated with recreational~~
36 ~~boating.~~

37 Sec. 54. NEW SECTION. 452A.83 MARINE FUEL TAX
38 FUND.

39 1. A marine fuel tax fund is established in the
40 state treasury under the control of the department.
41 The fund shall consist of any moneys appropriated to
42 the fund by the general assembly and any other moneys
43 available to and obtained or accepted by the
44 department from the federal government or private
45 sources for placement in the fund. Moneys collected
46 pursuant to section 452A.79 shall be deposited in the
47 fund. Moneys collected pursuant to this chapter from
48 the motor fuel tax fund shall be transferred to the
49 fund as provided in section 452A.84.

50 2. Moneys deposited or transferred into the fund

H-3945

-25-

H-3945

Page 26

1 are subject to appropriation by the general assembly
2 to the department of natural resources for its
3 recreational boating program which may include, but is
4 not limited to:

5 a. Dredging and renovation of natural lakes of
6 this state.

7 b. Acquisition, development, and maintenance of
8 access to public boating waters.

9 c. Development and maintenance of boating
10 facilities and navigation aids.

11 d. Administration, operation, and maintenance of
12 recreational boating activities of the department of
13 natural resources.

14 e. Acquisition, development, and maintenance of
15 recreation facilities associated with recreational
16 boating.

17 3. All moneys in the marine fuel tax fund are
18 subject to audit by the auditor of state. The fund is
19 subject at all times to warrants by the director of
20 revenue and finance, drawn upon written requisition of
21 the department. Notwithstanding section 8.33, moneys
22 in the marine fuel tax fund shall remain in the fund
23 and shall not revert to the general fund of the state.
24 Notwithstanding section 12C.7, subsection 2, interest
25 or earnings on moneys deposited in the marine fuel tax
26 fund shall be credited to the marine fuel tax fund.

27 Sec. 55. Section 452A.84, Code 1995, is amended to
28 read as follows:

29 452A.84 TRANSFER TO STATE-GENERAL MARINE FUEL TAX
30 FUND.

31 The treasurer of state shall transfer from the
32 motor fuel tax fund to the general marine fuel tax
33 fund of-the-state established pursuant to section
34 452A.83, that portion of moneys collected under this
35 chapter attributable to motor fuel used in watercraft
36 computed as follows:

37 1. Determine monthly the total amount of motor
38 fuel tax collected under this chapter and multiply the
39 amount by nine-tenths of one percent.

40 2. Subtract from the figure computed pursuant to
41 subsection 1 of this section three percent of the
42 figure for administrative costs and further subtract
43 from the figure the amounts refunded to commercial
44 fishers pursuant to section 452A.17, subsection 13.
45 All moneys remaining after claims for refund and the
46 cost of administration have been made shall be
47 transferred to the general marine fuel tax fund of-the
48 state.

49 Sec. 56. Section 455B.183A, subsection 2,
50 paragraph b, Code 1995, is amended to read as follows:

H-3945

-26-

H-3945

Page 27

1 b. The operation of a public water supply system,
2 including any part of the system. ~~The fees may be~~
3 ~~based on the type and size of community served by the~~
4 ~~system.~~ The commission shall adopt a fee schedule
5 which shall be based on the total number of persons
6 served by public water supply systems in this state.
7 The commission shall calculate all fees in the
8 schedule to produce total revenues equaling four
9 hundred seventy-five thousand dollars for the fiscal
10 year beginning July 1, 1994, and ending June 30, 1995,
11 seven hundred thousand dollars for the fiscal year
12 beginning July 1, 1995, and ending June 30, 1996, nine
13 hundred thousand dollars for the fiscal year beginning
14 July 1, 1996, and ending June 30, 1997, and one
15 million two hundred thousand dollars for each
16 subsequent fiscal year. For the fiscal year beginning
17 July 1, 1994, and ending June 30, 1995, twenty-five
18 thousand dollars shall be deposited in the
19 administration account and four hundred fifty thousand
20 dollars shall be deposited in the public water supply
21 system account. For each subsequent fiscal year, one-
22 half of the fees shall be deposited into the
23 administration account and one-half of the fees shall
24 be deposited into the public water supply system
25 account. By May 1 of each year, the department shall
26 estimate the total revenue expected to be collected
27 from the overpayment of fees, which are all fees in
28 excess of the amount of the total revenues which are
29 expected to be collected under the current fee
30 schedule, and the total revenue expected to be
31 collected from the payment of fees during the next
32 fiscal year. The commission shall adjust the fees if
33 the estimate exceeds the amount of revenue required to
34 be deposited in the fund pursuant to this paragraph.

35 Sec. 57. Section 455E.11, subsection 2, paragraph
36 a, subparagraph (12), subparagraph subdivision (c),
37 Code 1995, is amended to read as follows:

38 (c) Twelve and one-half cents per ton per year is
39 appropriated to the department of natural resources to
40 provide additional toxic cleanup days and for the
41 natural resource geographic information system
42 required under section 455E.8, subsection 6.

43 Departmental rules adopted for implementation of toxic
44 cleanup days shall provide sufficient flexibility to
45 respond to the household hazardous material collection
46 needs of both small and large communities.

47 Sec. 58. EFFECTIVE DATES.

48 1. Sections 14, 17, 19, and 26 of this Act, being
49 deemed of immediate importance, take effect upon
50 enactment.

H-3945

-27-

H-3945

Page 28

1 2. The amendments in this Act to 1993 Iowa Acts,
2 chapter 176, section 25, subsection 2, as amended by
3 1994 Iowa Acts, chapter 1198, section 31, being deemed
4 of immediate importance, take effect upon enactment.

5 3. The amendments in this Act to 1994 Iowa Acts,
6 chapter 1119, section 32, being deemed of immediate
7 importance, take effect upon enactment.

8 4. The amendments in this Act to section
9 455B.183A, being deemed of immediate importance, take
10 effect upon enactment.

11 5. Sections 8.60, 192.111, 192.112, 192.133,
12 192A.30, 194.14, 194.19, 194.20, 195.9, 198.9, 198.9A,
13 200.4, 200.8, 200.9, 201.13, 206.12, 206.12A, 452A.79,
14 452A.83, and 452A.84, Code 1995, as amended or enacted
15 by this Act take effect July 1, 1996.

16 6. This section, being deemed of immediate
17 importance, takes effect upon enactment."

18 2. Title page, by striking lines 1 through 4 and
19 inserting the following: "An Act relating to
20 agriculture and natural resources, by providing for
21 appropriations and revenue, providing related
22 statutory changes, and providing effective dates."

RECEIVED FROM THE SENATE

H-3945 FILED APRIL 17, 1995

House Refused 4-18-95 (P.1665)

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 553

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

We the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 553, a bill for An Act relating to agriculture and natural resources, including for appropriations involving agriculture and natural resources, providing related statutory changes, and providing effective dates, respectfully make the following report:

1. That the Senate recedes from its amendment, H-3945.

2. That House File 553, as amended, passed, and reprinted by the House, is amended as follows:

1. By striking everything after the enacting clause and inserting the following:

"DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Section 1. GENERAL APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE DIVISION

a. For salaries, support, maintenance, the support of the state 4-H foundation, support of the statistics bureau, and miscellaneous purposes, and for the salaries and support of not more than the following full-time equivalent positions:

.....	\$	1,815,743.
.....	FTEs	46.45

(1) Of the funds appropriated in this paragraph "a", \$319,550 and 7.00 FTEs shall be used to support horticulture.

CCH-553.3

Page 2

(2) Of the amount appropriated in this paragraph "a", \$50,000 shall be allocated to the state 4-H foundation to foster the development of Iowa's youth and to encourage them to study the subject of agriculture.

(3) Of the amount appropriated in this paragraph "a", \$130,100 and 4.00 FTEs shall be allocated to the statistics bureau to provide county-by-county information on land in farms, production by crop, acres by crop, and county prices by crop. This information shall be made available to the department of revenue and finance for use in the productivity formula for valuing and equalizing the values of agricultural land.

(4) Of the amount appropriated in this paragraph "a", not more than \$5,000 shall be allocated to the Iowa polled hereford junior association in connection with the 1995 national junior hereford show.

(5) Of the amount appropriated in this paragraph "a", \$13,000 shall be allocated to support the United States department of agriculture cooperative agreement.

(6) As a condition of the amount appropriated in this paragraph "a", no executive officer II in the department shall be supported from the amount after September 30, 1995.

b. For the operations of the dairy trade practices bureau: \$ 66,273

c. For the purpose of performing commercial feed audits: \$ 61,932

d. For the purpose of performing fertilizer audits: \$ 61,932

2. REGULATORY DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions: \$ 3,757,998
..... FTEs 122.50

b. For the costs of inspection, sampling, analysis, and other expenses necessary for the administration of chapters

CCH-553.3

Page 3

192, 194, and 195:

..... \$ 642,122

3. LABORATORY DIVISION

a. For salaries, support, maintenance, and miscellaneous purposes, including the administration of the gypsy moth program, and for not more than the following full-time equivalent positions:

..... \$ 795,528

..... FTEs 76.10

Of the amount appropriated in this paragraph "a", \$110,000 shall be used to administer a program relating to the detection, surveillance, and eradication of the gypsy moth. The department shall allocate and use the appropriation made in this paragraph before moneys other than those appropriated in this paragraph are used to support the program.

b. For the operations of the commercial feed programs:

..... \$ 735,631

c. For the operations of the pesticide programs:

..... \$ 1,271,464

Of the amount appropriated in this paragraph "c", \$200,000 shall be allocated to Iowa state university for purposes of training commercial pesticide applicators.

d. For the operations of the fertilizer programs:

..... \$ 626,630

4. SOIL CONSERVATION DIVISION

a. For salaries, support, maintenance, assistance to soil conservation districts, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,621,476

..... FTEs 176.30

(1) Of the amount appropriated in this paragraph "a", \$330,000 shall be used to reimburse commissioners of soil and water conservation districts for administrative expenses. Moneys used for the payment of meeting dues by counties shall be matched on a dollar-for-dollar basis by the soil conservation division.

CCH-553.3

Page 4

(2) Of the amount appropriated and the number of full-time equivalent positions allocated in this paragraph "a", \$165,000 and 6.50 FTEs shall be used to provide that 13 part-time field office secretary I positions are made full-time positions.

b. To provide financial incentives for soil conservation practices under chapter 161A:

..... \$ 5,918,606

c. The following requirements apply to the moneys appropriated in paragraph "b":

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

(2) Of the moneys appropriated in paragraph "b", 5 percent shall be allocated for financial incentives to establish practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in section 161A.73.

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

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

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

d. The provisions of section 8.33 shall not apply to the moneys appropriated in paragraph "b". Unencumbered or unobligated moneys remaining on June 30, 1999, from moneys appropriated in paragraph "b" for the fiscal year beginning July 1, 1995, shall revert to the general fund on August 31, 1999.

Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is

CCH-553.3

Page 5

appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, to be used by the department to continue and expand the farmers' market coupon program by providing federal special supplemental food program recipients with coupons redeemable at farmers' markets, and for not more than the following full-time equivalent positions:

.....	\$	215,335
.....	FTEs	1.00

Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For support of the pseudorabies eradication program:

.....	\$	900,200
-------	----	---------

2. Persons, including organizations interested in swine production in this state and in the promotion of Iowa pork products who contribute support to the program, are encouraged to increase financial support for purposes of ensuring the program's effective continuation.

Sec. 4. HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the regulatory division of the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For salaries, support, maintenance, and miscellaneous purposes for the administration of section 99D.22:

.....	\$	191,106
-------	----	---------

Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN

CCH-553.3

Page 6

MARKETING. There is appropriated from the general fund of the state to the interstate agricultural grain marketing commission for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For carrying out duties of the commission as provided in Article IV of the interstate compact on agricultural grain marketing as provided in chapter 183:

..... \$ 80,000

DEPARTMENT OF NATURAL RESOURCES

Sec. 6. GENERAL APPROPRIATION. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE AND SUPPORT SERVICES

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,834,654

..... FTEs 113.50

2. PARKS AND PRESERVES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,510,462

..... FTEs 195.73

3. FORESTS AND FORESTRY DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,479,218

..... FTEs 48.71

4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

For salaries, support, maintenance, miscellaneous purposes,

CCH-553.3

Page 7

and for not more than the following full-time equivalent positions:

.....	\$	1,663,582
.....	FTEs	52.00

5. a. ENVIRONMENTAL PROTECTION DIVISION

(1) For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,641,243
.....	FTEs	207.00

(2) Of the amount appropriated and the number of full-time equivalent positions allocated in subparagraph (1) at least \$98,600 and 2 FTEs shall be used to support the regulation of animal feeding operations.

b. WATER QUALITY PROTECTION FUND

For allocation to the administrative account of the water quality protection fund established pursuant to section 455B.183A, to carry out the purpose of that account:

.....	\$	404,000
-------	----	---------

(1) Of the number of full-time equivalent positions authorized in paragraph "a", 36 FTEs shall be dedicated to carrying out the provisions of chapter 455B relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act and to support the program to assist water supply systems as provided in section 455B.183B. However, the limitation on full-time equivalent positions provided in paragraph "a", shall not limit the number of additional full-time equivalent positions supported by moneys deposited in the water quality protection fund as provided in section 455B.183A, in order to carry out the provisions of division III of chapter 455B relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act, and the administration of the program to assist water supply systems pursuant to section 455B.183B.

(2) In providing assistance to water supply systems, the department shall provide priority to water supply systems

CCH-553.3

Page 8

serving a population of seven thousand or less. At least 2 FTEs shall be allocated to provide assistance to systems serving a population of seven thousand or less.

6. FISH AND WILDLIFE DIVISION

For not more than the following full-time equivalent positions:

..... FTEs 340.93

7. WASTE MANAGEMENT ASSISTANCE DIVISION

For not more than the following full-time equivalent positions:

..... FTEs 16.75

Sec. 7. STATE FISH AND GAME PROTECTION FUND -- APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

1. There is appropriated from the state fish and game protection fund to the division of fish and wildlife of the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For administrative support, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ 20,637,657

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

Sec. 8. MARINE FUEL TAX RECEIPTS -- NONCAPITALS AND BOATING FACILITIES AND ACCESS. There is appropriated from the marine fuel tax receipts deposited in the general fund of the state to the department of natural resources for the fiscal

CCH-553.3

Page 9

year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For purposes of funding expenditures traditionally funded from marine fuel tax revenues, but not considered as capitals or operations:

..... \$ 200,000

2. For purposes of maintaining and developing boating facilities and access to public waters by the parks and preserves division:

..... \$ 411,311

Notwithstanding section 8.33, the unencumbered or unobligated moneys remaining on June 30, 1996, from moneys appropriated in subsection 1, may be expended during the fiscal year beginning July 1, 1996, and ending June 30, 1997, and shall not revert to the general fund until August 31, 1997.

Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1995, from the fees deposited under section 321G.7 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the purpose of enforcing snowmobile laws as part of the state snowmobile program administered by the department of natural resources:

..... \$ 100,000

Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1995, from the fees deposited under section 462A.52 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of administration and enforcement of

CCH-553.3

Page 10

navigation laws and water safety:

..... \$ 1,200,000

RESOURCES ENHANCEMENT AND PROTECTION

Sec. 11. GENERAL APPROPRIATION. Notwithstanding the amount of the standing appropriation from the general fund of the state under section 455A.18, subsection 3, there is appropriated from the general fund of the state to the Iowa resources enhancement and protection fund, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the sum of \$8,000,000, of which all moneys shall be allocated as provided in section 455A.19.

ANIMAL INDUSTRY APPROPRIATIONS

Sec. 12. LIVESTOCK PRODUCERS ASSISTANCE.

1. There is appropriated from the general fund of the state to Iowa state university of science and technology, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the administration of the livestock producers assistance program established pursuant to section 266.39D, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 100,000

..... FTEs 1.66

2. As a condition of this appropriation, the university shall strive to ensure that the program becomes increasingly self-sufficient. The university shall adopt a plan detailing the manner in which the program will become self-sufficient, including the expected amount of state funds necessary to support the program until it becomes self-sufficient, the sources of revenue expected to contribute to the program, and the amount each source is expected to contribute to the program. The plan shall be submitted to the legislative fiscal bureau by November 1, 1995.

CCH-553.3

Page 11

3. The provisions of section 8.33 shall not apply to the moneys appropriated in this section. Unencumbered or unobligated moneys remaining on June 30, 1999, from moneys appropriated in this section for the fiscal year beginning July 1, 1995, shall revert to the general fund on August 31, 1999.

Sec. 13. ORGANIC NUTRIENT MANAGEMENT.

1. a. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the organic nutrient management fund for administration of the organic nutrient management program, as provided in section 161C.6:

..... \$ 450,000

b. Notwithstanding section 161C.5, unencumbered or unobligated moneys remaining on June 30, 1999, from moneys appropriated in paragraph "a" for the fiscal year beginning July 1, 1995, shall revert to the general fund on August 31, 1999.

2. a. Of the amount appropriated in subsection 1, paragraph "a", the division of soil conservation of the department of agriculture and land stewardship shall allocate \$50,000 for purposes of supporting pilot projects to determine the impact of plantings, including fast growing trees, surrounding manure storage structures which are connected to or part of animal feeding operations, in reducing or redirecting the dispersal of odor originating from such structures.

b. The moneys allocated in paragraph "a" of this subsection shall be awarded to the owner of an animal feeding operation who applies to the division of soil conservation according to procedures adopted by the division. The division shall provide for an initial application period of 60 days in which not more than one person from each county may be awarded

CCH-553.3

Page 12

moneys under this subsection. After the completion of the initial application period, any person may be awarded moneys under this subsection, regardless of whether another person in the same county has received an award. All moneys shall be awarded on a cost-share basis. However, a person shall not receive more than \$1,500, regardless of the number of animal feeding operations owned by the person.

c. The division of soil conservation shall submit a report containing findings and recommendations regarding the pilot projects to the general assembly not later than January 10, 1998.

3. Of the amount appropriated in subsection 1, paragraph "a", the division of soil conservation of the department of agriculture and land stewardship shall allocate \$50,000 to the department of natural resources for purposes of carrying out a pilot project to study ten animal feeding operations and their structures, and manure management and disposal systems used by such operations, in order to determine the extent to which such operations and their structures and manure management and disposal systems contribute to point and nonpoint contamination of the state's groundwater and surface water, as provided in 1995 Iowa Acts, House File 519.

RELATED APPROPRIATIONS

Sec. 14. TRANSFERS OF MONEYS REQUIRED TO BE DEPOSITED IN THE WATER PROTECTION FUND. Notwithstanding section 161C.4 and the reversion and allocation provisions in section 455A.19, subsection 1, paragraph "c", of the unencumbered and unobligated moneys remaining on the effective date of this section, which are required to be deposited in the water protection fund created pursuant to section 161C.4, as provided in section 455A.19, subsection 1, paragraph "c", the following amounts shall be transferred first from moneys required to be deposited in the water protection practices account, and if necessary from moneys required to be deposited in the water quality protection projects account, which shall be used for the following purposes:

CCH-553.3

Page 13

1. For deposit in the organic nutrient management fund created in section 161C.5 for the purposes of carrying out the organic nutrient management program as provided in section 161C.6:

..... \$ 350,000

2. To provide financial incentives for soil conservation practices under chapter 161A, as provided in section 1 of this Act:

..... \$ 500,000

Moneys provided in this section shall be transferred first to the organic nutrient management fund as provided in subsection 1 before remaining moneys are transferred to provide financial incentives for soil conservation as provided in subsection 2.

The provisions of section 8.33 shall not apply to the moneys transferred pursuant to this section. On August 31, 1999, unencumbered or unobligated moneys remaining on June 30, 1999, from moneys transferred pursuant to this section shall revert to the soil and water enhancement account of the Iowa resources enhancement and protection fund as provided in section 455A.19, subsection 1, paragraph "c", for allocation to each account in the water protection fund as the moneys would have otherwise been allocated in the manner provided in section 455A.19.

Sec. 15. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD -- TRANSFER. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board, to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For administration expenses of the underground storage tank section of the department of natural resources:
..... \$ 75,000

Sec. 16. TRANSFER -- AIR QUALITY. For the fiscal year

CCH-553.3

Page 14

beginning July 1, 1995, and ending June 30, 1996, the department of natural resources may transfer up to \$281,000 from the hazardous substance remedial fund to support purposes related to carrying out the duties of the commission under section 455B.133, or the director under section 455B.134, or for carrying out the provisions of chapter 455B, division II.

Sec. 17. WIND EROSION CONTROL FUND. On the effective date of this section, all unencumbered or unobligated moneys appropriated to the wind erosion control fund, and any unencumbered or unobligated moneys which have been credited to the division of soil conservation of the department of agriculture and land stewardship for purposes of planting and maintaining wind erosion control barriers, as originally provided in 1978 Iowa Acts, chapter 1108, section 7, and subsequently amended, shall be transferred to the road use tax fund created in section 312.1.

Sec. 18. TEMPORARY FUND FOR THE PURCHASE OF MOTOR VEHICLE FUEL EQUIPMENT. Notwithstanding section 18.12, the department of general services, upon authorization by the department of agriculture and land stewardship, may conduct a sale of equipment or a device used to test octane in motor vehicle fuel as part of the department of agriculture and land stewardship's regulatory functions. The proceeds of the sale shall be deposited in a special fund established by the department of agriculture and land stewardship. Moneys from the fund shall only be used for purposes of purchasing superior devices or equipment used to test octane in motor vehicle fuel by the department of agriculture and land stewardship. The department shall not enter into a lease-purchase agreement in obtaining the equipment or devices. Unencumbered or unobligated moneys shall remain in the fund until June 30, 1997, at which time remaining moneys shall be deposited into the general fund of the state as a reversion provided in section 8.33, and the fund shall be abolished.

Sec. 19. ALLOCATION OF MONEYS OTHERWISE DEDICATED TO THE LIVING ROADWAY TRUST FUND -- 1995 FISCAL YEAR.

CCH-553.3

Page 15

1. On the effective date of this section, notwithstanding section 455A.19, subsection 1, paragraph "g", of the unencumbered and unobligated moneys allocated by section 455A.19, subsection 1, paragraph "g", which may otherwise be allocated to the living roadway trust fund created in section 314.21, there is allocated for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amounts, to be used as follows:

a. To the soil conservation division of the department of agriculture and land stewardship for purposes of supporting a public service executive I position in the field services section of the division, and for the salary and support of not more than the following full-time equivalent position:

.....	\$	55,000
.....	FTEs	1.00

b. To the department of agriculture and land stewardship, for purposes of purchasing equipment for grain examiners to comply with requirements of the United States department of labor occupational safety and health administration:

.....	\$	34,300
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c. To the department of natural resources for deposit in the public water supply system account established pursuant to section 455B.183A for purposes of supporting the program to assist supply systems, as provided in section 455B.183B:

.....	\$	100,000
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d. To Iowa state university for purposes of supporting multiflora rose eradication research and projects:

.....	\$	25,000
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e. To Iowa state university for purposes of supporting aerial spray calibration efforts at Iowa state university:

.....	\$	25,000
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f. (1) To Iowa state university for purposes of supporting the Iowa cooperative extension service in agriculture and home economics in establishing and administering an Iowa grain quality initiative:

.....	\$	40,000
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CCH-553.3

Page 16

(2) Each dollar provided in this paragraph "f" shall be allocated to Iowa state university only after a matching dollar is contributed to Iowa state university for purposes of supporting the establishment and administration of the Iowa grain initiative by one or more organizations representing crop producer members in this state.

g. To local sponsors of the Lewis and Clark rural water system as required, in order to provide safe and adequate municipal and rural water supplies for residential, agriculture, and industrial use, and to preserve wetlands and mitigate water conservation efforts:

..... \$ 40,000

2. The moneys allocated pursuant to this section shall not revert pursuant to section 8.33, but shall remain available for the fiscal year beginning July 1, 1995, and ending June 30, 1996, for the purposes designated in this section. Unencumbered or unobligated moneys remaining on June 30, 1996, shall revert to the Iowa resources enhancement and protection fund created pursuant to section 455A.18 for allocation to the living roadway trust fund for the purpose provided in section 455A.19, subsection 1, paragraph "g", in the manner provided in section 455A.19.

MISCELLANEOUS

Sec. 20. STATE NURSERIES. Notwithstanding section 17A.2, subsection 10, paragraph "g", the department of natural resources shall adopt administrative rules establishing prices of plant material grown at the state forest nurseries to cover all expenses related to the growing of the plants.

The department shall develop programs to encourage the wise management and preservation of existing woodlands and shall continue 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. 21. HUNGRY CANYONS CONFERENCE.

CCH-553.3

Page 17

1. The division of soil conservation of the department of agriculture and land stewardship in cooperation with the Loess Hills development and conservation authority, shall sponsor a conference not later than September 1, 1995, regarding the erosion and degradation of stream channels in counties in the deep loess region of western Iowa, and specifically the area referred to as hungry canyons. The conference shall discuss the impacts of the erosion and degradation of stream channels in the area and its adverse effect upon rural infrastructure, including public roads and bridges, agricultural production, stream water quality, and riparian habitat. The conference shall consider impacts of policies of the United States army corps of engineers upon the area.

2. Conferees shall include representatives of the division of soil conservation of the department of agriculture and land stewardship, the Loess Hills development and conservation authority, the department of natural resources, and the state department of transportation. Each soil and water conservation district in the area may elect one commissioner to serve as a conferee. Each county board of supervisors in a county in the area may elect one supervisor to serve as a conferee. The division of soil conservation shall invite other interested persons to serve as conferees, including members of Iowa's congressional delegation; the chairperson and ranking member of the standing committee on natural resources, environment and energy of the senate; the chairperson and ranking member of the standing committees on natural resources and environmental protection of the house of representatives; the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources; members of the Iowa general assembly who represent affected legislative districts; and representatives of the United States army corps of engineers; the United States environmental protection agency; the United States department of interior; and the natural resources conservation service of the United States department of agriculture.

CCH-553.3

Page 18

3. The division of soil conservation of the department of agriculture and land stewardship shall report to the general assembly not later than January 15, 1996, regarding findings and recommendations of the conferees.

Sec. 22. TRANSFER OF MONEYS OR POSITIONS; CHANGES IN TABLES OF ORGANIZATION -- NOTIFICATION. Each fiscal quarter of the fiscal year beginning July 1, 1995, the department of agriculture and land stewardship and the department of natural resources shall notify the chairpersons, vice chairpersons, and ranking members of the joint appropriations subcommittee on agriculture and natural resources for the previous fiscal quarter of any transfer of moneys or full-time equivalent positions made by either department which is not authorized in this Act, or any permanent position added to or deleted from either department's table of organization.

Sec. 23. TRUST FUND INFORMATION. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of revenue and finance in cooperation with each appropriate agency shall track receipts to the general fund of the state which under law were previously collected to be used for specific purposes, or to be credited to, or be deposited to a particular account or fund, as provided in section 8.60.

The department of revenue and finance and each appropriate agency shall prepare reports detailing revenue from receipts previously deposited into each of the funds. A report shall be submitted to the legislative fiscal bureau at least once for each three-month period as designated by the legislative fiscal bureau.

Sec. 24. DEPARTMENTAL INFORMATION REQUIRED.

1. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of agriculture and land stewardship and the department of natural resources, in cooperation as necessary with the department of management and the department of personnel, shall provide a list to the legislative fiscal bureau, on a quarterly basis, of all permanent positions added to or deleted from the departments'

CCH-553.3

Page 19

table of organization in the previous fiscal quarter. This list shall include at least the position number, salary range, projected funding source or sources of each position, and the reason for the addition or deletion. The legislative fiscal bureau may use this information to assist in the establishment of the full-time equivalent position limits authorized in law for the departments.

2. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of natural resources shall provide the legislative fiscal bureau information and financial data by cost center, on at least a monthly basis, relating to the indirect cost accounting procedure, the amount of funding from each funding source for each cost center, and the internal budget system used by the department. The information shall include but is not limited to financial data covering the department's budget by cost center and funding source prior to the start of the fiscal year, and to the department's actual expenditures by cost center and funding source after the accounting system has been closed for that fiscal year.

3. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of agriculture and land stewardship shall provide the legislative fiscal bureau information and financial data on at least a monthly basis, relating to the internal budget system used by the department. The information shall include but is not limited to financial data covering the department's budget prior to the start of the fiscal year, and to the department's actual expenditures after the accounting system has been closed for that fiscal year.

Sec. 25. DIRECTION TO CODE EDITOR -- UPDATE REFERENCES TO UNITS REORGANIZED UNDER THE UNITED STATES DEPARTMENT OF AGRICULTURE. The Code editor is directed, to every extent possible, to update references in the Code relating to units of government under the authority of the United States department of agriculture to conform with the current names of

CCH-553.3

Page 20

those units. The Code editor may postpone updating the references until the publication of the 1997 Code, if the Code editor determines that the process of updating will create unreasonable costs or delays.

Sec. 26. PREFERENCE PROVIDED -- PERSONS MEETING ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM. In its employment of persons in temporary positions in conservation and outdoor recreation for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of natural resources shall give preference to persons meeting eligibility requirements for the green thumb program and to persons working toward an advanced education in natural resources and conservation.

Sec. 27. GYPSY MOTH LITIGATION. The department of agriculture and land stewardship and the office of the attorney general shall cooperate in bringing legal action against parties liable for damages caused by the shipment from the state of Michigan of trees or other plants infested with gypsy moths.

Sec. 28. SOIL CONSERVATION DIVISION -- USE OF UNOBLIGATED MONEYS FOR THE PURCHASE OF EQUIPMENT. Notwithstanding section 8.33, or 1994 Iowa Acts, chapter 1199, section 8, subsection 17, and section 88, the moneys appropriated to the soil conservation division of the department of agriculture and land stewardship pursuant to chapter 1199, section 8, subsection 17, and section 88, which are not obligated or encumbered on June 30, 1995, for purposes of supporting soil conservation technicians, shall not revert to the general fund of the state but shall be used by the division of soil conservation for the fiscal year beginning July 1, 1995, and ending June 30, 1996, for purposes of purchasing equipment for soil conservation field offices.

Sec. 29. AIR QUALITY PROGRAM -- NONGENERAL FUND SUPPORT. The department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, shall not use moneys appropriated from the general fund of the state

CCH-553.3

Page 21

pursuant to this Act, to support any purpose related to carrying out the duties of the commission under section 455B.133 or the director under section 455B.134, or for carrying out the provisions of chapter 455B, division II.

Notwithstanding section 455B.133B, the department may use moneys deposited in the air contaminant source fund created in section 455B.133B during the fiscal year beginning July 1, 1995, and ending June 30, 1996, for any purpose related to carrying out the duties of the commission under section 455B.133 or the director under section 455B.134, or for carrying out the provisions of chapter 455B, division II.

Sec. 30. RULES RELATING TO PESTICIDE AND FERTILIZER CONTAMINATED SITES -- ENVIRONMENTAL PROTECTION COMMISSION. The environmental protection commission shall adopt all rules required to establish criteria for the classification and prioritization of sites upon which pesticide or fertilizer contamination has been discovered, as provided in section 455B.601 not later than October 1, 1995.

STATUTORY CHANGES

Sec. 31. 1993 Iowa Acts, chapter 176, section 25, subsection 2, as amended by 1994 Iowa Acts, chapter 1198, section 31, is amended to read as follows:

2. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining on June 30, 1993, from moneys appropriated pursuant to 1992 Iowa Acts, Second Extraordinary Session, chapter 1001, section 402, may be expended during the fiscal period beginning July 1, 1993, and ending June 30, ~~1995~~ 1996, and shall not revert to the general fund until August 31, ~~1995~~ 1996.

Sec. 32. 1994 Iowa Acts, chapter 1119, section 32, subsection 2, unnumbered paragraph 1, is amended to read as follows:

Notwithstanding section 423.24, as amended in this Act, for each fiscal year of the period beginning on July 1, 1993, and ending ~~July 1, 1994~~ June 30, 1996, an amount equal to two and one-half percent of the total moneys used to support value-

CCH-553.3

Page 22

added agricultural products and processes as provided in that section, which would otherwise be allocated to the value-added agricultural products and processes financial assistance fund, shall instead be allocated to the office of renewable fuels and coproducts. The moneys shall be used for purposes of conducting soydiesel demonstration projects administered by the state department of transportation under the oversight of the renewable fuels and coproducts advisory committee.

Sec. 33. 1994 Iowa Acts, chapter 1119, section 32, subsection 2, paragraph b, is amended to read as follows:

b. The state department of transportation shall evaluate the performance of vehicles operating on soydiesel fuel, including the rate of repairs on the vehicles and comments of persons operating and maintaining the vehicles. The department shall submit initial findings and recommendations to the renewable fuels and coproducts advisory committee which shall submit a report to the senate and chief clerk of the house, the legislative service bureau, the chairpersons and ranking members of the senate standing committee on agriculture, the senate standing committee on small business, economic development and tourism, the house of representatives standing committee on agriculture, and the house of representatives standing committee on small business, economic development and trade. The department shall submit ~~final~~ findings and recommendations to the renewable fuels and coproducts advisory committee which shall submit ~~a report~~ reports to the general assembly. ~~The~~ An initial report shall be due on October 1, 1994. ~~The final, an interim report~~ shall be due on March 1, 1995, and a final report shall be due on October 1, 1996.

Sec. 34. 1994 Iowa Acts, chapter 1119, section 32, subsection 2, paragraph d, is amended to read as follows:

d. Moneys available under this section which remain unexpended or unobligated on June 30, 1994, shall remain available to support the demonstration project and shall not revert pursuant to section 8.33. Moneys remaining unexpended

CCH-553.3

Page 23

or unobligated on June 30, ~~1995~~ 1996, shall be credited to the value-added agricultural products and processes financial assistance fund as created in section 15E.112.

Sec. 35. Section 455E.11, subsection 2, paragraph a, subparagraph (2), subparagraph subdivision (f), as enacted by 1995 Iowa Acts, House File 289, section 3, is amended to read as follows:

(f) Eight and one-half percent to the department to provide additional toxic cleanup days and for the natural resource geographic information system required under section 455E.8, subsection 6. Departmental rules adopted for implementation of toxic cleanup days shall provide sufficient flexibility to respond to the household hazardous material collection needs of both small and large communities.

Sec. 36. Section 161C.4, unnumbered paragraph 1, Code 1995, is amended to read as follows:

A water protection fund is created within the division. The fund is composed of money appropriated by the general assembly for that purpose, and moneys available to and obtained or accepted by the state soil conservation committee from the United States or private sources for placement in the fund. The fund shall be divided into two accounts, the water quality protection projects account and the water protection practices account. The first account shall be used to carry out water quality protection projects to protect the state's surface and groundwater from point and nonpoint sources of contamination. The second account shall be used to establish water protection practices with individual landowners including but not limited to woodland establishment and protection, establishment of native grasses and forbs, sinkhole management, agricultural drainage well management, streambank stabilization, grass waterway establishment, stream buffer strip establishment, and erosion control structure construction. Twenty-five percent of funds appropriated to the water protection practices account shall be used for woodland establishment and protection, and establishment of

CCH-553.3

Page 24

native grasses and forbs. Soil and water conservation district commissioners shall give priority to applications for practices that implement their soil and water resource conservation plan. The fund shall be a revolving fund from which moneys may be used for loans, grants, administrative costs, and cost-sharing.

Sec. 37. Section 331.427, subsection 2, Code 1995, is amended by adding the following new paragraph:

NEW PARAGRAPH. m. Closure and postclosure care of a sanitary disposal project under section 455B.302.

Sec. 38. NEW SECTION. 455A.17A REVIEW OF ALLOCATION OF REAP MONEYS -- CONGRESS ON RESOURCES ENHANCEMENT AND PROTECTION.

1. During the 1996 congress on resources enhancement and protection, the congress shall review the Iowa resources enhancement and protection fund allocations and uses of moneys provided under the separate accounts of the fund, pursuant to section 455A.19, and recommend changes regarding the allocations or uses of those moneys, but only if the congress determines that changes should be made. The congress shall review the allocations and uses of the moneys based upon the purposes of the fund as provided in sections 455A.15 and 455A.16. The congress shall review the percentage of allocation of moneys to each account and determine whether the moneys expended from the account meet current needs, and whether the state is in a position to maintain resources already under state control.

2. As part of the review, the congress shall review the open spaces account as provided in section 455A.19, and specifically how moneys in the account are used, including issues relating to all of the following:

a. The acquisition of land, including the process of determining what land should be eligible for acquisition, the amount of land acquired, the purpose of land acquisition, land acquisition prices, the crop suitability rating of acquired land, lost property taxes, maintenance performed on acquired

CCH-553.3

Page 25

land, and proposed uses and maintenance of the land.

b. The expenditure of moneys for purposes of supporting open spaces projects, including the purpose of the projects, project costs, proposed or needed projects, the purposes of proposed or needed projects; and the estimated costs of completing proposed or needed projects.

3. If the congress determines that the allocations of the moneys to specific accounts or the uses of moneys in those accounts under section 455A.19 should be changed, the congress shall include that finding and provide recommendations to the governor, the general assembly, and the natural resource commission as part of a report which shall be included with any other recommendations made by the congress pursuant to section 455A.17. If the congress determines that no changes are necessary, the congress shall include that finding as part of the recommendations made by the congress pursuant to section 455A.17.

Sec. 39. Section 455B.183A, subsection 2, paragraph b, Code 1995, is amended to read as follows:

b. The operation of a public water supply system, including any part of the system. ~~The-fees-may-be-based-on-the-type-and-size-of-community-served-by-the-system.~~ The commission shall adopt a fee schedule which shall be based on the total number of persons served by public water supply systems in this state. However, a public water supply system shall be assessed a fee of at least twenty-five dollars. A public water supply system not owned or operated by a community and serving a transient population shall be assessed a fee of twenty-five dollars. The commission shall calculate all fees in the schedule to produce total revenues equaling ~~four-hundred-seventy-five-thousand-dollars-for-the-fiscal-year beginning-July-17-1994,-and-ending-June-307-1995,-seven~~ three hundred fifty thousand dollars for the each fiscal year, commencing with the fiscal year beginning July 1, 1995, and ending June 30, 1996,-nine-hundred-thousand-dollars-for-the fiscal-year-beginning-July-17-1996,-and-ending-June-307-1997,

CCH-553.3

Page 26

~~and one million two hundred thousand dollars for each subsequent fiscal year. For the fiscal year beginning July 1, 1994, and ending June 30, 1995, twenty five thousand dollars shall be deposited in the administration account and four hundred fifty thousand dollars shall be deposited in the public water supply system account. For each subsequent~~ fiscal year, one-half of the fees shall be deposited into the administration account and one-half of the fees shall be deposited into the public water supply system account. By May 1 of each year, the department shall estimate the total revenue expected to be collected from the overpayment of fees, which are all fees in excess of the amount of the total revenues which are expected to be collected under the current fee schedule, and the total revenue expected to be collected from the payment of fees during the next fiscal year. The commission shall adjust the fees if the estimate exceeds the amount of revenue required to be deposited in the fund pursuant to this paragraph.

Sec. 40. EFFECTIVE DATES.

1. Sections 14, 17, 18, 19, 21, 25, 27, 28, and 30 of this Act, being deemed of immediate importance, take effect upon enactment.

2. The amendments in this Act to 1993 Iowa Acts, chapter 176, section 25, subsection 2, as amended by 1994 Iowa Acts, chapter 1198, section 31, being deemed of immediate importance, take effect upon enactment.

3. The amendments in this Act to 1994 Iowa Acts, chapter 1119, section 32, being deemed of immediate importance, take effect upon enactment.

4. Sections 455A.17A and 455B.183A, as enacted or amended by this Act, take effect upon enactment.

5. This section, being deemed of immediate importance, takes effect upon enactment.

Sec. 41. REPEAL. Section 455A.17A is repealed on July 1, 1997."

2. Title page, by striking lines 1 through 4 and

CCH-553.3

Page 27

inserting the following: "An Act relating to agriculture and natural resources, by providing for appropriations and revenue, providing related statutory changes, and providing effective dates."

ON THE PART OF THE HOUSE:

JAMES HAHN, Chairperson
JERRY CORNELIUS
SANDRA GREINER
DEO KOENIGS
DOLORES MERTZ

ON THE PART OF THE SENATE:

DENNIS H. BLACK, Chairperson
BRAD BANKS
EMIL J. HUSAK
DERRYL McLAREN
BERL E. PRIEBE

CCH-553.3 FILED MAY 3, 1995

*adopted
5/3/95
(p. 2275)*

*adopted
5/3/95
(p. 1608)*

HOUSE FILE 553

AN ACT

RELATING TO AGRICULTURE AND NATURAL RESOURCES, BY PROVIDING FOR APPROPRIATIONS AND REVENUE, PROVIDING RELATED STATUTORY CHANGES, AND PROVIDING EFFECTIVE DATES.

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

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Section 1. GENERAL APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE DIVISION

a. For salaries, support, maintenance, the support of the state 4-H foundation, support of the statistics bureau, and miscellaneous purposes, and for the salaries and support of not more than the following full-time equivalent positions:
..... \$ 1,815,743
..... FTEs 46.45

(1) Of the funds appropriated in this paragraph "a", \$319,550 and 7.00 FTEs shall be used to support horticulture.

(2) Of the amount appropriated in this paragraph "a", \$50,000 shall be allocated to the state 4-H foundation to foster the development of Iowa's youth and to encourage them to study the subject of agriculture.

(3) Of the amount appropriated in this paragraph "a", \$130,100 and 4.00 FTEs shall be allocated to the statistics bureau to provide county-by-county information on land in farms, production by crop, acres by crop, and county prices by crop. This information shall be made available to the department of revenue and finance for use in the productivity formula for valuing and equalizing the values of agricultural land.

(4) Of the amount appropriated in this paragraph "a", not more than \$5,000 shall be allocated to the Iowa polled hereford junior association in connection with the 1995 national junior hereford show.

(5) Of the amount appropriated in this paragraph "a", \$13,000 shall be allocated to support the United States department of agriculture cooperative agreement.

(6) As a condition of the amount appropriated in this paragraph "a", no executive officer II in the department shall be supported from the amount after September 30, 1995.

b. For the operations of the dairy trade practices bureau:
..... \$ 66,273
c. For the purpose of performing commercial feed audits:
..... \$ 61,932
d. For the purpose of performing fertilizer audits:
..... \$ 61,932

2. REGULATORY DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 3,757,998
..... FTEs 122.50

b. For the costs of inspection, sampling, analysis, and other expenses necessary for the administration of chapters 192, 194, and 195:
..... \$ 642,122

3. LABORATORY DIVISION

a. For salaries, support, maintenance, and miscellaneous purposes, including the administration of the gypsy moth

program, and for not more than the following full-time equivalent positions:

..... \$ 795,528
..... FTEs 76.10

Of the amount appropriated in this paragraph "a", \$110,000 shall be used to administer a program relating to the detection, surveillance, and eradication of the gypsy moth. The department shall allocate and use the appropriation made in this paragraph before moneys other than those appropriated in this paragraph are used to support the program.

b. For the operations of the commercial feed programs:

..... \$ 735,631

c. For the operations of the pesticide programs:

..... \$ 1,271,464

Of the amount appropriated in this paragraph "c", \$200,000 shall be allocated to Iowa state university for purposes of training commercial pesticide applicators.

d. For the operations of the fertilizer programs:

..... \$ 626,630

4. SOIL CONSERVATION DIVISION

a. For salaries, support, maintenance, assistance to soil conservation districts, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,621,476
..... FTEs 176.30

(1) Of the amount appropriated in this paragraph "a", \$330,000 shall be used to reimburse commissioners of soil and water conservation districts for administrative expenses. Moneys used for the payment of meeting dues by counties shall be matched on a dollar-for-dollar basis by the soil conservation division.

(2) Of the amount appropriated and the number of full-time equivalent positions allocated in this paragraph "a", \$165,000 and 6.50 FTEs shall be used to provide that 13 part-time field office secretary I positions are made full-time positions.

b. To provide financial incentives for soil conservation practices under chapter 161A:

..... \$ 5,918,606

c. The following requirements apply to the moneys appropriated in paragraph "b":

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

(2) Of the moneys appropriated in paragraph "b", 5 percent shall be allocated for financial incentives to establish practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in section 161A.73.

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

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

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

d. The provisions of section 8.33 shall not apply to the moneys appropriated in paragraph "b". Unencumbered or unobligated moneys remaining on June 30, 1999, from moneys appropriated in paragraph "b" for the fiscal year beginning July 1, 1995, shall revert to the general fund on August 31, 1999.

Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, to be used by the department to continue and expand

the farmers' market coupon program by providing federal special supplemental food program recipients with coupons redeemable at farmers' markets, and for not more than the following full-time equivalent positions:

..... \$ 215,335
..... FTEs 1.00

Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For support of the pseudorabies eradication program:

..... \$ 900,200

2. Persons, including organizations interested in swine production in this state and in the promotion of Iowa pork products who contribute support to the program, are encouraged to increase financial support for purposes of ensuring the program's effective continuation.

Sec. 4. HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the regulatory division of the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For salaries, support, maintenance, and miscellaneous purposes for the administration of section 99D.22:

..... \$ 191,106

Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN

MARKETING. There is appropriated from the general fund of the state to the interstate agricultural grain marketing commission for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For carrying out duties of the commission as provided in Article IV of the interstate compact on agricultural grain marketing as provided in chapter 183:

..... \$ 80,000

DEPARTMENT OF NATURAL RESOURCES

Sec. 6. GENERAL APPROPRIATION. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE AND SUPPORT SERVICES

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,834,654
..... FTEs 113.50

2. PARKS AND PRESERVES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,510,462
..... FTEs 195.73

3. FORESTS AND FORESTRY DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,479,218
..... FTEs 48.71

4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,663,582
..... FTEs 52.00

5. a. ENVIRONMENTAL PROTECTION DIVISION

(1) For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,641,243

..... FTEs 207.00
 (2) Of the amount appropriated and the number of full-time equivalent positions allocated in subparagraph (1) at least \$98,600 and 2 FTEs shall be used to support the regulation of animal feeding operations.

b. WATER QUALITY PROTECTION FUND

For allocation to the administrative account of the water quality protection fund established pursuant to section 455B.183A, to carry out the purpose of that account:

..... \$ 404,000

(1) Of the number of full-time equivalent positions authorized in paragraph "a", 36 FTEs shall be dedicated to carrying out the provisions of chapter 455B relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act and to support the program to assist water supply systems as provided in section 455B.183B. However, the limitation on full-time equivalent positions provided in paragraph "a", shall not limit the number of additional full-time equivalent positions supported by moneys deposited in the water quality protection fund as provided in section 455B.183A, in order to carry out the provisions of division III of chapter 455B relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act, and the administration of the program to assist water supply systems pursuant to section 455B.183B.

(2) In providing assistance to water supply systems, the department shall provide priority to water supply systems serving a population of seven thousand or less. At least 2 FTEs shall be allocated to provide assistance to systems serving a population of seven thousand or less.

6. FISH AND WILDLIFE DIVISION

For not more than the following full-time equivalent positions:

..... FTEs 340.93

7. WASTE MANAGEMENT ASSISTANCE DIVISION

For not more than the following full-time equivalent positions:

..... FTEs 16.75
 Sec. 7. STATE FISH AND GAME PROTECTION FUND --
 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

1. There is appropriated from the state fish and game protection fund to the division of fish and wildlife of the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For administrative support, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ 20,637,657

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

Sec. 8. MARINE FUEL TAX RECEIPTS -- NONCAPITALS AND BOATING FACILITIES AND ACCESS. There is appropriated from the marine fuel tax receipts deposited in the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For purposes of funding expenditures traditionally funded from marine fuel tax revenues, but not considered as capitals or operations:

..... \$ 200,000

2. For purposes of maintaining and developing boating facilities and access to public waters by the parks and preserves division:

..... \$ 411,311

Notwithstanding section 8.33, the unencumbered or unobligated moneys remaining on June 30, 1996, from moneys appropriated in subsection 1, may be expended during the fiscal year beginning July 1, 1996, and ending June 30, 1997, and shall not revert to the general fund until August 31, 1997.

Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1995, from the fees deposited under section 321G.7 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the purpose of enforcing snowmobile laws as part of the state snowmobile program administered by the department of natural resources:

..... \$ 100,000

Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1995, from the fees deposited under section 462A.52 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of administration and enforcement of navigation laws and water safety:

..... \$ 1,200,000

RESOURCES ENHANCEMENT AND PROTECTION

Sec. 11. GENERAL APPROPRIATION. Notwithstanding the amount of the standing appropriation from the general fund of the state under section 455A.18, subsection 3, there is appropriated from the general fund of the state to the Iowa resources enhancement and protection fund, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the sum of \$8,000,000, of which all moneys shall be allocated as provided in section 455A.19.

ANIMAL INDUSTRY APPROPRIATIONS

Sec. 12. LIVESTOCK PRODUCERS ASSISTANCE.

1. There is appropriated from the general fund of the state to Iowa state university of science and technology, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the administration of the livestock producers assistance program established pursuant to section 266.39D, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 100,000
..... FTEs 1.66

2. As a condition of this appropriation, the university shall strive to ensure that the program becomes increasingly self-sufficient. The university shall adopt a plan detailing the manner in which the program will become self-sufficient, including the expected amount of state funds necessary to support the program until it becomes self-sufficient, the sources of revenue expected to contribute to the program, and the amount each source is expected to contribute to the program. The plan shall be submitted to the legislative fiscal bureau by November 1, 1995.

3. The provisions of section 8.33 shall not apply to the moneys appropriated in this section. Unencumbered or unobligated moneys remaining on June 30, 1999, from moneys appropriated in this section for the fiscal year beginning July 1, 1995, shall revert to the general fund on August 31, 1999.

Sec. 13. ORGANIC NUTRIENT MANAGEMENT.

1. a. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the organic nutrient management fund for administration of the organic nutrient management program, as provided in section 161C.6:

..... \$ 450,000

b. Notwithstanding section 161C.5, unencumbered or unobligated moneys remaining on June 30, 1999, from moneys appropriated in paragraph "a" for the fiscal year beginning July 1, 1995, shall revert to the general fund on August 31, 1999.

2. a. Of the amount appropriated in subsection 1, paragraph "a", the division of soil conservation of the department of agriculture and land stewardship shall allocate \$50,000 for purposes of supporting pilot projects to determine the impact of plantings, including fast growing trees, surrounding manure storage structures which are connected to or part of animal feeding operations, in reducing or redirecting the dispersal of odor originating from such structures.

b. The moneys allocated in paragraph "a" of this subsection shall be awarded to the owner of an animal feeding operation who applies to the division of soil conservation according to procedures adopted by the division. The division shall provide for an initial application period of 60 days in which not more than one person from each county may be awarded moneys under this subsection. After the completion of the initial application period, any person may be awarded moneys under this subsection, regardless of whether another person in the same county has received an award. All moneys shall be awarded on a cost-share basis. However, a person shall not receive more than \$1,500, regardless of the number of animal feeding operations owned by the person.

c. The division of soil conservation shall submit a report containing findings and recommendations regarding the pilot projects to the general assembly not later than January 10, 1998.

3. Of the amount appropriated in subsection 1, paragraph "a", the division of soil conservation of the department of agriculture and land stewardship shall allocate \$50,000 to the department of natural resources for purposes of carrying out a pilot project to study ten animal feeding operations and their

structures, and manure management and disposal systems used by such operations, in order to determine the extent to which such operations and their structures and manure management and disposal systems contribute to point and nonpoint contamination of the state's groundwater and surface water, as provided in 1995 Iowa Acts, House File 519.

RELATED APPROPRIATIONS

Sec. 14. TRANSFERS OF MONEYS REQUIRED TO BE DEPOSITED IN THE WATER PROTECTION FUND. Notwithstanding section 161C.4 and the reversion and allocation provisions in section 455A.19, subsection 1, paragraph "c", of the unencumbered and unobligated moneys remaining on the effective date of this section, which are required to be deposited in the water protection fund created pursuant to section 161C.4, as provided in section 455A.19, subsection 1, paragraph "c", the following amounts shall be transferred first from moneys required to be deposited in the water protection practices account, and if necessary from moneys required to be deposited in the water quality protection projects account, which shall be used for the following purposes:

1. For deposit in the organic nutrient management fund created in section 161C.5 for the purposes of carrying out the organic nutrient management program as provided in section 161C.6:

..... \$ 350,000

2. To provide financial incentives for soil conservation practices under chapter 161A, as provided in section 1 of this Act:

..... \$ 500,000

Moneys provided in this section shall be transferred first to the organic nutrient management fund as provided in subsection 1 before remaining moneys are transferred to provide financial incentives for soil conservation as provided in subsection 2.

The provisions of section 8.33 shall not apply to the moneys transferred pursuant to this section. On August 31, 1999, unencumbered or unobligated moneys remaining on June 30,

1999, from moneys transferred pursuant to this section shall revert to the soil and water enhancement account of the Iowa resources enhancement and protection fund as provided in section 455A.19, subsection 1, paragraph "c", for allocation to each account in the water protection fund as the moneys would have otherwise been allocated in the manner provided in section 455A.19.

Sec. 15. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD -- TRANSFER. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board, to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For administration expenses of the underground storage tank section of the department of natural resources:
..... \$ 75,000

Sec. 16. TRANSFER -- AIR QUALITY. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of natural resources may transfer up to \$281,000 from the hazardous substance remedial fund to support purposes related to carrying out the duties of the commission under section 455B.133, or the director under section 455B.134, or for carrying out the provisions of chapter 455B, division II.

Sec. 17. WIND EROSION CONTROL FUND. On the effective date of this section, all unencumbered or unobligated moneys appropriated to the wind erosion control fund, and any unencumbered or unobligated moneys which have been credited to the division of soil conservation of the department of agriculture and land stewardship for purposes of planting and maintaining wind erosion control barriers, as originally provided in 1978 Iowa Acts, chapter 1108, section 7, and subsequently amended, shall be transferred to the road use tax fund created in section 312.1.

Sec. 18. TEMPORARY FUND FOR THE PURCHASE OF MOTOR VEHICLE FUEL EQUIPMENT. Notwithstanding section 18.12, the department

of general services, upon authorization by the department of agriculture and land stewardship, may conduct a sale of equipment or a device used to test octane in motor vehicle fuel as part of the department of agriculture and land stewardship's regulatory functions. The proceeds of the sale shall be deposited in a special fund established by the department of agriculture and land stewardship. Moneys from the fund shall only be used for purposes of purchasing superior devices or equipment used to test octane in motor vehicle fuel by the department of agriculture and land stewardship. The department shall not enter into a lease-purchase agreement in obtaining the equipment or devices. Unencumbered or unobligated moneys shall remain in the fund until June 30, 1997, at which time remaining moneys shall be deposited into the general fund of the state as a reversion provided in section 8.33, and the fund shall be abolished.

Sec. 19. ALLOCATION OF MONEYS OTHERWISE DEDICATED TO THE LIVING ROADWAY TRUST FUND -- 1995 FISCAL YEAR.

1. On the effective date of this section, notwithstanding section 455A.19, subsection 1, paragraph "g", of the unencumbered and unobligated moneys allocated by section 455A.19, subsection 1, paragraph "g", which may otherwise be allocated to the living roadway trust fund created in section 314.21, there is allocated for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amounts, to be used as follows:

a. To the soil conservation division of the department of agriculture and land stewardship for purposes of supporting a public service executive I position in the field services section of the division, and for the salary and support of not more than the following full-time equivalent position:
..... \$ 55,000
.....FTEs 1.00

b. To the department of agriculture and land stewardship, for purposes of purchasing equipment for grain examiners to comply with requirements of the United States department of labor occupational safety and health administration:

..... \$ 34,300

c. To the department of natural resources for deposit in the public water supply system account established pursuant to section 455B.183A for purposes of supporting the program to assist supply systems, as provided in section 455B.183B:

..... \$ 100,000

d. To Iowa state university for purposes of supporting multiflora rose eradication research and projects:

..... \$ 25,000

e. To Iowa state university for purposes of supporting aerial spray calibration efforts at Iowa state university:

..... \$ 25,000

f. (1) To Iowa state university for purposes of supporting the Iowa cooperative extension service in agriculture and home economics in establishing and administering an Iowa grain quality initiative:

..... \$ 40,000

(2) Each dollar provided in this paragraph "f" shall be allocated to Iowa state university only after a matching dollar is contributed to Iowa state university for purposes of supporting the establishment and administration of the Iowa grain initiative by one or more organizations representing crop producer members in this state.

g. To local sponsors of the Lewis and Clark rural water system as required, in order to provide safe and adequate municipal and rural water supplies for residential, agriculture, and industrial use, and to preserve wetlands and mitigate water conservation efforts:

..... \$ 40,000

2. The moneys allocated pursuant to this section shall not revert pursuant to section 8.33, but shall remain available for the fiscal year beginning July 1, 1995, and ending June 30, 1996, for the purposes designated in this section. Unencumbered or unobligated moneys remaining on June 30, 1996, shall revert to the Iowa resources enhancement and protection fund created pursuant to section 455A.18 for allocation to the living roadway trust fund for the purpose provided in section

455A.19, subsection 1, paragraph "g", in the manner provided in section 455A.19.

MISCELLANEOUS

Sec. 20. STATE NURSERIES. Notwithstanding section 17A.2, subsection 10, paragraph "g", the department of natural resources shall adopt administrative rules establishing prices of plant material grown at the state forest nurseries to cover all expenses related to the growing of the plants.

The department shall develop programs to encourage the wise management and preservation of existing woodlands and shall continue 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. 21. HUNGRY CANYONS CONFERENCE.

1. The division of soil conservation of the department of agriculture and land stewardship in cooperation with the Loess Hills development and conservation authority, shall sponsor a conference not later than September 1, 1995, regarding the erosion and degradation of stream channels in counties in the deep loess region of western Iowa, and specifically the area referred to as hungry canyons. The conference shall discuss the impacts of the erosion and degradation of stream channels in the area and its adverse effect upon rural infrastructure, including public roads and bridges, agricultural production, stream water quality, and riparian habitat. The conference shall consider impacts of policies of the United States army corps of engineers upon the area.

2. Conferees shall include representatives of the division of soil conservation of the department of agriculture and land stewardship, the Loess Hills development and conservation authority, the department of natural resources, and the state department of transportation. Each soil and water conservation district in the area may elect one commissioner to serve as a conferee. Each county board of supervisors in a county in the area may elect one supervisor to serve as a

conferee. The division of soil conservation shall invite other interested persons to serve as conferees, including members of Iowa's congressional delegation; the chairperson and ranking member of the standing committee on natural resources, environment and energy of the senate; the chairperson and ranking member of the standing committees on natural resources and environmental protection of the house of representatives; the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources; members of the Iowa general assembly who represent affected legislative districts; and representatives of the United States army corps of engineers; the United States environmental protection agency; the United States department of interior; and the natural resources conservation service of the United States department of agriculture.

3. The division of soil conservation of the department of agriculture and land stewardship shall report to the general assembly not later than January 15, 1996, regarding findings and recommendations of the conferees.

Sec. 22. TRANSFER OF MONEYS OR POSITIONS; CHANGES IN TABLES OF ORGANIZATION -- NOTIFICATION. Each fiscal quarter of the fiscal year beginning July 1, 1995, the department of agriculture and land stewardship and the department of natural resources shall notify the chairpersons, vice chairpersons, and ranking members of the joint appropriations subcommittee on agriculture and natural resources for the previous fiscal quarter of any transfer of moneys or full-time equivalent positions made by either department which is not authorized in this Act, or any permanent position added to or deleted from either department's table of organization.

Sec. 23. TRUST FUND INFORMATION. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of revenue and finance in cooperation with each appropriate agency shall track receipts to the general fund of the state which under law were previously collected to be used for specific purposes, or to be credited to, or be deposited to a particular account or fund, as provided in section 8.60.

The department of revenue and finance and each appropriate agency shall prepare reports detailing revenue from receipts previously deposited into each of the funds. A report shall be submitted to the legislative fiscal bureau at least once for each three-month period as designated by the legislative fiscal bureau.

Sec. 24. DEPARTMENTAL INFORMATION REQUIRED.

1. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of agriculture and land stewardship and the department of natural resources, in cooperation as necessary with the department of management and the department of personnel, shall provide a list to the legislative fiscal bureau, on a quarterly basis, of all permanent positions added to or deleted from the departments' table of organization in the previous fiscal quarter. This list shall include at least the position number, salary range, projected funding source or sources of each position, and the reason for the addition or deletion. The legislative fiscal bureau may use this information to assist in the establishment of the full-time equivalent position limits authorized in law for the departments.

2. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of natural resources shall provide the legislative fiscal bureau information and financial data by cost center, on at least a monthly basis, relating to the indirect cost accounting procedure, the amount of funding from each funding source for each cost center, and the internal budget system used by the department. The information shall include but is not limited to financial data covering the department's budget by cost center and funding source prior to the start of the fiscal year, and to the department's actual expenditures by cost center and funding source after the accounting system has been closed for that fiscal year.

3. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of agriculture and land stewardship shall provide the legislative fiscal bureau

information and financial data on at least a monthly basis, relating to the internal budget system used by the department. The information shall include but is not limited to financial data covering the department's budget prior to the start of the fiscal year, and to the department's actual expenditures after the accounting system has been closed for that fiscal year.

Sec. 25. DIRECTION TO CODE EDITOR -- UPDATE REFERENCES TO UNITS REORGANIZED UNDER THE UNITED STATES DEPARTMENT OF AGRICULTURE. The Code editor is directed, to every extent possible, to update references in the Code relating to units of government under the authority of the United States department of agriculture to conform with the current names of those units. The Code editor may postpone updating the references until the publication of the 1997 Code, if the Code editor determines that the process of updating will create unreasonable costs or delays.

Sec. 26. PREFERENCE PROVIDED -- PERSONS MEETING ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM. In its employment of persons in temporary positions in conservation and outdoor recreation for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the department of natural resources shall give preference to persons meeting eligibility requirements for the green thumb program and to persons working toward an advanced education in natural resources and conservation.

Sec. 27. GYPSY MOTH LITIGATION. The department of agriculture and land stewardship and the office of the attorney general shall cooperate in bringing legal action against parties liable for damages caused by the shipment from the state of Michigan of trees or other plants infested with gypsy moths.

Sec. 28. SOIL CONSERVATION DIVISION -- USE OF UNOBLIGATED MONEYS FOR THE PURCHASE OF EQUIPMENT. Notwithstanding section 8.33, or 1994 Iowa Acts, chapter 1199, section 8, subsection 17, and section 88, the moneys appropriated to the soil conservation division of the department of agriculture and

land stewardship pursuant to chapter 1199, section 8, subsection 17, and section 88, which are not obligated or encumbered on June 30, 1995, for purposes of supporting soil conservation technicians, shall not revert to the general fund of the state but shall be used by the division of soil conservation for the fiscal year beginning July 1, 1995, and ending June 30, 1996, for purposes of purchasing equipment for soil conservation field offices.

Sec. 29. AIR QUALITY PROGRAM -- NONGENERAL FUND SUPPORT. The department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, shall not use moneys appropriated from the general fund of the state pursuant to this Act, to support any purpose related to carrying out the duties of the commission under section 455B.133 or the director under section 455B.134, or for carrying out the provisions of chapter 455B, division II.

Notwithstanding section 455B.133B, the department may use moneys deposited in the air contaminant source fund created in section 455B.133B during the fiscal year beginning July 1, 1995, and ending June 30, 1996, for any purpose related to carrying out the duties of the commission under section 455B.133 or the director under section 455B.134, or for carrying out the provisions of chapter 455B, division II.

Sec. 30. RULES RELATING TO PESTICIDE AND FERTILIZER CONTAMINATED SITES -- ENVIRONMENTAL PROTECTION COMMISSION. The environmental protection commission shall adopt all rules required to establish criteria for the classification and prioritization of sites upon which pesticide or fertilizer contamination has been discovered, as provided in section 455B.601 not later than October 1, 1995.

STATUTORY CHANGES

Sec. 31. 1993 Iowa Acts, chapter 176, section 25, subsection 2, as amended by 1994 Iowa Acts, chapter 1198, section 31, is amended to read as follows:

2. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining on June 30, 1993, from moneys appropriated pursuant to 1992 Iowa Acts, Second Extraordinary

Session, chapter 1001, section 402, may be expended during the fiscal period beginning July 1, 1993, and ending June 30, ~~1995~~ 1996, and shall not revert to the general fund until August 31, ~~1995~~ 1996.

Sec. 32. 1994 Iowa Acts, chapter 1119, section 32, subsection 2, unnumbered paragraph 1, is amended to read as follows:

Notwithstanding section 423.24, as amended in this Act, for each fiscal year of the period beginning on July 1, 1993, and ending ~~July 1, 1994~~ June 30, 1996, an amount equal to two and one-half percent of the total moneys used to support value-added agricultural products and processes as provided in that section, which would otherwise be allocated to the value-added agricultural products and processes financial assistance fund, shall instead be allocated to the office of renewable fuels and coproducts. The moneys shall be used for purposes of conducting soydiesel demonstration projects administered by the state department of transportation under the oversight of the renewable fuels and coproducts advisory committee.

Sec. 33. 1994 Iowa Acts, chapter 1119, section 32, subsection 2, paragraph b, is amended to read as follows:

b. The state department of transportation shall evaluate the performance of vehicles operating on soydiesel fuel, including the rate of repairs on the vehicles and comments of persons operating and maintaining the vehicles. The department shall submit initial findings and recommendations to the renewable fuels and coproducts advisory committee which shall submit a report to the senate and chief clerk of the house, the legislative service bureau, the chairpersons and ranking members of the senate standing committee on agriculture, the senate standing committee on small business, economic development and tourism, the house of representatives standing committee on agriculture, and the house of representatives standing committee on small business, economic development and trade. The department shall submit ~~final~~ findings and recommendations to the renewable fuels and coproducts advisory committee which shall submit ~~a report~~

reports to the general assembly. ~~The An~~ initial report shall be due on October 1, 1994--~~The final~~, an interim report shall be due on March 1, 1995, and a final report shall be due on October 1, 1996.

Sec. 34. 1994 Iowa Acts, chapter 1119, section 32, subsection 2, paragraph d, is amended to read as follows:

d. Moneys available under this section which remain unexpended or unobligated on June 30, 1994, shall remain available to support the demonstration project and shall not revert pursuant to section 8.33. Moneys remaining unexpended or unobligated on June 30, ~~1995~~ 1996, shall be credited to the value-added agricultural products and processes financial assistance fund as created in section 15E.112.

Sec. 35. Section 455E.11, subsection 2, paragraph a, subparagraph (2), subparagraph subdivision (f), as enacted by 1995 Iowa Acts, House File 289, section 3, is amended to read as follows:

(f) Eight and one-half percent to the department to provide additional toxic cleanup days and for the natural resource geographic information system required under section 455E.8, subsection 6. Departmental rules adopted for implementation of toxic cleanup days shall provide sufficient flexibility to respond to the household hazardous material collection needs of both small and large communities.

Sec. 36. Section 161C.4, unnumbered paragraph 1, Code 1995, is amended to read as follows:

A water protection fund is created within the division. The fund is composed of money appropriated by the general assembly for that purpose, and moneys available to and obtained or accepted by the state soil conservation committee from the United States or private sources for placement in the fund. The fund shall be divided into two accounts, the water quality protection projects account and the water protection practices account. The first account shall be used to carry out water quality protection projects to protect the state's surface and groundwater from point and nonpoint sources of contamination. The second account shall be used to establish

water protection practices with individual landowners including but not limited to woodland establishment and protection, establishment of native grasses and forbs, sinkhole management, agricultural drainage well management, streambank stabilization, grass waterway establishment, stream buffer strip establishment, and erosion control structure construction. Twenty-five percent of funds appropriated to the water protection practices account shall be used for woodland establishment and protection, and establishment of native grasses and forbs. Soil and water conservation district commissioners shall give priority to applications for practices that implement their soil and water resource conservation plan. The fund shall be a revolving fund from which moneys may be used for loans, grants, administrative costs, and cost-sharing.

Sec. 37. Section 331.427, subsection 2, Code 1995, is amended by adding the following new paragraph:

NEW PARAGRAPH. m. Closure and postclosure care of a sanitary disposal project under section 455B.302.

Sec. 38. NEW SECTION. 455A.17A REVIEW OF ALLOCATION OF REAP MONEYS -- CONGRESS ON RESOURCES ENHANCEMENT AND PROTECTION.

1. During the 1996 congress on resources enhancement and protection, the congress shall review the Iowa resources enhancement and protection fund allocations and uses of moneys provided under the separate accounts of the fund, pursuant to section 455A.19, and recommend changes regarding the allocations or uses of those moneys, but only if the congress determines that changes should be made. The congress shall review the allocations and uses of the moneys based upon the purposes of the fund as provided in sections 455A.15 and 455A.16. The congress shall review the percentage of allocation of moneys to each account and determine whether the moneys expended from the account meet current needs, and whether the state is in a position to maintain resources already under state control.

2. As part of the review, the congress shall review the open spaces account as provided in section 455A.19, and specifically how moneys in the account are used, including issues relating to all of the following:

a. The acquisition of land, including the process of determining what land should be eligible for acquisition, the amount of land acquired, the purpose of land acquisition, land acquisition prices, the crop suitability rating of acquired land, lost property taxes, maintenance performed on acquired land, and proposed uses and maintenance of the land.

b. The expenditure of moneys for purposes of supporting open spaces projects, including the purpose of the projects, project costs, proposed or needed projects, the purposes of proposed or needed projects; and the estimated costs of completing proposed or needed projects.

3. If the congress determines that the allocations of the moneys to specific accounts or the uses of moneys in those accounts under section 455A.19 should be changed, the congress shall include that finding and provide recommendations to the governor, the general assembly, and the natural resource commission as part of a report which shall be included with any other recommendations made by the congress pursuant to section 455A.17. If the congress determines that no changes are necessary, the congress shall include that finding as part of the recommendations made by the congress pursuant to section 455A.17.

Sec. 39. Section 455B.183A, subsection 2, paragraph b, Code 1995, is amended to read as follows:

b. The operation of a public water supply system, including any part of the system. ~~The fees may be based on the type and size of community served by the system.~~ The commission shall adopt a fee schedule which shall be based on the total number of persons served by public water supply systems in this state. However, a public water supply system shall be assessed a fee of at least twenty-five dollars. A public water supply system not owned or operated by a community and serving a transient population shall be assessed

~~a fee of twenty-five dollars.~~ The commission shall calculate all fees in the schedule to produce total revenues equaling ~~four-hundred-seventy-five-thousand-dollars-for-the-fiscal-year beginning-July-17-19947-and-ending-June-307-19957-seven~~ three hundred fifty thousand dollars for the each fiscal year, commencing with the fiscal year beginning July 1, 1995, and ending June 30, 19967, ~~nine-hundred-thousand-dollars-for-the fiscal-year-beginning-July-17-19967-and-ending-June-307-19977 and-one-million-two-hundred-thousand-dollars-for-each subsequent-fiscal-year. For-the-fiscal-year-beginning-July-17 19947-and-ending-June-307-19957-twenty-five-thousand-dollars shall-be-deposited-in-the-administration-account-and-four hundred-fifty-thousand-dollars-shall-be-deposited-in-the public-water-supply-system-account.~~ For each subsequent fiscal year, one-half of the fees shall be deposited into the administration account and one-half of the fees shall be deposited into the public water supply system account. By May 1 of each year, the department shall estimate the total revenue expected to be collected from the overpayment of fees, which are all fees in excess of the amount of the total revenues which are expected to be collected under the current fee schedule, and the total revenue expected to be collected from the payment of fees during the next fiscal year. The commission shall adjust the fees if the estimate exceeds the amount of revenue required to be deposited in the fund pursuant to this paragraph.

Sec. 40. EFFECTIVE DATES.

1. Sections 14, 17, 18, 19, 21, 25, 27, 28, and 30 of this Act, being deemed of immediate importance, take effect upon enactment.

2. The amendments in this Act to 1993 Iowa Acts, chapter 176, section 25, subsection 2, as amended by 1994 Iowa Acts, chapter 1198, section 31, being deemed of immediate importance, take effect upon enactment.

3. The amendments in this Act to 1994 Iowa Acts, chapter 1119, section 32, being deemed of immediate importance, take effect upon enactment.

4. Sections 455A.17A and 455B.183A, as enacted or amended by this Act, take effect upon enactment.

5. This section, being deemed of immediate importance, takes effect upon enactment.

Sec. 41. REPEAL. Section 455A.17A is repealed on July 1, 1997.

RON J. CORBETT
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 553, Seventy-sixth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved *May 31*, 1995

TERRY E. BRANSTAD
Governor