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SENATE FILE 2446

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 2339.1)

Passed Senate, Date 3/12/96 (P.743) Passed House, Date 3/28/96 (P.1122)

Vote: Ayes 49 Nays 1 Vote: Ayes 60 Nays 36

Approved Item veto 5/29/96

A BILL FOR

1 An Act relating to agriculture and natural resources, by
2 providing for appropriations, providing related statutory
3 changes, and providing an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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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, 1996, and ending June 30, 1997, 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, the 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 ..... $ 1,636,111
14 ..... FTEs 42.45
15 (1) Of the funds appropriated in this paragraph "a",
16 $322,406 and 7.00 FTEs shall be used to support horticulture.
17 (2) Of the amount appropriated in this paragraph "a",
18 $50,000 shall be allocated to the state 4-H foundation to
19 foster the development of Iowa's youth and to encourage them
20 to study the subject of agriculture.
21 (3) Of the amount appropriated and full-time equivalent
22 positions authorized in this paragraph "a", $130,519 and 4.00
23 FTEs shall be allocated to the statistics bureau to provide
24 county-by-county information on land in farms, production by
25 crop, acres by crop, and county prices by crop. This
26 information shall be made available to the department of
27 revenue and finance for use in the productivity formula for
28 valuing and equalizing the values of agricultural land.
29 (4) Of the amount appropriated in this paragraph "a", not
30 more than $5,000 shall be allocated to the Iowa limousin
31 cattle junior association in connection with the 1996 national
32 junior limousin cattle show.
33 b. For the operations of the dairy trade practices bureau:
34 ..... $ 66,846
35 c. For the purpose of performing commercial feed audits:

1 ..... $ 64,698
2 d. For the purpose of performing fertilizer audits:
3 ..... $ 64,697
4 2. REGULATORY DIVISION
5 a. For salaries, support, maintenance, miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:
8 ..... $ 3,848,960
9 ..... FTEs 122.50
10 b. For the costs of inspection, sampling, analysis, and
11 other expenses necessary for the administration of chapters
12 192, 194, and 195:
13 ..... $ 651,220
14 3. LABORATORY DIVISION
15 a. For salaries, support, maintenance, and miscellaneous
16 purposes, including the administration of the gypsy moth
17 program, and for not more than the following full-time
18 equivalent positions:
19 ..... $ 959,475
20 ..... FTEs 78.10
21 (1) Of the amount appropriated in this paragraph "a",
22 $110,000 shall be used to administer a program relating to the
23 detection, surveillance, and eradication of the gypsy moth.
24 The department shall allocate and use the appropriation made
25 in this paragraph before moneys other than those appropriated
26 in this paragraph are used to support the program.
27 (2) Of the amount appropriated and the number of full-time
28 equivalent positions authorized in this paragraph "a", $49,850
29 and 1.00 FTE shall be used to support a regional entomologist
30 for purposes of conducting laboratory inspection activities.
31 (3) Of the amount appropriated in this paragraph "a",
32 $82,000 shall be used for the acquisition of laboratory
33 equipment, including, but not limited to, a fat analyzer and a
34 nitrogen protein combustion analyzer.
35 (4) Of the amount appropriated in this paragraph "a",

1 $25,000 shall be used for inspections of bottled water sold
2 commercially within the state.
3 (5) Of the number of full-time equivalent positions
4 authorized in this paragraph "a", 1.00 FTE shall be used to
5 support an organics program coordinator who shall assure
6 compliance of organic foods sold commercially within the state
7 with federal regulations relating to organic foods.
8 b. For the operations of the commercial feed programs:
9 ..... $ 742,499
10 c. For the operations of the pesticide programs:
11 ..... $ 1,291,781
12 Of the amount appropriated in this paragraph "c", $200,000
13 shall be allocated to Iowa state university for purposes of
14 training commercial pesticide applicators.
15 d. For the operations of the fertilizer programs:
16 ..... $ 633,832
17 4. SOIL CONSERVATION DIVISION
18 a. For salaries, support, maintenance, assistance to soil
19 conservation districts, miscellaneous purposes, and for not
20 more than the following full-time equivalent positions:
21 ..... $ 6,045,591
22 ..... FTEs 172.28
23 (1) Of the amount appropriated in this paragraph "a",
24 $330,000 shall be used to reimburse commissioners of soil and
25 water conservation districts for administrative expenses.
26 Moneys used for the payment of meeting dues by counties shall
27 be matched on a dollar-for-dollar basis by the soil
28 conservation division.
29 (2) Of the amount appropriated in this paragraph "a",
30 $42,000 shall be used to support soil and water conservation
31 district development including the training of soil and water
32 conservation district staff.
33 (3) Of the amount appropriated and the number of full-time
34 equivalent positions authorized in this paragraph "a", $56,000
35 and 1.00 FTE shall be used to support a program planner for

1 oversight of financial incentive programs.
2 b. To provide financial incentives for soil conservation
3 practices under chapter 161A:
4 ..... $ 6,750,850
5 c. The following requirements apply to the moneys
6 appropriated in paragraph "b":
7 (1) Not more than 5 percent of the moneys appropriated in
8 paragraph "b" may be allocated for cost sharing to abate
9 complaints filed under section 161A.47.
10 (2) Of the moneys appropriated in paragraph "b", 5 percent
11 shall be allocated for financial incentives to establish
12 practices to protect watersheds above publicly owned lakes of
13 the state from soil erosion and sediment as provided in
14 section 161A.73.
15 (3) Not more than 30 percent of a district's allocation of
16 moneys as financial incentives may be provided for the purpose
17 of establishing management practices to control soil erosion
18 on land that is row cropped, including but not limited to no-
19 till planting, ridge-till planting, contouring, and contour
20 strip-cropping as provided in section 161A.73.
21 (4) The state soil conservation committee created in
22 section 161A.4 may allocate moneys to conduct research and
23 demonstration projects to promote conservation tillage and
24 nonpoint source pollution control practices.
25 (5) The financial incentive payments may be used in
26 combination with department of natural resources moneys.
27 d. The provisions of section 8.33 shall not apply to the
28 moneys appropriated in paragraph "b". Unencumbered or
29 unobligated moneys remaining on June 30, 2000, from moneys
30 appropriated in paragraph "b" for the fiscal year beginning
31 July 1, 1996, shall revert to the general fund on August 31,
32 2000.
33 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
34 appropriated from the general fund of the state to the
35 department of agriculture and land stewardship for the fiscal

1 year beginning July 1, 1996, and ending June 30, 1997, the
2 following amount, or so much thereof as is necessary, to be
3 used for the purposes designated:
4 For salaries, support, maintenance, and miscellaneous
5 purposes, to be used by the department to continue and expand
6 the farmers' market coupon program by providing federal
7 special supplemental food program recipients with coupons
8 redeemable at farmers' markets, and for not more than the
9 following full-time equivalent positions:
10 ..... $ 215,807
11 ..... FTEs 1.00
12 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.
13 1. There is appropriated from the general fund of the
14 state to the department of agriculture and land stewardship
15 for the fiscal year beginning July 1, 1996, and ending June
16 30, 1997, the following amount, or so much thereof as is
17 necessary, to be used for the purpose designated:
18 For support of the pseudorabies eradication program:
19 ..... $ 900,300
20 2. Persons, including organizations interested in swine
21 production in this state and in the promotion of Iowa pork
22 products who contribute support to the program, are encouraged
23 to increase financial support for purposes of ensuring the
24 program's effective continuation.
25 Sec. 4. HORSE AND DOG RACING. There is appropriated from
26 the moneys available under section 99D.13 to the regulatory
27 division of the department of agriculture and land stewardship
28 for the fiscal year beginning July 1, 1996, and ending June
29 30, 1997, the following amount, or so much thereof as is
30 necessary, to be used for the purpose designated:
31 For salaries, support, maintenance, and miscellaneous
32 purposes for the administration of section 99D.22:
33 ..... $ 192,560
34 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
35 MARKETING. There is appropriated from the general fund of the

1 state to the interstate agricultural grain marketing
2 commission for the fiscal year beginning July 1, 1996, and
3 ending June 30, 1997, the following amount, or so much thereof
4 as is necessary, to be used for the purpose designated:
5 For carrying out duties of the commission as provided in
6 Article IV of the interstate compact on agricultural grain
7 marketing as provided in chapter 183:
8 ..... $ 80,000
9 DEPARTMENT OF NATURAL RESOURCES
10 Sec. 6. GENERAL APPROPRIATION. There is appropriated from
11 the general fund of the state to the department of natural
12 resources for the fiscal year beginning July 1, 1996, and
13 ending June 30, 1997, the following amounts, or so much
14 thereof as is necessary, to be used for the purposes
15 designated:
16 1. ADMINISTRATIVE AND SUPPORT SERVICES
17 For salaries, support, maintenance, miscellaneous purposes,
18 and for not more than the following full-time equivalent
19 positions:
20 ..... $ 2,052,389
21 ..... FTEs 119.25
22 2. PARKS AND PRESERVES DIVISION
23 For salaries, support, maintenance, miscellaneous purposes,
24 and for not more than the following full-time equivalent
25 positions:
26 ..... $ 5,546,988
27 ..... FTEs 195.73
28 3. FORESTS AND FORESTRY DIVISION
29 For salaries, support, maintenance, miscellaneous purposes,
30 and for not more than the following full-time equivalent
31 positions:
32 ..... $ 1,494,908
33 ..... FTEs 48.71
34 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION
35 For salaries, support, maintenance, miscellaneous purposes,

1 and for not more than the following full-time equivalent
2 positions:
3 ..... $ 1,681,228
4 ..... FTEs 52.00
5 5. a. ENVIRONMENTAL PROTECTION DIVISION
6 (1) For salaries, support, maintenance, miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:
9 ..... $ 2,026,509
10 ..... FTEs 213.50
11 (2) Of the amount appropriated and the number of full-time
12 equivalent positions authorized in subparagraph (1) at least
13 $480,600 and 9.00 FTEs shall be used to support the regulation
14 of animal feeding operations.
15 b. WATER QUALITY PROTECTION FUND
16 For allocation to the administrative account of the water
17 quality protection fund established pursuant to section
18 455B.183A, to carry out the purpose of that account:
19 ..... $ 729,000
20 (1) Of the number of full-time equivalent positions
21 authorized in paragraph "a", 32.50 FTEs shall be dedicated to
22 carrying out the provisions of chapter 455B relating to the
23 administration, regulation, and enforcement of the federal
24 Safe Drinking Water Act and to support the program to assist
25 water supply systems as provided in section 455B.183B.
26 However, the limitation on full-time equivalent positions
27 provided in paragraph "a", shall not limit the number of
28 additional full-time equivalent positions supported by moneys
29 deposited in the water quality protection fund as provided in
30 section 455B.183A, in order to carry out the provisions of
31 division III of chapter 455B relating to the administration,
32 regulation, and enforcement of the federal Safe Drinking Water
33 Act, and the administration of the program to assist water
34 supply systems pursuant to section 455B.183B.
35 (2) In providing assistance to water supply systems, the

1 department shall provide priority to water supply systems
2 serving a population of seven thousand or less. At least 2.00
3 FTEs shall be allocated to provide assistance to systems
4 serving a population of seven thousand or less.
5 6. FISH AND WILDLIFE DIVISION
6 For not more than the following full-time equivalent
7 positions:
8 ..... FTEs 342.18
9 7. WASTE MANAGEMENT ASSISTANCE DIVISION
10 For not more than the following full-time equivalent
11 positions:
12 ..... FTEs 16.75
13 Sec. 7. STATE FISH AND GAME PROTECTION FUND --
14 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.
15 1. There is appropriated from the state fish and game
16 protection fund to the division of fish and wildlife of the
17 department of natural resources for the fiscal year beginning
18 July 1, 1996, and ending June 30, 1997, the following amount,
19 or so much thereof as is necessary, to be used for the
20 purposes designated:
21 For administrative support, and for salaries, support,
22 maintenance, equipment, and miscellaneous purposes:
23 ..... $ 21,240,891
24 2. The department shall not expend more moneys from the
25 fish and game protection fund than provided in this section,
26 unless the expenditure derives from contributions made by a
27 private entity, or a grant or moneys received from the federal
28 government, and is approved by the natural resource
29 commission. The department of natural resources shall
30 promptly notify the legislative fiscal bureau and the
31 chairpersons and ranking members of the joint appropriations
32 subcommittee on agriculture and natural resources concerning
33 the commission's approval.
34 Sec. 8. MARINE FUEL TAX RECEIPTS -- BOATING FACILITIES AND
35 ACCESS. There is appropriated from the marine fuel tax

1 receipts deposited in the general fund of the state to the
2 department of natural resources for the fiscal year beginning
3 July 1, 1996, and ending June 30, 1997, the following amount,
4 or so much thereof as is necessary, to be used for the purpose
5 designated:
6 For purposes of maintaining and developing boating
7 facilities and access to public waters by the parks and
8 preserves division:
9 ..... $ 411,311
10 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT
11 PURPOSES. There is transferred on July 1, 1996, from the fees
12 deposited under section 321G.7 to the fish and game protection
13 fund and appropriated to the department of natural resources
14 for the fiscal year beginning July 1, 1996, and ending June
15 30, 1997, the following amount, or so much thereof as is
16 necessary, to be used for the purpose designated:
17 For the purpose of enforcing snowmobile laws as part of the
18 state snowmobile program administered by the department of
19 natural resources:
20 ..... $ 100,000
21 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.
22 There is transferred on July 1, 1996, from the fees deposited
23 under section 462A.52 to the fish and game protection fund and
24 appropriated to the department of natural resources for the
25 fiscal year beginning July 1, 1996, and ending June 30, 1997,
26 the following amount, or so much thereof as is necessary, to
27 be used for the purpose designated:
28 For the administration and enforcement of navigation laws
29 and water safety:
30 ..... $ 1,325,000
31 Of the amount appropriated in this section, $125,000 shall
32 be used for purposes of controlling and eradicating harmful
33 exotic species and eurasian milfoil.
34 Notwithstanding section 8.33, moneys transferred pursuant
35 to this section which are unencumbered or unobligated on June

1 30, 1997, shall be transferred on July 1, 1997, to the special
2 conservation fund established by section 462A.52 to be used as
3 provided in that section, and shall not revert as provided in
4 section 8.33.
5 RESOURCES ENHANCEMENT AND PROTECTION
6 Sec. 11. GENERAL APPROPRIATION. Notwithstanding the
7 amount of the standing appropriation from the general fund of
8 the state under section 455A.18, subsection 3, there is
9 appropriated from the general fund of the state to the Iowa
10 resources enhancement and protection fund, in lieu of the
11 appropriation made in section 455A.18, for the fiscal year
12 beginning July 1, 1996, and ending June 30, 1997, the sum of
13 $10,000,000, of which all moneys shall be allocated as
14 provided in section 455A.19.
15 Sec. 12. APPROPRIATION FROM ORGANIC NUTRIENT MANAGEMENT
16 FUND. There is appropriated from the organic nutrient
17 management fund to the following entities in the fiscal year
18 beginning July 1, 1996, and ending June 30, 1997, the
19 following amounts, or so much thereof as is necessary, to be
20 used for the purposes designated:
21 1. To Iowa state university for supporting odor control
22 applications of animal feeding operations, including
23 confinement feeding operations, regulated by the department of
24 natural resources pursuant to chapter 455B:
25 ..... $ 500,000
26 a. Moneys provided under this subsection for odor control
27 applications of animal feeding operations shall be provided on
28 a dollar-for-dollar match with an individual owner or operator
29 and shall not exceed the amount actually spent by or on behalf
30 of the owner or operator for odor control.
31 b. Notwithstanding section 8.33, moneys provided under
32 this subsection for odor control applications of animal
33 feeding operations shall not revert to the organic nutrient
34 management fund but shall remain available for use as provided
35 in this subsection during the fiscal year beginning July 1,

1997, and ending June 30, 1998. The moneys appropriated in this subsection which remain unexpended or unobligated on June 30, 1998, shall revert to the organic nutrient management fund on August 31, 1998.

2. To the department of natural resources for establishment of a pilot project for the control of odor originating from animal feeding operation structures, including anaerobic lagoons and earthen manure storage basins, by using emergent plant or vegetative growth:

..... $ 25,000

On or before January 1, 1997, the department of natural resources shall submit a report including findings and recommendations resulting from the pilot project to the committees of the general assembly which have jurisdiction over agriculture and natural resources.

Sec. 13. MULTIFLORA ROSE ERADICATION.

1. There is appropriated from the general fund of the state to Iowa state university for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For supporting multiflora rose eradication research and projects:

..... $ 25,000

2. Notwithstanding 1995 Iowa Acts, chapter 216, section 19, subsection 2, moneys allocated pursuant to 1995 Iowa Acts, chapter 216, section 19, subsection 1, paragraph "d", which remain unencumbered or unobligated on June 30, 1996, shall not revert pursuant to section 8.33, but shall remain available to Iowa state university for purposes of supporting multiflora rose eradication research and projects, for subsequent fiscal years.

RELATED APPROPRIATIONS

Sec. 14. NONREVERSION OF MONEYS ALLOCATED TO IOWA GRAIN QUALITY INITIATIVE. Notwithstanding 1995 Iowa Acts, chapter

1 216, section 19, subsection 2, moneys allocated pursuant to
2 1995 Iowa Acts, chapter 216, section 19, subsection 1,
3 paragraph "f", subparagraph (1), which remain unencumbered or
4 unobligated on June 30, 1996, shall not revert pursuant to
5 section 8.33, but shall remain available to Iowa state
6 university for purposes of supporting the Iowa cooperative
7 extension service in agriculture and home economics in
8 establishing and administering an Iowa grain quality
9 initiative in subsequent fiscal years.
10 Sec. 15. TRANSFERS OF MONEYS REQUIRED TO BE DEPOSITED IN
11 THE WATER PROTECTION FUND. Notwithstanding section 161C.4 and
12 the reversion and allocation provisions in section 455A.19,
13 subsection 1, paragraph "c", of the unencumbered and
14 unobligated moneys remaining, which are required to be
15 deposited in the water protection fund created in section
16 161C.4, as provided in section 455A.19, subsection 1,
17 paragraph "c", the following amount shall be transferred first
18 from moneys required to be deposited in the water protection
19 practices account, and if necessary from moneys required to be
20 deposited in the water quality protection projects account,
21 which shall be used for the following purposes:
22 To the Loess Hills development and conservation authority,
23 for deposit in the Loess Hills development and conservation
24 fund created in section 161D.2 for the purposes specified in
25 section 161D.1:
26 ..... $ 400,000
27 Sec. 16. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
28 UNDERGROUND STORAGE TANK FUND BOARD -- TRANSFER. There is
29 appropriated from the unassigned revenue fund administered by
30 the Iowa comprehensive underground storage tank fund board, to
31 the department of natural resources for the fiscal year
32 beginning July 1, 1996, and ending June 30, 1997, the
33 following amount, or so much thereof as is necessary, to be
34 used for the purpose designated:
35 For administration expenses of the underground storage tank

1 section of the department of natural resources:
2 ..... $ 75,000
3 Sec. 17. TRANSFER -- AIR QUALITY. For the fiscal year
4 beginning July 1, 1996, and ending June 30, 1997, the
5 department of natural resources may transfer up to $430,000
6 from the hazardous substance remedial fund created pursuant to
7 section 455B.423, to support purposes related to carrying out
8 the duties of the commission under section 455B.133, or the
9 director under section 455B.134, or for carrying out the
10 provisions of chapter 455B, division II.
11 MISCELLANEOUS
12 Sec. 18. STUDY OF LOCATING FIELD OFFICE IN NORTH CENTRAL
13 DISTRICT. The department of natural resources shall conduct a
14 study of the feasibility of locating a field office in the
15 department's north central district. On or before January 1,
16 1997, the department of natural resources shall submit a
17 report including findings and recommendations resulting from
18 the study to the committees of the general assembly which have
19 jurisdiction over natural resources.
20 Sec. 19. IOWA AGRICULTURE 2000 CONFERENCE. There is
21 appropriated from the general fund of the state to the
22 department of agriculture and land stewardship for the fiscal
23 year beginning July 1, 1996, and ending June 30, 1997, the
24 following amount, or so much thereof as is necessary, to be
25 used for the purpose designated:
26 To support Iowa state university, in cooperation with the
27 attorney general's office, and the department of agriculture
28 and land stewardship, in sponsoring an Iowa agriculture 2000
29 conference, with assistance provided by Iowa commodity
30 organizations, for independent agricultural producers and
31 other persons interested in the future of Iowa agriculture:
32 ..... $ 80,000
33 The Iowa agriculture 2000 conference shall be conducted
34 over the course of several days early this summer in Ames for
35 purposes of providing expert information, opinions, and

1 options to Iowa producers, and to allow experts and producers
2 to share ideas and experiences, and to work toward adopting
3 practicable strategies and solutions in order to manage
4 changing production and marketing structures, including
5 working in the federal and state regulatory environment; to
6 adapt to changing marketing systems; and to understand new
7 marketing opportunities and challenges, including producer
8 networking, and contracting.
9 Sec. 20. STATE NURSERIES. Notwithstanding section 17A.2,
10 subsection 10, paragraph "g", the department of natural
11 resources shall adopt administrative rules establishing a
12 range of prices of plant material grown at the state forest
13 nurseries to cover all expenses related to the growing of the
14 plants.
15 1. 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 2. 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. TRANSFER OF MONEYS OR POSITIONS; CHANGES IN
23 TABLES OF ORGANIZATION -- NOTIFICATION. In addition to the
24 requirements of section 8.39, in each fiscal quarter, the
25 department of agriculture and land stewardship and the
26 department of natural resources shall notify the chairpersons,
27 vice chairpersons, and ranking members of the joint
28 appropriations subcommittee on agriculture and natural
29 resources for the previous fiscal quarter of any transfer of
30 moneys or full-time equivalent positions made by either
31 department which is not authorized in this Act, or any
32 permanent position added to or deleted from either
33 department's table of organization.
34 Sec. 22. AIR QUALITY PROGRAM -- NONGENERAL FUND SUPPORT.
35 The department of natural resources for the fiscal year

1 beginning July 1, 1996, and ending June 30, 1997, shall not
2 use moneys appropriated from the general fund of the state
3 pursuant to this Act, to support any purpose related to
4 carrying out the duties of the commission under section
5 455B.133 or the director under section 455B.134, or for
6 carrying out the provisions of chapter 455B, division II.
7 Notwithstanding section 455B.133B, the department may use
8 moneys deposited in the air contaminant source fund created in
9 section 455B.133B during the fiscal year beginning July 1,
10 1996, and ending June 30, 1997, for any purpose related to
11 carrying out the duties of the commission under section
12 455B.133 or the director under section 455B.134, or for
13 carrying out the provisions of chapter 455B, division II.
14 Sec. 23. RULES RELATING TO PESTICIDE AND FERTILIZER
15 CONTAMINATED SITES -- ENVIRONMENTAL PROTECTION COMMISSION.
16 The environmental protection commission shall adopt all rules
17 required to establish criteria for the classification and
18 prioritization of sites upon which pesticide or fertilizer
19 contamination has been discovered, as provided in section
20 455B.601 not later than October 1, 1996.
21 STATUTORY CHANGES
22 Sec. 24. NEW SECTION. 2.55A DEPARTMENTAL INFORMATION
23 REQUIRED.
24 1. The department of agriculture and land stewardship and
25 the department of natural resources, in cooperation as
26 necessary with the department of management and the department
27 of personnel, shall provide a list to the legislative fiscal
28 bureau, on a quarterly basis, of all permanent positions added
29 to or deleted from the departments' table of organization in
30 the previous fiscal quarter. This list shall include at least
31 the position number, salary range, projected funding source or
32 sources of each position, and the reason for the addition or
33 deletion. The legislative fiscal bureau may use this
34 information to assist in the establishment of the full-time
35 equivalent position limits authorized in law for the

1 departments.
2 2. The department of natural resources shall provide the
3 legislative fiscal bureau information and financial data by
4 cost center, on at least a monthly basis, relating to the
5 indirect cost accounting procedure, the amount of funding from
6 each funding source for each cost center, and the internal
7 budget system used by the department. The information shall
8 include but is not limited to financial data covering the
9 department's budget by cost center and funding source prior to
10 the start of the fiscal year, and to the department's actual
11 expenditures by cost center and funding source after the
12 accounting system has been closed for that fiscal year.
13 3. The department of agriculture and land stewardship
14 shall provide the legislative fiscal bureau information and
15 financial data on at least a monthly basis, relating to the
16 internal budget system used by the department. The
17 information shall include but is not limited to financial data
18 covering the department's budget prior to the start of the
19 fiscal year, and to the department's actual expenditures after
20 the accounting system has been closed for that fiscal year.
21 Sec. 25. NEW SECTION. 8.60A TRUST FUND INFORMATION.
22 The department of revenue and finance in cooperation with
23 each appropriate agency shall track receipts to the general
24 fund of the state which under law were previously collected to
25 be 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 The department of revenue and finance and each appropriate
29 agency shall prepare reports detailing revenue from receipts
30 previously deposited into each of the funds. A report shall
31 be submitted to the legislative fiscal bureau at least once
32 for each three-month period as designated by the legislative
33 fiscal bureau.
34 Sec. 26. Section 186.5, Code 1995, is amended to read as
35 follows:

1 186.5 APPROPRIATIONS.
2 All money appropriated by the state for the use of the
3 state horticultural society shall be paid on the warrant of
4 the director of revenue and finance, upon the order of the
5 president and secretary of said society, in such sums and at
6 such times as may be for the interests of said society. All
7 expenditures from state funds for the use of the state
8 horticultural society are to be approved by the state
9 horticultural society in conjunction with the secretary of
10 agriculture.
11 Sec. 27. NEW SECTION. 455A.21 PREFERENCE PROVIDED --
12 PERSONS MEETING ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB
13 PROGRAM.
14 In its employment of persons in temporary positions in
15 conservation and outdoor recreation, the department of natural
16 resources shall give preference to persons meeting eligibility
17 requirements for the green thumb program under section 15.227
18 and to persons working toward an advanced education in natural
19 resources and conservation.
20 Sec. 28. EFFECTIVE DATES. Section 13, subsection 2, and
21 section 14 of this Act, being deemed of immediate importance,
22 take effect upon enactment.
23 EXPLANATION
24 This bill appropriates moneys to the department of
25 agriculture and land stewardship and the department of natural
26 resources, including moneys for administration of those
27 agencies. The bill provides appropriations to support several
28 programs, including the pseudorabies eradication program, and
29 provides support for horse and dog racing.
30 The bill appropriates moneys from the state fish and game
31 protection fund and from marine fuel tax receipts. The bill
32 transfers moneys to the fish and game protection fund to
33 support the enforcement of snowmobile and navigation laws.
34 The bill provides an appropriation from fees on vessels to the
35 department of natural resources for purposes of controlling

1 and eradicating harmful exotic species and eurasian milfoil.
2 The bill reduces the standing appropriation to the
3 resources enhancement and protection fund. The bill provides
4 an appropriation to Iowa state university to support
5 multiflora rose eradication research and projects, provides
6 for a transfer of moneys appropriated for this purpose in
7 fiscal year 1995-1996, and provides that the section of the
8 bill relating to multiflora rose is effective upon enactment.
9 The bill provides for the transfer of moneys from the water
10 protection fund to the Loess Hills development and
11 conservation fund. The bill provides an appropriation from
12 the organic nutrient management fund to Iowa state university
13 for odor control applications of animal feeding operations.
14 The bill provides an appropriation to the department of
15 natural resources for establishing a pilot project program for
16 odor control using emergent plant or vegetative growth.
17 The bill appropriates moneys to the department of
18 agriculture and land stewardship to support Iowa state
19 university in establishing an Iowa agriculture 2000
20 conference.
21 The bill provides that the department of natural resources
22 must adopt rules establishing prices of plant material grown
23 at the state forest nurseries. The bill codifies the
24 requirement that agencies track receipts which were previously
25 collected to be used for specific purposes, or to be credited
26 to or be deposited to a particular account or fund. The bill
27 codifies the requirement that the department of agriculture
28 and land stewardship or the department of natural resources
29 provide the legislative fiscal bureau with budget and
30 personnel information.
31 The bill provides that the environmental protection
32 commission shall adopt all rules required to establish
33 criteria for the classification and prioritization of sites
34 upon which pesticide or fertilizer contamination has been
35 discovered.

SENATE FILE 2446

S-5258

1 Amend Senate File 2446 as follows:
2 1. Page 7, line 9, by striking the figure
3 "2,026,509" and inserting the following: "1,644,509".
4 2. Page 7, line 10, by striking the figure
5 "213.50" and inserting the following: "206.50".
6 3. Page 7, line 13, by striking the figure
7 "480,600" and inserting the following: "160,600".
8 4. Page 7, line 13, by striking the figure "9.00"
9 and inserting the following: "2.00".
10 5. Page 12, by inserting after line 26 the
11 following:
12 "Sec. ___. DEPARTMENT OF JUSTICE -- ANIMAL FEEDING
13 OPERATIONS. There is appropriated from the general
14 fund of the state to the department of justice for the
15 fiscal year beginning July 1, 1996, and ending June
16 30, 1997, the following amount, or so much thereof as
17 is necessary, to be used for the purpose designated:
18 For salaries, support, maintenance, and
19 miscellaneous purposes related to administering the
20 provisions of section 455B.112 which are applicable to
21 animal feeding operations, as enacted by this Act, and
22 for not more than the following full-time equivalent
23 positions:
24 ..... $ 382,000
25 ..... FTEs 7.00".
26 6. Page 17, by inserting after line 19 the
27 following:
28 "Sec. ___. Section 455B.112, Code 1995, is amended
29 to read as follows:
30 455B.112 ACTIONS BY ATTORNEY GENERAL -- ANIMAL
31 FEEDING OPERATIONS.
32 1. In addition to the duty to commence legal
33 proceedings at the request of the director or
34 commission under this chapter, the attorney general
35 may institute civil or criminal proceedings, including
36 an action for injunction, to enforce the provisions of
37 this chapter including orders or permits issued or
38 rules adopted under this chapter.
39 2. The attorney general shall provide enforcement
40 for the compliance of animal feeding operations, as
41 defined in section 455B.161, with this chapter. The
42 attorney general, in cooperation with the department,
43 shall inspect animal feeding operations, enforce
44 provisions applicable to the operations, and provide
45 assistance to owners of operations, upon request, for
46 purposes of ensuring that the operations comply with
47 the provisions of this chapter. The attorney
48 general's office shall establish and publicize a toll-
49 free telephone number to facilitate the reporting of
50 suspected violations of chapter 455B by animal feeding

S-5258
Page 2
1 operations."
2 7. By renumbering as necessary.
By MARY LUNDBY

Out of Order 3/12/96 (P.742)

S-5258 FILED MARCH 11, 1996

SENATE FILE 2446

S-5262
1 Amend Senate File 2446 as follows:
2 1. Page 16, by inserting after line 33 the
3 following:
4 "Sec. ___. Section 166D.10, Code 1995, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 4. In addition to other
7 applicable requirements of this section, swine shall
8 not be moved into this state from another state except
9 to slaughter or to an approved premises by certificate
10 of inspection, unless the swine are vaccinated by a
11 differentiable vaccine. However, imported feeder pigs
12 are not required to be vaccinated, if they are
13 maintained separate and apart from other swine until
14 they are vaccinated."

By STEWART IVERSON, Jr.
JOHN P. KIBBIE
BRAD BANKS

S-5262 FILED MARCH 11, 1996

Out of Order 3/12/96 (P.743)

SENATE FILE 2446

S-5288

1 Amend Senate File 2446 as follows:
2 1. Page 13, by inserting after line 10 the
3 following:
4 "Sec. ___. There is appropriated from the state
5 fish and game protection fund to the division of fish
6 and wildlife of the department of natural resources
7 for the fiscal year beginning July 1, 1996, and ending
8 June 30, 1997, the following amount, or so much
9 thereof as is necessary, except that if revenues from
10 the income tax refund checkoff credited to the state
11 fish and game protection fund in calendar year 1995 do
12 not equal or exceed $1,500,000, the amount of the
13 deficiency is appropriated from the general fund of
14 the state instead of from the state fish and game
15 protection fund, to be used for the purposes
16 designated:
17 To develop and support a comprehensive nongame
18 wildlife-oriented education program to be implemented
19 through the schools, county conservation boards, and
20 the department of natural resources.
21 To enhance opportunities for personal contact with,
22 and the public's appreciation for, all types of
23 wildlife by developing facilities for public
24 appreciation of wildlife.
25 To protect, develop, and manage habitats to enhance
26 nongame populations on public and private lands
27 through habitat development and acquisition.
28 To develop and support nongame wildlife species
29 management, research, and surveys.
30 To match moneys appropriated by the United States
31 or an agency, commission, or department of the United
32 States if the appropriation of moneys by a state is a
33 condition of the state or an agency, commission, or
34 department of the state, receiving federal moneys.
35 To adopt programs by the division of fish and
36 wildlife of the department of natural resources
37 relating to a wildlife diversity initiative by rule
38 pursuant to chapter 17A:
39 ..... $ 1,500,000"
40 2. By renumbering as necessary.

By MARY LUNDBY

S-5288 FILED MARCH 11, 1996

WITHDRAWN
3-12-96
(p. 742)

SENATE FILE 2446

S-5267

1 Amend Senate File 2446 as follows:
2 1. Page 17, by inserting after line 10 the
3 following:
4 "Sec. 100. Section 455A.18, subsection 3,
5 unnumbered paragraph 1, Code 1995, is amended to read
6 as follows:
7 For each fiscal year of the fiscal period beginning
8 July 1, ~~1990~~ 1997, and ending June 30, ~~2001~~ 2021,
9 there is appropriated from the general fund, to the
10 Iowa resources enhancement and protection fund, the
11 amount of ~~thirty~~ twenty million dollars, ~~except that~~
12 ~~for the fiscal year beginning July 1, 1990, the amount~~
13 ~~is twenty million dollars,~~ to be used as provided in
14 this chapter. However, in any fiscal year of the
15 fiscal period, if moneys from the lottery are
16 appropriated by the state to the fund, the amount
17 appropriated under this subsection shall be reduced by
18 the amount appropriated from the lottery."
19 2. Page 17, line 20, by striking the word
20 "Section" and inserting the following:
21 "1. Section".
22 3. Page 17, by inserting after line 22 the
23 following:
24 "2. Section 100 of this Act, amending section
25 455A.18, takes effect July 1, 1997."
26 4. Title page, line 3, by striking the words "an
27 effective date" and inserting the following:
28 "effective dates".
29 5. By renumbering as necessary.

adopted 3/12/96 (P. 743) By LARRY MURPHY

S-5267 FILED MARCH 11, 1996

SENATE FILE 2446

S-5283

1 Amend Senate File 2446 as follows:
2 1. Page 8, line 23, by striking the figure
3 "21,240,891" and inserting the following:
4 "21,365,891".
5 2. By renumbering as necessary.

By DENNIS H. BLACK

S-5283 FILED MARCH 11, 1996

adopted 3/12/96 (P. 742)

WATERMARK

SENATE FILE 2446

S-5323

1 Amend Senate File 2446 as follows:
2 1. By striking page 13, line 20, through page 14,
3 line 8, and inserting the following:
4 "Sec. ___. IOWA AGRICULTURE 2000 CONFERENCE.
5 There is appropriated from the general fund of the
6 state to Iowa state university for the fiscal year
7 beginning July 1, 1996, and ending June 30, 1997, the
8 following amount, or so much thereof as is necessary,
9 to be used for the purpose designated:
10 To support Iowa state university, in cooperation
11 with the farm section of the attorney general's
12 office, in sponsoring an Iowa agriculture 2000
13 conference, with assistance provided by the department
14 of agriculture and land stewardship and Iowa commodity
15 organizations, for independent agricultural producers
16 and other persons interested in the future of Iowa
17 agriculture:
18 ..... $ 80,000
19 Moneys appropriated by this section shall be used
20 to defray expenses incurred by Iowa state university
21 and the farm section of the attorney general's office
22 in planning and sponsoring the conference."
23 2. By renumbering as necessary.

By DERRYL McLAREN
DENNIS H. BLACK
BRAD BANKS

S-5323 FILED MARCH 12, 1996
ADOPTED (P. 742)

SENATE FILE 2446

S-5324

1 Amend the amendment, S-5258, to Senate File 2446,
2 as follows:
3 1. Page 2, line 1, by inserting after the word
4 "operations." the following: "However, the attorney
5 general's office shall not investigate an anonymous
6 report of a suspected violation which is communicated
7 by a person using the toll-free telephone number. A
8 person commits a serious misdemeanor, on the third
9 occasion that the attorney general conducts an
10 investigation of an animal feeding operation based
11 upon the third report of a suspected violation by the
12 person using the toll-free telephone number, and each
13 report is frivolous or based upon malice and
14 unsupported by facts."

By MARY LUNDBY

S-5324 FILED MARCH 12, 1996
ADOPTED (P. 741)

SENATE FILE 2446

S-5314

1 Amend Senate File 2446 as follows:
2 1. Page 15, by inserting after line 20 the
3 following:
4 "Sec. ___. NATIVE AMERICAN WAR MEMORIAL. The
5 department of natural resources may purchase, with
6 funds which become available under chapter 465A for
7 the fiscal year beginning July 1, 1996, and ending
8 June 30, 1997, lands on which to locate a native
9 American war memorial."
10 2. By renumbering as necessary.

By WAYNE BENNETT

S-5314 FILED MARCH 12, 1996
ADOPTED (p. 742)

SENATE FILE 2446

S-5322

1 Amend Senate File 2446 as follows:
2 1. Page 11, by inserting after line 15 the
3 following:
4 "3. To Iowa state university for supporting a
5 person connected with the United States department of
6 agriculture who engages in animal control, for
7 purposes of contributing to the control of animals,
8 and especially predators, which pose a threat to this
9 state's agriculture:
10 ..... $ 50,000"
11 2. By renumbering as necessary.

By BRAD BANKS
DENNIS H. BLACK
BERL E. PRIEBE

S-5322 FILED MARCH 12, 1996
ADOPTED (p. 742)

SENATE FILE 2446

S-5327

1 Amend Senate File 2446 as follows:
2 1. Page 16, by inserting after line 33 the
3 following:
4 "Sec. ___. Section 166D.10, Code 1995, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 4. In addition to other
7 applicable requirements of this section, feeder swine
8 shall not be moved into this state from another state
9 except to slaughter, unless the feeder swine are
10 vaccinated by a differentiable vaccine within ninety
11 days of arrival in this state."

By STEWART IVERSON, Jr.
JOHN P. KIBBIE
BRAD BANKS
BERL E. PRIEBE

S-5327 FILED MARCH 12, 1996
ADOPTED (p. 743)

SENATE FILE 2446

S-5294

1 Amend Senate File 2446 as follows:
2 1. Page 1, line 16, by inserting after the word
3 "horticulture." the following: "The president of the
4 state horticulture society or the president's designee
5 and the department shall consult and mutually agree on
6 all expenditures of moneys in this subparagraph and on
7 the filling of full-time equivalent positions, as
8 allocated in this subparagraph."
9 2. By striking page 16, line 34, through page 17,
10 line 10.
11 3. By renumbering as necessary.

By BERL E. PRIEBE

S-5294 FILED MARCH 12, 1996
ADOPTED (P.741)

SENATE FILE 2446

S-5308

1 Amend Senate File 2446 as follows:
2 1. Page 2, line 20, by striking the figure
3 "78.10" and inserting the following: "85.10".

By DENNIS H. BLACK

S-5308 FILED MARCH 12, 1996
ADOPTED (P.743)

SENATE FILE 2446

S-5313

1 Amend Senate File 2446 as follows:
2 1. Page 3, line 4, by inserting after the letter
3 ""a"" the following: "and funded in paragraph "c"".
4 2. Page 3, line 35, by striking the words
5 "program planner" and inserting the following:
6 "position".
7 3. Page 10, by inserting after line 14 the
8 following:
9 "RELATED APPROPRIATIONS"
10 4. Page 11, by striking line 33.
11 5. By renumbering as necessary.

By DENNIS H. BLACK

S-5313 FILED MARCH 12, 1996
ADOPTED
(P.741)

H. 3/13/96 Approp.
H. 3/20/96 amend/Do Pass
w/H-5482

SENATE FILE 2446
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 2339.1)

(AS AMENDED AND PASSED BY THE SENATE MARCH 12, 1996)

_____ - New Language by the Senate
* - Language Stricken by the Senate

Passed Senate, (p. 1188) Date 4/2/96 Passed House, (p. 1122) Date 3/28/96
Vote: Ayes 50 Nays 0 Vote: Ayes 60 Nays 36
Approved Item Veto 5/29/96

(p. 1462) Repassed 4/22/86 Vote 42-8

Repassed 4/22/96 Vote 63-30 (p. 1859)

A BILL FOR

1 An Act relating to agriculture and natural resources, by
2 providing for appropriations, providing related statutory
3 changes, and providing effective dates.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 (p. 1227) Senate Conf. Committee
6 Black, Chair.
7 Kreibe
8 Gettings
9 McLaren
10 Banks
11
12
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14
15
16
17
18
19
20

Hse. Conf. Comm. - (p. 1393)
Hahn, Chair
Drake
Kreiner
Mertz
Koenigs

S.F. 2446

SF 2446
kah/cc/26

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, 1996, and ending June 30, 1997, 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, the 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 ..... $ 1,636,111
14 ..... FTEs 42.45
15 (1) Of the funds appropriated in this paragraph "a",
16 $322,406 and 7.00 FTEs shall be used to support horticulture.
17 The president of the state horticulture society or the
18 president's designee and the department shall consult and
19 mutually agree on all expenditures of moneys in this
20 subparagraph and on the filling of full-time equivalent
21 positions, as allocated in this subparagraph.
22 (2) Of the amount appropriated in this paragraph "a",
23 $50,000 shall be allocated to the state 4-H foundation to
24 foster the development of Iowa's youth and to encourage them
25 to study the subject of agriculture.
26 (3) Of the amount appropriated and full-time equivalent
27 positions authorized in this paragraph "a", $130,519 and 4.00
28 FTEs shall be allocated to the statistics bureau to provide
29 county-by-county information on land in farms, production by
30 crop, acres by crop, and county prices by crop. This
31 information shall be made available to the department of
32 revenue and finance for use in the productivity formula for
33 valuing and equalizing the values of agricultural land.
34 (4) Of the amount appropriated in this paragraph "a", not
35 more than $5,000 shall be allocated to the Iowa limousin

1 cattle junior association in connection with the 1996 national
2 junior limousin cattle show.
3 b. For the operations of the dairy trade practices bureau:
4 ..... $ 66,846
5 c. For the purpose of performing commercial feed audits:
6 ..... $ 64,698
7 d. For the purpose of performing fertilizer audits:
8 ..... $ 64,697
9 2. REGULATORY DIVISION
10 a. For salaries, support, maintenance, miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:
13 ..... $ 3,848,960
14 ..... FTEs 122.50
15 b. For the costs of inspection, sampling, analysis, and
16 other expenses necessary for the administration of chapters
17 192, 194, and 195:
18 ..... $ 651,220
19 3. LABORATORY DIVISION
20 a. For salaries, support, maintenance, and miscellaneous
21 purposes, including the administration of the gypsy moth
22 program, and for not more than the following full-time
23 equivalent positions:
24 ..... $ 959,475
25 ..... FTEs 85.10
26 (1) Of the amount appropriated in this paragraph "a",
27 $110,000 shall be used to administer a program relating to the
28 detection, surveillance, and eradication of the gypsy moth.
29 The department shall allocate and use the appropriation made
30 in this paragraph before moneys other than those appropriated
31 in this paragraph are used to support the program.
32 (2) Of the amount appropriated and the number of full-time
33 equivalent positions authorized in this paragraph "a", $49,850
34 and 1.00 FTE shall be used to support a regional entomologist
35 for purposes of conducting laboratory inspection activities.

1 (3) Of the amount appropriated in this paragraph "a",
2 $82,000 shall be used for the acquisition of laboratory
3 equipment, including, but not limited to, a fat analyzer and a
4 nitrogen protein combustion analyzer.
5 (4) Of the amount appropriated in this paragraph "a",
6 $25,000 shall be used for inspections of bottled water sold
7 commercially within the state.
8 (5) Of the number of full-time equivalent positions
9 authorized in this paragraph "a" and funded in paragraph "c",
10 1.00 FTE shall be used to support an organics program
11 coordinator who shall assure compliance of organic foods sold
12 commercially within the state with federal regulations
13 relating to organic foods.
14 b. For the operations of the commercial feed programs:
15 ..... $ 742,499
16 c. For the operations of the pesticide programs:
17 ..... $ 1,291,781
18 Of the amount appropriated in this paragraph "c", $200,000
19 shall be allocated to Iowa state university for purposes of
20 training commercial pesticide applicators.
21 d. For the operations of the fertilizer programs:
22 ..... $ 633,832
23 4. SOIL CONSERVATION DIVISION
24 a. For salaries, support, maintenance, assistance to soil
25 conservation districts, miscellaneous purposes, and for not
26 more than the following full-time equivalent positions:
27 ..... $ 6,045,591
28 ..... FTEs 172.28
29 (1) Of the amount appropriated in this paragraph "a",
30 $330,000 shall be used to reimburse commissioners of soil and
31 water conservation districts for administrative expenses.
32 Moneys used for the payment of meeting dues by counties shall
33 be matched on a dollar-for-dollar basis by the soil
34 conservation division.
35 (2) Of the amount appropriated in this paragraph "a",

1 $42,000 shall be used to support soil and water conservation
2 district development including the training of soil and water
3 conservation district staff.
4 (3) Of the amount appropriated and the number of full-time
5 equivalent positions authorized in this paragraph "a", $56,000
6 and 1.00 FTE shall be used to support a position for oversight
7 of financial incentive programs.
8 b. To provide financial incentives for soil conservation
9 practices under chapter 161A:
10 ..... $ 6,750,850
11 c. The following requirements apply to the moneys
12 appropriated in paragraph "b":
13 (1) Not more than 5 percent of the moneys appropriated in
14 paragraph "b" may be allocated for cost sharing to abate
15 complaints filed under section 161A.47.
16 (2) Of the moneys appropriated in paragraph "b", 5 percent
17 shall be allocated for financial incentives to establish
18 practices to protect watersheds above publicly owned lakes of
19 the state from soil erosion and sediment as provided in
20 section 161A.73.
21 (3) Not more than 30 percent of a district's allocation of
22 moneys as financial incentives may be provided for the purpose
23 of establishing management practices to control soil erosion
24 on land that is row cropped, including but not limited to no-
25 till planting, ridge-till planting, contouring, and contour
26 strip-cropping as provided in section 161A.73.
27 (4) The state soil conservation committee created in
28 section 161A.4 may allocate moneys to conduct research and
29 demonstration projects to promote conservation tillage and
30 nonpoint source pollution control practices.
31 (5) The financial incentive payments may be used in
32 combination with department of natural resources moneys.
33 d. The provisions of section 8.33 shall not apply to the
34 moneys appropriated in paragraph "b". Unencumbered or
35 unobligated moneys remaining on June 30, 2000, from moneys

1 appropriated in paragraph "b" for the fiscal year beginning
2 July 1, 1996, shall revert to the general fund on August 31,
3 2000.
4 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
5 appropriated from the general fund of the state to the
6 department of agriculture and land stewardship for the fiscal
7 year beginning July 1, 1996, and ending June 30, 1997, the
8 following amount, or so much thereof as is necessary, to be
9 used for the purposes designated:
10 For salaries, support, maintenance, and miscellaneous
11 purposes, to be used by the department to continue and expand
12 the farmers' market coupon program by providing federal
13 special supplemental food program recipients with coupons
14 redeemable at farmers' markets, and for not more than the
15 following full-time equivalent positions:
16 ..... $ 215,807
17 ..... FTEs 1.00
18 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.
19 1. There is appropriated from the general fund of the
20 state to the department of agriculture and land stewardship
21 for the fiscal year beginning July 1, 1996, and ending June
22 30, 1997, the following amount, or so much thereof as is
23 necessary, to be used for the purpose designated:
24 For support of the pseudorabies eradication program:
25 ..... $ 900,300
26 2. Persons, including organizations interested in swine
27 production in this state and in the promotion of Iowa pork
28 products who contribute support to the program, are encouraged
29 to increase financial support for purposes of ensuring the
30 program's effective continuation.
31 Sec. 4. HORSE AND DOG RACING. There is appropriated from
32 the moneys available under section 99D.13 to the regulatory
33 division of the department of agriculture and land stewardship
34 for the fiscal year beginning July 1, 1996, and ending June
35 30, 1997, the following amount, or so much thereof as is

1 necessary, to be used for the purpose designated:
2 For salaries, support, maintenance, and miscellaneous
3 purposes for the administration of section 99D.22:
4 ..... $ 192,560
5 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
6 MARKETING. There is appropriated from the general fund of the
7 state to the interstate agricultural grain marketing
8 commission for the fiscal year beginning July 1, 1996, and
9 ending June 30, 1997, the following amount, or so much thereof
10 as is necessary, to be used for the purpose designated:
11 For carrying out duties of the commission as provided in
12 Article IV of the interstate compact on agricultural grain
13 marketing as provided in chapter 183:
14 ..... $ 80,000
15 DEPARTMENT OF NATURAL RESOURCES
16 Sec. 6. GENERAL APPROPRIATION. There is appropriated from
17 the general fund of the state to the department of natural
18 resources for the fiscal year beginning July 1, 1996, and
19 ending June 30, 1997, the following amounts, or so much
20 thereof as is necessary, to be used for the purposes
21 designated:
22 1. ADMINISTRATIVE AND SUPPORT SERVICES
23 For salaries, support, maintenance, miscellaneous purposes,
24 and for not more than the following full-time equivalent
25 positions:
26 ..... $ 2,052,389
27 ..... FTEs 119.25
28 2. PARKS AND PRESERVES DIVISION
29 For salaries, support, maintenance, miscellaneous purposes,
30 and for not more than the following full-time equivalent
31 positions:
32 ..... $ 5,546,988
33 ..... FTEs 195.73
34 3. FORESTS AND FORESTRY DIVISION
35 For salaries, support, maintenance, miscellaneous purposes,

1 and for not more than the following full-time equivalent
2 positions:
3 ..... $ 1,494,908
4 ..... FTEs 48.71
5 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION
6 For salaries, support, maintenance, miscellaneous purposes,
7 and for not more than the following full-time equivalent
8 positions:
9 ..... $ 1,681,228
10 ..... FTEs 52.00
11 5. a. ENVIRONMENTAL PROTECTION DIVISION
12 (1) For salaries, support, maintenance, miscellaneous
13 purposes, and for not more than the following full-time
14 equivalent positions:
15 ..... $ 2,026,509
16 ..... FTEs 213.50
17 (2) Of the amount appropriated and the number of full-time
18 equivalent positions authorized in subparagraph (1) at least
19 $480,600 and 9.00 FTEs shall be used to support the regulation
20 of animal feeding operations.
21 b. WATER QUALITY PROTECTION FUND
22 For allocation to the administrative account of the water
23 quality protection fund established pursuant to section
24 455B.183A, to carry out the purpose of that account:
25 ..... $ 729,000
26 (1) Of the number of full-time equivalent positions
27 authorized in paragraph "a", 32.50 FTEs shall be dedicated to
28 carrying out the provisions of chapter 455B relating to the
29 administration, regulation, and enforcement of the federal
30 Safe Drinking Water Act and to support the program to assist
31 water supply systems as provided in section 455B.183B.
32 However, the limitation on full-time equivalent positions
33 provided in paragraph "a", shall not limit the number of
34 additional full-time equivalent positions supported by moneys
35 deposited in the water quality protection fund as provided in

1 section 455B.183A, in order to carry out the provisions of
2 division III of chapter 455B relating to the administration,
3 regulation, and enforcement of the federal Safe Drinking Water
4 Act, and the administration of the program to assist water
5 supply systems pursuant to section 455B.183B.
6 (2) In providing assistance to water supply systems, the
7 department shall provide priority to water supply systems
8 serving a population of seven thousand or less. At least 2.00
9 FTEs shall be allocated to provide assistance to systems
10 serving a population of seven thousand or less.
11 6. FISH AND WILDLIFE DIVISION
12 For not more than the following full-time equivalent
13 positions:
14 ..... FTEs 342.18
15 7. 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 --
20 APPROPRIATION 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, 1996, and ending June 30, 1997, 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 ..... $ 21,365,891
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 and the
2 chairpersons and ranking members of the joint appropriations
3 subcommittee on agriculture and natural resources concerning
4 the commission's approval.
5 Sec. 8. MARINE FUEL TAX RECEIPTS -- BOATING FACILITIES AND
6 ACCESS. There is appropriated from the marine fuel tax
7 receipts deposited in the general fund of the state to the
8 department of natural resources for the fiscal year beginning
9 July 1, 1996, and ending June 30, 1997, the following amount,
10 or so much thereof as is necessary, to be used for the purpose
11 designated:
12 For purposes of maintaining and developing boating
13 facilities and access to public waters by the parks and
14 preserves division:
15 ..... $ 411,311
16 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT
17 PURPOSES. There is transferred on July 1, 1996, from the fees
18 deposited under section 321G.7 to the fish and game protection
19 fund and appropriated to the department of natural resources
20 for the fiscal year beginning July 1, 1996, and ending June
21 30, 1997, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:
23 For the purpose of enforcing snowmobile laws as part of the
24 state snowmobile program administered by the department of
25 natural resources:
26 ..... $ 100,000
27 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.
28 There is transferred on July 1, 1996, from the fees deposited
29 under section 462A.52 to the fish and game protection fund and
30 appropriated to the department of natural resources for the
31 fiscal year beginning July 1, 1996, and ending June 30, 1997,
32 the following amount, or so much thereof as is necessary, to
33 be used for the purpose designated:
34 For the administration and enforcement of navigation laws
35 and water safety:

1 ..... $ 1,325,000
2 Of the amount appropriated in this section, $125,000 shall
3 be used for purposes of controlling and eradicating harmful
4 exotic species and eurasian milfoil.
5 Notwithstanding section 8.33, moneys transferred pursuant
6 to this section which are unencumbered or unobligated on June
7 30, 1997, shall be transferred on July 1, 1997, to the special
8 conservation fund established by section 462A.52 to be used as
9 provided in that section, and shall not revert as provided in
10 section 8.33.
11 RESOURCES ENHANCEMENT AND PROTECTION
12 Sec. 11. GENERAL APPROPRIATION. Notwithstanding the
13 amount of the standing appropriation from the general fund of
14 the state under section 455A.18, subsection 3, there is
15 appropriated from the general fund of the state to the Iowa
16 resources enhancement and protection fund, in lieu of the
17 appropriation made in section 455A.18, for the fiscal year
18 beginning July 1, 1996, and ending June 30, 1997, the sum of
19 $10,000,000, of which all moneys shall be allocated as
20 provided in section 455A.19.
21 RELATED APPROPRIATIONS
22 Sec. 12. APPROPRIATION FROM ORGANIC NUTRIENT MANAGEMENT
23 FUND. There is appropriated from the organic nutrient
24 management fund to the following entities in the fiscal year
25 beginning July 1, 1996, and ending June 30, 1997, the
26 following amounts, or so much thereof as is necessary, to be
27 used for the purposes designated:
28 1. To Iowa state university for supporting odor control
29 applications of animal feeding operations, including
30 confinement feeding operations, regulated by the department of
31 natural resources pursuant to chapter 455B:
32 ..... $ 500,000
33 a. Moneys provided under this subsection for odor control
34 applications of animal feeding operations shall be provided on
35 a dollar-for-dollar match with an individual owner or operator

1 and shall not exceed the amount actually spent by or on behalf
2 of the owner or operator for odor control.
3 b. Notwithstanding section 8.33, moneys provided under
4 this subsection for odor control applications of animal
5 feeding operations shall not revert to the organic nutrient
6 management fund but shall remain available for use as provided
7 in this subsection during the fiscal year beginning July 1,
8 1997, and ending June 30, 1998. The moneys appropriated in
9 this subsection which remain unexpended or unobligated on June
10 30, 1998, shall revert to the organic nutrient management fund
11 on August 31, 1998.
12 2. To the department of natural resources for
13 establishment of a pilot project for the control of odor
14 originating from animal feeding operation structures,
15 including anaerobic lagoons and earthen manure storage basins,
16 by using emergent plant or vegetative growth:
17 ..... $ 25,000
18 On or before January 1, 1997, the department of natural
19 resources shall submit a report including findings and
20 recommendations resulting from the pilot project to the
21 committees of the general assembly which have jurisdiction
22 over agriculture and natural resources.
23 3. To Iowa state university for supporting a person
24 connected with the United States department of agriculture who
25 engages in animal control, for purposes of contributing to the
26 control of animals, and especially predators, which pose a
27 threat to this state's agriculture:
28 ..... $ 50,000
29 Sec. 13. MULTIFLORA ROSE ERADICATION.
30 1. There is appropriated from the general fund of the
31 state to Iowa state university for the fiscal year beginning
32 July 1, 1996, and ending June 30, 1997, the following amount,
33 or so much thereof as is necessary, to be used for the purpose
34 designated:
35 For supporting mult..flora rose eradication research and

1 projects:
2 ..... $ 25,000
3 2. Notwithstanding 1995 Iowa Acts, chapter 216, section
4 19, subsection 2, moneys allocated pursuant to 1995 Iowa Acts,
5 chapter 216, section 19, subsection 1, paragraph "d", which
6 remain unencumbered or unobligated on June 30, 1996, shall not
7 revert pursuant to section 8.33, but shall remain available to
8 Iowa state university for purposes of supporting multiflora
9 rose eradication research and projects, for subsequent fiscal
10 years.
*11 Sec. 14. NONREVERSION OF MONEYS ALLOCATED TO IOWA GRAIN
12 QUALITY INITIATIVE. Notwithstanding 1995 Iowa Acts, chapter
13 216, section 19, subsection 2, moneys allocated pursuant to
14 1995 Iowa Acts, chapter 216, section 19, subsection 1,
15 paragraph "f", subparagraph (1), which remain unencumbered or
16 unobligated on June 30, 1996, shall not revert pursuant to
17 section 8.33, but shall remain available to Iowa state
18 university for purposes of supporting the Iowa cooperative
19 extension service in agriculture and home economics in
20 establishing and administering an Iowa grain quality
21 initiative in subsequent fiscal years.
22 Sec. 15. TRANSFERS OF MONEYS REQUIRED TO BE DEPOSITED IN
23 THE WATER PROTECTION FUND. Notwithstanding section 161C.4 and
24 the reversion and allocation provisions in section 455A.19,
25 subsection 1, paragraph "c", of the unencumbered and
26 unobligated moneys remaining, which are required to be
27 deposited in the water protection fund created in section
28 161C.4, as provided in section 455A.19, subsection 1,
29 paragraph "c", the following amount shall be transferred first
30 from moneys required to be deposited in the water protection
31 practices account, and if necessary from moneys required to be
32 deposited in the water quality protection projects account,
33 which shall be used for the following purposes:
34 To the Loess Hills development and conservation authority,
35 for deposit in the Loess Hills development and conservation

1 fund created in section 161D.2 for the purposes specified in
2 section 161D.1:
3 ..... $ 400,000
4 Sec. 16. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
5 UNDERGROUND STORAGE TANK FUND BOARD -- TRANSFER. There is
6 appropriated from the unassigned revenue fund administered by
7 the Iowa comprehensive underground storage tank fund board, to
8 the department of natural resources for the fiscal year
9 beginning July 1, 1996, and ending June 30, 1997, the
10 following amount, or so much thereof as is necessary, to be
11 used for the purpose designated:
12 For administration expenses of the underground storage tank
13 section of the department of natural resources:
14 ..... $ 75,000
15 Sec. 17. TRANSFER -- AIR QUALITY. For the fiscal year
16 beginning July 1, 1996, and ending June 30, 1997, the
17 department of natural resources may transfer up to $430,000
18 from the hazardous substance remedial fund created pursuant to
19 section 455B.423, to support purposes related to carrying out
20 the duties of the commission under section 455B.133, or the
21 director under section 455B.134, or for carrying out the
22 provisions of chapter 455B, division II.
23 MISCELLANEOUS
24 Sec. 18. STUDY OF LOCATING FIELD OFFICE IN NORTH CENTRAL
25 DISTRICT. The department of natural resources shall conduct a
26 study of the feasibility of locating a field office in the
27 department's north central district. On or before January 1,
28 1997, the department of natural resources shall submit a
29 report including findings and recommendations resulting from
30 the study to the committees of the general assembly which have
31 jurisdiction over natural resources.
32 Sec. 19. IOWA AGRICULTURE 2000 CONFERENCE. There is
33 appropriated from the general fund of the state to Iowa state
34 university for the fiscal year beginning July 1, 1996, and
35 ending June 30, 1997, the following amount, or so much thereof

1 as is necessary, to be used for the purpose designated:
2 To support Iowa state university, in cooperation with the
3 farm section of the attorney general's office, in sponsoring
4 an Iowa agriculture 2000 conference, with assistance provided
5 by the department of agriculture and land stewardship and Iowa
6 commodity organizations, for independent agricultural
7 producers and other persons interested in the future of Iowa
8 agriculture:
9 ..... $ 80,000
10 Moneys appropriated by this section shall be used to defray
11 expenses incurred by Iowa state university and the farm
12 section of the attorney general's office in planning and
13 sponsoring the conference.
14 Sec. 20. STATE NURSERIES. Notwithstanding section 17A.2,
15 subsection 10, paragraph "g", the department of natural
16 resources shall adopt administrative rules establishing a
17 range of prices of plant material grown at the state forest
18 nurseries to cover all expenses related to the growing of the
19 plants.
20 1. The department shall develop programs to encourage the
21 wise management and preservation of existing woodlands and
22 shall continue its efforts to encourage forestation and
23 reforestation on private and public lands in the state.
24 2. The department shall encourage a cooperative
25 relationship between the state forest nurseries and private
26 nurseries in the state in order to achieve these goals.
27 Sec. 21. TRANSFER OF MONEYS OR POSITIONS; CHANGES IN
28 TABLES OF ORGANIZATION -- NOTIFICATION. In addition to the
29 requirements of section 8.39, in each fiscal quarter, the
30 department of agriculture and land stewardship and the
31 department of natural resources shall notify the chairpersons,
32 vice chairpersons, and ranking members of the joint
33 appropriations subcommittee on agriculture and natural
34 resources for the previous fiscal quarter of any transfer of
35 moneys or full-time equivalent positions made by either

1 department which is not authorized in this Act, or any
2 permanent position added to or deleted from either
3 department's table of organization.
4 Sec. 22. AIR QUALITY PROGRAM -- NONGENERAL FUND SUPPORT.
5 The department of natural resources for the fiscal year
6 beginning July 1, 1996, and ending June 30, 1997, shall not
7 use moneys appropriated from the general fund of the state
8 pursuant to this Act, to support any purpose related to
9 carrying out the duties of the commission under section
10 455B.133 or the director under section 455B.134, or for
11 carrying out the provisions of chapter 455B, division II.
12 Notwithstanding section 455B.133B, the department may use
13 moneys deposited in the air contaminant source fund created in
14 section 455B.133B during the fiscal year beginning July 1,
15 1996, and ending June 30, 1997, for any purpose related to
16 carrying out the duties of the commission under section
17 455B.133 or the director under section 455B.134, or for
18 carrying out the provisions of chapter 455B, division II.
19 Sec. 23. RULES RELATING TO PESTICIDE AND FERTILIZER
20 CONTAMINATED SITES -- ENVIRONMENTAL PROTECTION COMMISSION.
21 The environmental protection commission shall adopt all rules
22 required to establish criteria for the classification and
23 prioritization of sites upon which pesticide or fertilizer
24 contamination has been discovered, as provided in section
25 455B.601 not later than October 1, 1996.
26 Sec. 24. NATIVE AMERICAN WAR MEMORIAL. The department of
27 natural resources may purchase, with funds which become
28 available under chapter 465A for the fiscal year beginning
29 July 1, 1996, and ending June 30, 1997, lands on which to
30 locate a native American war memorial.
31 STATUTORY CHANGES
32 Sec. 25. NEW SECTION. 2.55A DEPARTMENTAL INFORMATION
33 REQUIRED.
34 1. The department of agriculture and land stewardship and
35 the department of natural resources, in cooperation as

1 necessary with the department of management and the department
2 of personnel, shall provide a list to the legislative fiscal
3 bureau, on a quarterly basis, of all permanent positions added
4 to or deleted from the departments' table of organization in
5 the previous fiscal quarter. This list shall include at least
6 the position number, salary range, projected funding source or
7 sources of each position, and the reason for the addition or
8 deletion. The legislative fiscal bureau may use this
9 information to assist in the establishment of the full-time
10 equivalent position limits authorized in law for the
11 departments.
12 2. The department of natural resources shall provide the
13 legislative fiscal bureau information and financial data by
14 cost center, on at least a monthly basis, relating to the
15 indirect cost accounting procedure, the amount of funding from
16 each funding source for each cost center, and the internal
17 budget system used by the department. The information shall
18 include but is not limited to financial data covering the
19 department's budget by cost center and funding source prior to
20 the start of the fiscal year, and to the department's actual
21 expenditures by cost center and funding source after the
22 accounting system has been closed for that fiscal year.
23 3. The department of agriculture and land stewardship
24 shall provide the legislative fiscal bureau information and
25 financial data on at least a monthly basis, relating to the
26 internal budget system used by the department. The
27 information shall include but is not limited to financial data
28 covering the department's budget prior to the start of the
29 fiscal year, and to the department's actual expenditures after
30 the accounting system has been closed for that fiscal year.
31 Sec. 26. NEW SECTION. 8.60A TRUST FUND INFORMATION.
32 The department of revenue and finance in cooperation with
33 each appropriate agency shall track receipts to the general
34 fund of the state which under law were previously collected to
35 be used for specific purposes, or to be credited to, or be

1 deposited to a particular account or fund, as provided in
2 section 8.60.
3 The department of revenue and finance and each appropriate
4 agency shall prepare reports detailing revenue from receipts
5 previously deposited into each of the funds. A report shall
6 be submitted to the legislative fiscal bureau at least once
7 for each three-month period as designated by the legislative
8 fiscal bureau.
9 Sec. 27. Section 166D.10, Code 1995, is amended by adding
10 the following new subsection:
11 NEW SUBSECTION. 4. In addition to other applicable
12 requirements of this section, feeder swine shall not be moved
13 into this state from another state except to slaughter, unless
14 the feeder swine are vaccinated by a differentiable vaccine
15 within ninety days of arrival in this state.
*16 Sec. 28. Section 455A.18, subsection 3, unnumbered
17 paragraph 1, Code 1995, is amended to read as follows:
18 For each fiscal year of the fiscal period beginning July 1,
19 ~~1990~~ 1997, and ending June 30, ~~2001~~ 2021, there is
20 appropriated from the general fund, to the Iowa resources
21 enhancement and protection fund, the amount of ~~thirty~~ twenty
22 million dollars, ~~except that for the fiscal year beginning~~
23 ~~July 1, 1990, the amount is twenty million dollars,~~ to be used
24 as provided in this chapter. However, in any fiscal year of
25 the fiscal period, if moneys from the lottery are appropriated
26 by the state to the fund, the amount appropriated under this
27 subsection shall be reduced by the amount appropriated from
28 the lottery.
29 Sec. 29. NEW SECTION. 455A.21 PREFERENCE PROVIDED --
30 PERSONS MEETING ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB
31 PROGRAM.
32 In its employment of persons in temporary positions in
33 conservation and outdoor recreation, the department of natural
34 resources shall give preference to persons meeting eligibility
35 requirements for the green thumb program under section 15.227

1 and to persons working toward an advanced education in natural
2 resources and conservation.
3 Sec. 30. EFFECTIVE DATES.
4 1. Section 13, subsection 2, and section 14 of this Act,
5 being deemed of immediate importance, take effect upon
6 enactment.
7 2. Section 28 of this Act, amending section 455A.18, takes
8 effect July 1, 1997.
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SENATE FILE 2446

H-5482

1 Amend Senate File 2446, as amended, passed, and
2 reprinted by the Senate, 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, 1996, and ending June
10 30, 1997, 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 ..... $ 1,586,111
19 ..... FTEs 41.45
20 (1) Of the funds appropriated in this paragraph
21 "a", $322,406 and 7.00 FTEs shall be used to support
22 horticulture. The president of the state horticulture
23 society or the president's designee and the department
24 shall consult and mutually agree on all expenditures
25 of moneys in this subparagraph and on the filling of
26 full-time equivalent positions, as allocated in this
27 subparagraph.
28 (2) Of the amount appropriated in this paragraph
29 "a", $50,000 shall be allocated to the state 4-H
30 foundation to foster the development of Iowa's youth
31 and to encourage them to study the subject of
32 agriculture.
33 (3) Of the amount appropriated and full-time
34 equivalent positions authorized in this paragraph "a",
35 $130,519 and 4.00 FTEs shall be allocated to the
36 statistics bureau to provide county-by-county
37 information on land in farms, production by crop,
38 acres by crop, and county prices by crop. This
39 information shall be made available to the department
40 of revenue and finance for use in the productivity
41 formula for valuing and equalizing the values of
42 agricultural land.
43 (4) Of the amount appropriated in this paragraph
44 "a", not more than $5,000 shall be allocated to the
45 Iowa limousin cattle junior association in connection
46 with the 1996 national junior limousin cattle show.
47 b. For the operations of the dairy trade practices
48 bureau:
49 ..... $ 66,846
50 c. For the purpose of performing commercial feed

1 audits:
2 ..... $ 64,698
3 d. For the purpose of performing fertilizer
4 audits:
5 ..... $ 64,697
6 2. REGULATORY DIVISION
7 a. For salaries, support, maintenance,
8 miscellaneous purposes, and for not more than the
9 following full-time equivalent positions:
10 ..... $ 3,848,960
11 ..... FTEs 122.50
12 b. For the costs of inspection, sampling,
13 analysis, and other expenses necessary for the
14 administration of chapters 192, 194, and 195:
15 ..... $ 651,220
16 3. LABORATORY DIVISION
17 a. For salaries, support, maintenance, and
18 miscellaneous purposes, including the administration
19 of the gypsy moth program, and for not more than the
20 following full-time equivalent positions:
21 ..... $ 875,475
22 ..... FTEs 85.10
23 (1) Of the amount appropriated in this paragraph
24 "a", $110,000 shall be used to administer a program
25 relating to the detection, surveillance, and
26 eradication of the gypsy moth. The department shall
27 allocate and use the appropriation made in this
28 paragraph before moneys other than those appropriated
29 in this paragraph are used to support the program.
30 (2) Of the amount appropriated and the number of
31 full-time equivalent positions authorized in this
32 paragraph "a", $49,850 and 1.00 FTE shall be used to
33 support a regional entomologist for purposes of
34 conducting laboratory inspection activities.
35 (3) Of the amount appropriated in this paragraph
36 "a", $82,000 shall be used for the acquisition of
37 laboratory equipment, including, but not limited to, a
38 fat analyzer and a nitrogen protein combustion
39 analyzer.
40 (4) Of the number of full-time equivalent
41 positions authorized in this paragraph "a" and funded
42 in paragraph "c", 1.00 FTE shall be used to support an
43 organics program coordinator who shall assure
44 compliance of organic foods sold commercially within
45 the state with federal regulations relating to organic
46 foods.
47 b. For the operations of the commercial feed
48 programs:
49 ..... $ 742,499
50 c. For the operations of the pesticide programs:

1 ..... $ 1,291,781
2 Of the amount appropriated in this paragraph "c",
3 $200,000 shall be allocated to Iowa state university
4 for purposes of training commercial pesticide
5 applicators.
6 d. For the operations of the fertilizer programs:
7 ..... $ 633,832
8 4. SOIL CONSERVATION DIVISION
9 a. For salaries, support, maintenance, assistance
10 to soil conservation districts, miscellaneous
11 purposes, and for not more than the following full-
12 time equivalent positions:
13 ..... $ 5,805,591
14 ..... FTEs 171.28
15 Of the amount appropriated in this paragraph "a",
16 $330,000 shall be used to reimburse commissioners of
17 soil and water conservation districts for
18 administrative expenses. Moneys used for the payment
19 of meeting dues by counties shall be matched on a
20 dollar-for-dollar basis by the soil conservation
21 division.
22 b. To provide financial incentives for soil
23 conservation practices under chapter 161A:
24 ..... $ 6,418,606
25 c. The following requirements apply to the moneys
26 appropriated in paragraph "b":
27 (1) Not more than 5 percent of the moneys
28 appropriated in paragraph "b" may be allocated for
29 cost sharing to abate complaints filed under section
30 161A.47.
31 (2) Of the moneys appropriated in paragraph "b", 5
32 percent shall be allocated for financial incentives to
33 establish practices to protect watersheds above
34 publicly owned lakes of the state from soil erosion
35 and sediment as provided in section 161A.73.
36 (3) Not more than 30 percent of a district's
37 allocation of moneys as financial incentives may be
38 provided for the purpose of establishing management
39 practices to control soil erosion on land that is row
40 cropped, including but not limited to no-till
41 planting, ridge-till planting, contouring, and contour
42 strip-cropping as provided in section 161A.73.
43 (4) The state soil conservation committee created
44 in section 161A.4 may allocate moneys to conduct
45 research and demonstration projects to promote
46 conservation tillage and nonpoint source pollution
47 control practices.
48 (5) The financial incentive payments may be used
49 in combination with department of natural resources
50 moneys.

1 d. The provisions of section 8.33 shall not apply
2 to the moneys appropriated in paragraph "b".
3 Unencumbered or unobligated moneys remaining on June
4 30, 2000, from moneys appropriated in paragraph "b"
5 for the fiscal year beginning July 1, 1996, shall
6 revert to the general fund on August 31, 2000.
7 Sec. 2. AUTHORITY OF ADMINISTRATIVE UNITS.
8 Notwithstanding any other provision of law or
9 departmental policy or practice, for the fiscal year
10 beginning July 1, 1996, and ending June 30, 1997, the
11 following shall apply to the department of agriculture
12 and land stewardship:
13 1. Each division director of the department, and
14 not the secretary of agriculture or the secretary's
15 designee, shall be responsible for carrying out
16 functions of that division as required by law
17 including this Act. Each division director shall be
18 the sole authority within the department for
19 establishing and approving a budget and for
20 authorizing the expenditure of moneys for purposes
21 provided in this Act, including functions described in
22 section 1 of this Act for that director's division,
23 including but not limited to authorizing the payment
24 of salaries, support, and maintenance; the support of
25 full-time equivalent positions; and the filling of
26 full-time equivalent positions.
27 2. The divisions of the department shall not be
28 reorganized or restructured. The head of an
29 administrative unit of the department serving at the
30 secretary's pleasure, including each division
31 director, shall not be subject to action by the
32 department, including the secretary of agriculture or
33 the secretary's designee, that affects the employment
34 position or status of the unit's head, unless the
35 action increases the salary or benefits, or increases
36 the powers and duties, of the administrative unit's
37 head.
38 This section shall not affect accounting or payroll
39 requirements, policies, or practices. This section
40 shall not affect the powers and duties of the
41 department of management, the department of personnel,
42 or affect the provisions of any collective bargaining
43 agreement.
44 Sec. 3. FARMERS' MARKET COUPON PROGRAM. There is
45 appropriated from the general fund of the state to the
46 department of agriculture and land stewardship for the
47 fiscal year beginning July 1, 1996, and ending June
48 30, 1997, the following amount, or so much thereof as
49 is necessary, to be used for the purposes designated:
50 For salaries, support, maintenance, and

1 miscellaneous purposes, to be used by the department
2 to continue and expand the farmers' market coupon
3 program by providing federal special supplemental food
4 program recipients with coupons redeemable at farmers'
5 markets, and for not more than the following full-time
6 equivalent positions:
7 ..... $ 215,807
8 ..... FTEs 1.00
9 Sec. 4. PSEUDORABIES ERADICATION PROGRAM.
10 1. There is appropriated from the general fund of
11 the state to the department of agriculture and land
12 stewardship for the fiscal year beginning July 1,
13 1996, and ending June 30, 1997, the following amount,
14 or so much thereof as is necessary, to be used for the
15 purpose designated:
16 For support of the pseudorabies eradication
17 program:
18 ..... $ 900,300
19 2. Persons, including organizations interested in
20 swine production in this state and in the promotion of
21 Iowa pork products who contribute support to the
22 program, are encouraged to increase financial support
23 for purposes of ensuring the program's effective
24 continuation.
25 Sec. 5. HORSE AND DOG RACING. There is
26 appropriated from the moneys available under section
27 99D.13 to the regulatory division of the department of
28 agriculture and land stewardship for the fiscal year
29 beginning July 1, 1996, and ending June 30, 1997, the
30 following amount, or so much thereof as is necessary,
31 to be used for the purpose designated:
32 For salaries, support, maintenance, and
33 miscellaneous purposes for the administration of
34 section 99D.22:
35 ..... $ 192,560
36 Sec. 6. As a condition of the appropriations made
37 to the department of agriculture and land stewardship
38 in sections 1, 3, 4, and 5 of this Act, the position
39 of deputy secretary of agriculture, established
40 pursuant to section 14A.1, shall be eliminated.
41 Sec. 7. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
42 MARKETING. There is appropriated from the general
43 fund of the state to the interstate agricultural grain
44 marketing commission for the fiscal year beginning
45 July 1, 1996, and ending June 30, 1997, the following
46 amount, or so much thereof as is necessary, to be used
47 for the purpose designated:
48 For carrying out duties of the commission as
49 provided in Article IV of the interstate compact on
50 agricultural grain marketing as provided in chapter

1 183:
2 ..... $ 80,000
3 DEPARTMENT OF NATURAL RESOURCES
4 Sec. 8. GENERAL APPROPRIATION. There is
5 appropriated from the general fund of the state to the
6 department of natural resources for the fiscal year
7 beginning July 1, 1996, and ending June 30, 1997, the
8 following amounts, or so much thereof as is necessary,
9 to be used for the purposes designated:
10 1. ADMINISTRATIVE AND SUPPORT SERVICES
11 For salaries, support, maintenance, miscellaneous
12 purposes, and for not more than the following full-
13 time equivalent positions:
14 ..... $ 2,052,389
15 ..... FTEs 119.25
16 Of the amount appropriated and the number of full-
17 time equivalent positions authorized in this
18 subsection 1, at least $200,000 and 4.00 FTEs shall be
19 used by administration and support services to support
20 a compliance and permit assistance team to facilitate
21 cooperation between the department and persons
22 regulated by the department in order to ensure
23 efficient compliance with applicable legal
24 requirements.
25 2. PARKS AND PRESERVES DIVISION
26 For salaries, support, maintenance, miscellaneous
27 purposes, and for not more than the following full-
28 time equivalent positions:
29 ..... $ 5,546,988
30 ..... FTEs 195.73
31 3. FORESTS AND FORESTRY DIVISION
32 For salaries, support, maintenance, miscellaneous
33 purposes, and for not more than the following full-
34 time equivalent positions:
35 ..... $ 1,494,908
36 ..... FTEs 48.71
37 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION
38 For salaries, support, maintenance, miscellaneous
39 purposes, and for not more than the following full-
40 time equivalent positions:
41 ..... $ 1,681,228
42 ..... FTEs 52.00
43 5. a. ENVIRONMENTAL PROTECTION DIVISION
44 (1) For salaries, support, maintenance,
45 miscellaneous purposes, and for not more than the
46 following full-time equivalent positions:
47 ..... $ 2,026,509
48 ..... FTEs 218.00
49 (2) Of the amount appropriated and the number of
50 full-time equivalent positions authorized in

1 subparagraph (1) at least $480,600 and 9.00 FTEs shall
2 be used to support the regulation of animal feeding
3 operations.
4 (3) Of the number of full-time equivalent
5 positions authorized in subparagraph (1), 1.00 FTE
6 shall be used to support administration of the waste
7 tire management fund, if enacted in 1996 Iowa Acts,
8 House File 2433.
9 b. WATER QUALITY PROTECTION FUND
10 For allocation to the administrative account of the
11 water quality protection fund established pursuant to
12 section 455B.183A, to carry out the purpose of that
13 account:
14 ..... $ 879,000
15 (1) Of the number of full-time equivalent
16 positions authorized in paragraph "a", 36.00 FTEs
17 shall be dedicated to carrying out the provisions of
18 chapter 455B relating to the administration,
19 regulation, and enforcement of the federal Safe
20 Drinking Water Act and to support the program to
21 assist water supply systems as provided in section
22 455B.183B. However, the limitation on full-time
23 equivalent positions provided in paragraph "a", shall
24 not limit the number of additional full-time
25 equivalent positions supported by moneys deposited in
26 the water quality protection fund as provided in
27 section 455B.183A, in order to carry out the
28 provisions of division III of chapter 455B relating to
29 the administration, regulation, and enforcement of the
30 federal Safe Drinking Water Act, and the
31 administration of the program to assist water supply
32 systems pursuant to section 455B.183B.
33 (2) In providing assistance to water supply
34 systems, the department shall provide priority to
35 water supply systems serving a population of seven
36 thousand or less. At least 2.00 FTEs shall be
37 allocated to provide assistance to systems serving a
38 population of seven thousand or less.
39 6. FISH AND WILDLIFE DIVISION
40 For not more than the following full-time
41 equivalent positions:
42 ..... FTEs 342.18
43 7. WASTE MANAGEMENT ASSISTANCE DIVISION
44 For not more than the following full-time
45 equivalent positions:
46 ..... FTEs 16.75
47 Sec. 9. 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

1 wildlife of the department of natural resources for
2 the fiscal year beginning July 1, 1996, and ending
3 June 30, 1997, 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 ..... $ 21,290,891
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. 10. MARINE FUEL TAX RECEIPTS -- BOATING
22 FACILITIES AND ACCESS. There is appropriated from the
23 marine fuel tax receipts deposited in the general fund
24 of the state to the department of natural resources
25 for the fiscal year beginning July 1, 1996, and ending
26 June 30, 1997, the following amount, or so much
27 thereof as is necessary, to be used for the purpose
28 designated:
29 For purposes of maintaining and developing boating
30 facilities and access to public waters by the parks
31 and preserves division:
32 ..... $ 411,311
33 Sec. 11. SNOWMOBILE FEES -- TRANSFER FOR
34 ENFORCEMENT PURPOSES. There is transferred on July 1,
35 1996, from the fees deposited under section 321G.7 to
36 the fish and game protection fund and appropriated to
37 the department of natural resources for the fiscal
38 year beginning July 1, 1996, and ending June 30, 1997,
39 the following amount, or so much thereof as is
40 necessary, to be used for the purpose designated:
41 For the purpose of enforcing snowmobile laws as
42 part of the state snowmobile program administered by
43 the department of natural resources:
44 ..... $ 100,000
45 Sec. 12. VESSEL FEES -- TRANSFER FOR ENFORCEMENT
46 PURPOSES. There is transferred on July 1, 1996, from
47 the fees deposited under section 462A.52 to the fish
48 and game protection fund and appropriated to the
49 department of natural resources for the fiscal year
50 beginning July 1, 1996, and ending June 30, 1997, the

1 following amount, or so much thereof as is necessary,
2 to be used for the purpose designated:
3 For the administration and enforcement of
4 navigation laws and water safety:
5 ..... $ 1,250,000
6 Of the amount appropriated in this section, $50,000
7 may be used for purposes of controlling and
8 eradicating eurasian milfoil.
9 Notwithstanding section 8.33, moneys transferred
10 pursuant to this section which are unencumbered or
11 unobligated on June 30, 1997, shall be transferred on
12 July 1, 1997, to the special conservation fund
13 established by section 462A.52 to be used as provided
14 in that section, and shall not revert as provided in
15 section 8.33.
16 RESOURCES ENHANCEMENT AND PROTECTION
17 Sec. 13. 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, 1996, and ending June 30, 1997, the sum of
25 $8,000,000, of which all moneys shall be allocated as
26 provided in section 455A.19.
27 RELATED APPROPRIATIONS
28 Sec. 14. APPROPRIATION FROM ORGANIC NUTRIENT
29 MANAGEMENT FUND. There is appropriated from the
30 organic nutrient management fund to the following
31 entities in the fiscal year beginning July 1, 1996,
32 and ending June 30, 1997, the following amounts, or so
33 much thereof as is necessary, to be used for the
34 purpose designated:
35 To Iowa state university for supporting odor
36 control applications of animal feeding operations,
37 including confinement feeding operations, regulated by
38 the department of natural resources pursuant to
39 chapter 455B:
40 ..... $ 500,000
41 1. Moneys provided under this section for odor
42 control applications of animal feeding operations
43 shall be provided on a dollar-for-dollar match with an
44 individual owner or operator and shall not exceed the
45 amount actually spent by or on behalf of the owner or
46 operator for odor control.
47 2. Notwithstanding section 8.33, moneys provided
48 under this subsection for odor control applications of
49 animal feeding operations shall not revert to the
50 organic nutrient management fund but shall remain

1 available for use as provided in this subsection
2 during the fiscal year beginning July 1, 1997, and
3 ending June 30, 1998. The moneys appropriated in this
4 section which remain unexpended or unobligated on June
5 30, 1998, shall revert to the organic nutrient
6 management fund on August 31, 1998.
7 Sec. 15. MULTIFLORA ROSE ERADICATION.
8 1. There is appropriated from the general fund of
9 the state to Iowa state university for the fiscal year
10 beginning July 1, 1996, and ending June 30, 1997, the
11 following amount, or so much thereof as is necessary,
12 to be used for the purpose designated:
13 For supporting multiflora rose eradication research
14 and projects:
15 ..... $ 25,000
16 2. Notwithstanding 1995 Iowa Acts, chapter 216,
17 section 19, subsection 2, moneys allocated pursuant to
18 1995 Iowa Acts, chapter 216, section 19, subsection 1,
19 paragraph "d", which remain unencumbered or
20 unobligated on June 30, 1996, shall not revert
21 pursuant to section 8.33, but shall remain available
22 to Iowa state university for purposes of supporting
23 multiflora rose eradication research and projects, for
24 subsequent fiscal years.
25 Sec. 16. NONREVERSION OF MONEYS ALLOCATED TO IOWA
26 GRAIN QUALITY INITIATIVE. Notwithstanding 1995 Iowa
27 Acts, chapter 216, section 19, subsection 2, moneys
28 allocated pursuant to 1995 Iowa Acts, chapter 216,
29 section 19, subsection 1, paragraph "f", subparagraph
30 (1), which remain unencumbered or unobligated on June
31 30, 1996, shall not revert pursuant to section 8.33,
32 but shall remain available to Iowa state university
33 for purposes of supporting the Iowa cooperative
34 extension service in agriculture and home economics in
35 establishing and administering an Iowa grain quality
36 initiative in subsequent fiscal years.
37 Sec. 17. TRANSFERS OF MONEYS REQUIRED TO BE
38 DEPOSITED IN THE WATER PROTECTION FUND.
39 Notwithstanding section 161C.4 and the reversion and
40 allocation provisions in section 455A.19, subsection
41 1, paragraph "c", of the unencumbered and unobligated
42 moneys remaining, which are required to be deposited
43 in the water protection fund created in section
44 161C.4, as provided in section 455A.19, subsection 1,
45 paragraph "c", the following amount shall be
46 transferred first from moneys required to be deposited
47 in the water protection practices account, and if
48 necessary from moneys required to be deposited in the
49 water quality protection projects account, which shall
50 be used for the following purposes:

1 To the Loess Hills development and conservation
2 authority, for deposit in the Loess Hills development
3 and conservation fund created in section 161D.2 for
4 the purposes specified in section 161D.1:
5 ..... $ 400,000
6 Sec. 18. REVENUE ADMINISTERED BY THE IOWA
7 COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD --
8 TRANSFER. There is appropriated from the unassigned
9 revenue fund administered by the Iowa comprehensive
10 underground storage tank fund board, to the department
11 of natural resources for the fiscal year beginning
12 July 1, 1996, and ending June 30, 1997, the following
13 amount, or so much thereof as is necessary, to be used
14 for the purpose designated:
15 For administration expenses of the underground
16 storage tank section of the department of natural
17 resources:
18 ..... $ 75,000
19 Sec. 19. TRANSFER -- AIR QUALITY. For the fiscal
20 year beginning July 1, 1996, and ending June 30, 1997,
21 the department of natural resources shall transfer up
22 to $430,000 from the hazardous substance remedial fund
23 created pursuant to section 455B.423, to support
24 purposes related to carrying out the duties of the
25 commission under section 455B.133, or the director
26 under section 455B.134, or for carrying out the
27 provisions of chapter 455B, division II.
28 MISCELLANEOUS
29 Sec. 20. DOLLIVER MEMORIAL STATE PARK -- BRIDGE
30 CONSTRUCTION PROHIBITED -- ROAD EXPENSES SHARED.
31 1. The department shall not construct a bridge at
32 or near the historic ford of a stream across a
33 secondary road in Dolliver memorial state park. The
34 department may make repairs or improvements at the
35 historic ford to provide for flood control.
36 2. The department, pursuant to section 306.4,
37 shall enter into an agreement to match the
38 expenditures, not to exceed fifty percent of the cost
39 of each project, with the board of supervisors for the
40 reconstruction, repair, and maintenance of the
41 secondary road entering and exiting Dolliver memorial
42 state park.
43 Sec. 21. WITHDRAWAL FROM THE AGRICULTURAL GRAIN
44 MARKETING COMPACT -- REPEAL. Pursuant to article VI
45 of the agricultural grain marketing compact, the state
46 of Iowa withdraws from the compact by enacting this
47 section repealing the compact. Notwithstanding this
48 section, the state retains its membership in the
49 compact and shall continue to function under the
50 compact as if it were in effect, until one year

1 following the effective date of this section and
2 notification of withdrawal by the governor of this
3 state to the interstate agricultural grain marketing
4 commission.
5 Sec. 22. STATE NURSERIES. Notwithstanding section
6 17A.2, subsection 10, paragraph "g", the department of
7 natural resources shall adopt administrative rules
8 establishing a range of prices of plant material grown
9 at the state forest nurseries to cover all expenses
10 related to the growing of the plants.
11 1. The department shall develop programs to
12 encourage the wise management and preservation of
13 existing woodlands and shall continue its efforts to
14 encourage forestation and reforestation on private and
15 public lands in the state.
16 2. The department shall encourage a cooperative
17 relationship between the state forest nurseries and
18 private nurseries in the state in order to achieve
19 these goals.
20 Sec. 23. TRANSFER OF MONEYS OR POSITIONS; CHANGES
21 IN TABLES OF ORGANIZATION -- NOTIFICATION. In
22 addition to the requirements of section 8.39, in each
23 fiscal quarter, the department of agriculture and land
24 stewardship and the department of natural resources
25 shall notify the chairpersons, vice chairpersons, and
26 ranking members of the joint appropriations
27 subcommittee on agriculture and natural resources for
28 the previous fiscal quarter of any transfer of moneys
29 or full-time equivalent positions made by either
30 department which is not authorized in this Act, or any
31 permanent position added to or deleted from either
32 department's table of organization.
33 Sec. 24. AIR QUALITY PROGRAM -- NONGENERAL FUND
34 SUPPORT. The department of natural resources for the
35 fiscal year beginning July 1, 1996, and ending June
36 30, 1997, shall not use moneys appropriated from the
37 general fund of the state pursuant to this Act, to
38 support any purpose related to carrying out the duties
39 of the commission under section 455B.133 or the
40 director under section 455B.134, or for carrying out
41 the provisions of chapter 455B, division II.
42 Notwithstanding section 455B.133B, the department
43 may use moneys deposited in the air contaminant source
44 fund created in section 455B.133B during the fiscal
45 year beginning July 1, 1996, and ending June 30, 1997,
46 for any purpose related to carrying out the duties of
47 the commission under section 455B.133 or the director
48 under section 455B.134, or for carrying out the
49 provisions of chapter 455B, division II.
50 Sec. 25. STUDY OF LOCATING FIELD OFFICE IN NORTH

1 CENTRAL DISTRICT. The department of natural resources
2 shall conduct a study of the feasibility of locating a
3 field office in the department's north central
4 district. On or before January 1, 1997, the
5 department of natural resources shall submit a report
6 including findings and recommendations resulting from
7 the study to the committees of the general assembly
8 which have jurisdiction over natural resources.
9 Sec. 26. NATIVE AMERICAN WAR MEMORIAL. The
10 department of natural resources may purchase, with
11 funds which become available under chapter 465A for
12 the fiscal year beginning July 1, 1996, and ending
13 June 30, 1997, lands on which to locate a native
14 American war memorial.
15 Sec. 27. DEPARTMENTAL INFORMATION REQUIRED.
16 1. The department of agriculture and land
17 stewardship and the department of natural resources,
18 in cooperation as necessary with the department of
19 management and the department of personnel, shall
20 provide a list to the legislative fiscal bureau, on a
21 quarterly basis, of all permanent positions added to
22 or deleted from the departments' table of organization
23 in the previous fiscal quarter. This list shall
24 include at least the position number, salary range,
25 projected funding source or sources of each position,
26 and the reason for the addition or deletion. The
27 legislative fiscal bureau may use this information to
28 assist in the establishment of the full-time
29 equivalent position limits authorized in law for the
30 departments.
31 2. The department of natural resources shall
32 provide the legislative fiscal bureau information and
33 financial data by cost center, on at least a monthly
34 basis, relating to the indirect cost accounting
35 procedure, the amount of funding from each funding
36 source for each cost center, and the internal budget
37 system used by the department. The information shall
38 include but is not limited to financial data covering
39 the department's budget by cost center and funding
40 source prior to the start of the fiscal year, and to
41 the department's actual expenditures by cost center
42 and funding source after the accounting system has
43 been closed for that fiscal year.
44 3. The department of agriculture and land
45 stewardship shall provide the legislative fiscal
46 bureau information and financial data on at least a
47 monthly basis, relating to the internal budget system
48 used by the department. The information shall include
49 but is not limited to financial data covering the
50 department's budget prior to the start of the fiscal

1 year, and to the department's actual expenditures
2 after the accounting system has been closed for that
3 fiscal year.
4 Sec. 28. TRUST FUND INFORMATION. The department
5 of revenue and finance in cooperation with each
6 appropriate agency shall track receipts to the general
7 fund of the state which under law were previously
8 collected to be used for specific purposes, or to be
9 credited to, or be deposited to a particular account
10 or fund, as provided in section 8.60.
11 The department of revenue and finance and each
12 appropriate agency shall prepare reports detailing
13 revenue from receipts previously deposited into each
14 of the funds. A report shall be submitted to the
15 legislative fiscal bureau at least once for each
16 three-month period as designated by the legislative
17 fiscal bureau.
18 Sec. 29. SOIL AND WATER CONSERVATION. The
19 division of soil conservation of the department of
20 agriculture and land stewardship shall establish a
21 voluntary financial incentive program under section
22 161A.73 which provides for the allocation of cost-
23 share moneys as financial incentives for the same
24 purposes that are supported from the soil and water
25 enhancement account of the resources enhancement and
26 protection fund as provided in section 455A.19, or by
27 the water protection practices account of the water
28 protection fund established pursuant to section
29 161C.4. The financial incentives shall not exceed
30 fifty percent of the estimated cost of establishing
31 the practices, or fifty percent of the actual cost,
32 whichever is less.
33 Sec. 30. PREFERENCE PROVIDED -- PERSONS MEETING
34 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM.
35 In its employment of persons in temporary positions in
36 conservation and outdoor recreation, the department of
37 natural resources shall give preference to persons
38 meeting eligibility requirements for the green thumb
39 program under section 15.227 and to persons working
40 toward an advanced education in natural resources and
41 conservation.
42 Sec. 31. Section 14A.1, Code 1995, is amended to
43 read as follows:
44 14A.1 DEPUTIES.
45 The secretary, auditor, <u>and</u> treasurer of state~~, and~~
46 ~~secretary of agriculture~~ may each appoint, in writing,
47 any person, except one holding a state office, as
48 deputy, for whose acts the appointing officer shall be
49 responsible, and from whom the appointing officer
50 shall require bond, which appointment and bond must be

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1 approved by the officer having the approval of the
2 principal's bond, and such appointment may be revoked
3 in the same manner. The appointment and revocation
4 shall be filed with and kept by the secretary of
5 state. The state shall pay the reasonable cost of the
6 bonds required by this section.
7 Sec. 32. Section 159.14, Code 1995, is amended to
8 read as follows:
9 159.14 BONDS.
10 The secretary shall require every inspector or
11 employee who collects fees or handles funds belonging
12 to the state to give an official bond, properly
13 conditioned and signed by sufficient sureties, in a
14 sum to be fixed by the secretary, which bond shall be
15 approved by the secretary and filed in the office of
16 the secretary of state. ~~This section shall not apply~~
17 ~~to the deputy secretary of agriculture.~~ The state
18 shall pay the reasonable cost of the bonds required by
19 this section.
20 Sec. 33. REPEAL. Chapter 183, Code 1995, is
21 repealed.
22 Sec. 34. EFFECTIVE DATES. Section 15, subsection
23 2, and sections 16, 21, and 33 of this Act, being
24 deemed of immediate importance, take effect upon
25 enactment."
26 2. Title page, by striking lines 2 and 3 and
27 inserting the following: "providing for
28 appropriations, and providing effective dates."

By COMMITTEE ON APPROPRIATIONS
MILLAGE of Scott, Chairperson

H-5482 FILED MARCH 20, 1996
adopted 3-28-96 (P. 1122)

SENATE FILE 2446

H-5513

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 18, by striking the figure
5 "1,586,111" and inserting the following: "1,788,434".
6 2. Page 1, line 19, by striking the figure
7 "41.45" and inserting the following: "45.45".

By SCHRADER of Marion
KOENIGS of Mitchell

H-5513 FILED MARCH 21, 1996
Lost 3/27/96
(P. 1072)

SENATE FILE 2446

H-5518

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 9, line 39, by inserting after the figure
5 "455B" the following: "and researching the abatement
6 of animal-related odor in urban areas, from animal-
7 related odor sources including, but not limited to,
8 animal rendering and slaughtering facilities".

By OLLIE of Clinton

H-5518 FILED MARCH 21, 1996

Lost 3/28/96 (p. 1103)

SENATE FILE 2446

H-5519

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate as
3 follows:
4 1. Page 11, by striking lines 29 through 42.
5 2. By renumbering as necessary.

By MUNDIE of Webster

H-5519 FILED MARCH 21, 1996

Lost 3/28/96 (p. 1104)

SENATE FILE 2446

H-5719

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 9, line 34, by striking the word
5 "purpose" and inserting the following: "purposes".
6 2. Page 9, line 35, by inserting before the word
7 "To" the following: "1."
8 3. Page 9, line 40, by striking the figure
9 "500,000" and inserting the following: "400,000".
10 4. Page 9, line 41, by striking the figure "1."
11 and inserting the following: "a."
12 5. Page 9, line 41, by striking the word
13 "section" and inserting the following: "subsection".
14 6. Page 9, line 47, by striking the figure "2."
15 and inserting the following: "b."
16 7. Page 10, line 4, by striking the word
17 "section" and inserting the following: "subsection".
18 8. Page 10, by inserting after line 6 the
19 following:
20 "2. To the soil conservation division of the
21 department of agriculture and land stewardship to
22 support soil and water conservation district
23 development including the training of soil and water
24 conservation district staff:
25 ..... $ 42,000
26 3. To the soil conservation division of the
27 department of agriculture and land stewardship for
28 purposes of supporting the oversight of financial
29 incentive programs administered by the division, and
30 for the salary and support of not more than the
31 following full-time equivalent position:
32 ..... $ 56,000
33 ..... FTEs 1.00"
34 9. By renumbering as necessary.

By WEIGEL of Chickasaw

H-5719 FILED MARCH 28, 1996
WITHDRAWN

(P.1103)

SENATE FILE 2446

H-5682

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 14, by inserting after line 41 the
5 following:
6 "Sec. 100. TRANSFER OF INTERNATIONAL MARKETING
7 UNIT OF AGRICULTURAL MARKETING DIVISION.
8 Notwithstanding the provisions in 1995 Iowa Acts,
9 chapter 216, section 1, subsection 1, paragraph "a",
10 the amount appropriated and number of full-time
11 equivalent positions authorized to the administrative
12 division of the department of agriculture and land
13 stewardship for the international marketing unit of
14 the agricultural marketing division, as provided in 21
15 IAC 1.3(1)"d", are reduced respectively by the amount
16 of the unencumbered and unobligated moneys remaining
17 within organization 1403 in the appropriation made by
18 1995 Iowa Acts, chapter 216, section 1, subsection 1,
19 paragraph "a", on the effective date of this section
20 and by 2.00 FTEs, which amount and position
21 authorization shall be transferred to the
22 international division of the department of economic
23 development for international trade operations.
24 Notwithstanding section 8.33, moneys transferred by
25 this section to the department of economic development
26 that remain unexpended at the end of the fiscal year
27 beginning July 1, 1995, and ending June 30, 1996,
28 shall not revert but shall be available for
29 expenditure for authorized purposes during the
30 succeeding fiscal year.
31 The department of economic development shall to
32 every extent possible provide the employees of the
33 international marketing unit of the department of
34 agriculture and land stewardship with the opportunity
35 to secure a comparable position within the
36 international division of the department of economic
37 development. The department of economic development
38 shall assume responsibility for international
39 marketing of agricultural commodities and products and
40 for participation in international organizations
41 relating to the international marketing of
42 agricultural commodities and products."
43 2. Page 15, line 23, by striking the word and
44 figures "21, and 33" and inserting the following:
45 "21, 33, and 100".
46 3. By renumbering as necessary.

By HAHN of Muscatine

H-5682 FILED MARCH 27, 1996

WITHDRAWN
3-28-96
(p. 1107)

SENATE FILE 2446

H-5663

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 7, line 3, by inserting after the word
5 "operations." the following: "The department shall
6 allocate at least $100,000 of this amount to counties
7 to support county enforcement of animal feeding
8 operations as provided in this Act."
9 2. Page 14, by inserting after line 41 the
10 following:
11 "Sec. ___. DEPARTMENT OF NATURAL RESOURCES --
12 CONSTRUCTION PERMITS. An application for a
13 construction permit for a confinement feeding
14 operation which is filed with the department of
15 natural resources before the effective date of this
16 Act shall not be subject to requirements in this Act
17 amending provisions in chapter 455B which affect the
18 application. However, nothing relieves the
19 application from complying with requirements in
20 chapter 455B as amended by 1995 Iowa Acts, chapter
21 195.
22 Sec. ___. ANIMAL AGRICULTURE CONSULTING
23 ORGANIZATION. The animal agriculture consulting
24 organization established pursuant to 1995 Iowa Acts,
25 chapter 195, section 37, is requested to draft a
26 proposal for a model building code applicable to
27 formed manure storage structures as defined in section
28 455B.161. The animal agriculture consulting
29 organization shall submit the draft proposal to the
30 general assembly not later than January 10, 1997."
31 3. Page 15, by inserting before line 20 the
32 following:
33 "Sec. ___. NEW SECTION. 331.302A CONFINEMENT
34 FEEDING OPERATIONS.
35 1. If a confinement feeding operation, including a
36 related animal feeding operation structure, as
37 provided in chapter 455B, is located in a county, that
38 county board of supervisors may enforce the provisions
39 in chapter 455B applicable to confinement feeding
40 operations, including rules adopted by the department
41 of natural resources as provided in section 455B.173
42 against the owner of the confinement feeding
43 operation.
44 2. In order to proceed in an enforcement action,
45 the board must deliver a notice to the department,
46 stating that a confinement feeding operation may be in
47 violation of chapter 455B or departmental rules. The
48 board shall deliver the notice after approval of the
49 board action by resolution. The notice shall be in
50 writing and shall state the location of the

1 confinement feeding operation, the name and address of
2 the owner, the name and address of the complainant,
3 and an explanation of the possible violation. The
4 board may inform the department that the board
5 reserves its right to enforce chapter 455B and related
6 rules as provided in this section, if the department
7 fails to initiate an enforcement action or continue an
8 enforcement action which results in an administrative
9 hearing or a settlement of the case. The county may
10 begin enforcement proceedings after fourteen calendar
11 days following delivery of the notice, unless the
12 county receives notice by the department that the
13 department has initiated an enforcement action in the
14 case as provided in this subsection. The department
15 shall proceed in the active enforcement of the case.
16 3. Once a county begins an enforcement action as
17 provided in this section, it shall be the party in
18 interest in the case and shall have sole authority and
19 responsibility to carry out the action. The county
20 may refer any case to the attorney general. The
21 department of natural resources may assume prosecution
22 of the enforcement action from the county. However,
23 if the department assumes prosecution of the
24 enforcement action, the department shall be required
25 to resolve the action.
26 4. The county shall bring the enforcement action
27 according to the same procedures used for a county
28 infraction as provided in section 331.307. The
29 department shall establish classifications for
30 violations and the maximum amount that a county may
31 assess as a civil penalty for each classification.
32 However, the amount of the civil penalty shall not be
33 more than could be assessed by the department for the
34 same violation. The department shall reimburse the
35 county for fifty percent of the costs incurred by the
36 county in enforcing the action.
37 Sec. ___. Section 455B.161, subsection 3, Code
38 Supplement 1995, is amended to read as follows:
39 3. a. "Animal feeding operation" means a lot,
40 yard, corral, building, or other area in which animals
41 are confined and fed and maintained for forty-five
42 days or more in any twelve-month period, and all
43 structures used for the storage of manure from animals
44 in the operation.
45 b. Two or more animal feeding operations ~~under~~
46 shall be deemed to be a single animal feeding
47 operation if the operations meet both of the following
48 criteria:
49 (1) Are under common ownership or management ~~are~~
50 ~~deemed to be a single animal feeding operation if they~~

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1 ~~are adjacent or utilize.~~
2 (2) Utilize a common system for manure storage or
3 are separated at their closest points by two thousand
4 five hundred feet or less.
5 c. An animal feeding operation does not include a
6 livestock market.
7 Sec. ___. Section 455B.171, Code Supplement 1995,
8 is amended by adding the following new subsection:
9 NEW SUBSECTION. 1A. "Earthen manure storage
10 basin" means the same as defined in section 455B.161.
11 Sec. ___. Section 455B.172, Code 1995, is amended
12 by adding the following new subsections:
13 NEW SUBSECTION. 9. A county board of supervisors
14 in the county where a confinement feeding operation is
15 located may enforce the provisions of this chapter
16 including rules adopted by the department pursuant to
17 section 455B.173, against the confinement feeding
18 operation, as provided in section 331.302A.
19 NEW SUBSECTION. 10. Pursuant to one or more
20 chapter 28E agreements entered into by the department
21 and the county boards of health for Appanoose, Clarke,
22 Decatur, Lucas, Monroe, and Wayne counties, the
23 department may delegate its authority to the county
24 boards of health in those counties, under the
25 authority granted to the county boards of health in
26 chapter 137, to inspect water in or originating from
27 the Rathbun water impoundment. The inspection may
28 include testing, monitoring, and analyzing water in or
29 originating from the water impoundment. The county
30 board of health shall only inspect water in or
31 originating from the water impoundment if all of the
32 following apply:
33 a. The inspection is within an area where the
34 point of pollution could occur between manure from an
35 animal feeding operation structure which is part of a
36 confinement feeding operation and water in or
37 originating from the water impoundment.
38 b. The confinement feeding operation confines and
39 feeds swine.
40 c. The total manure storage capacity of manure
41 storage structures connected to the confinement
42 feeding operation is four million gallons or more.
43 A county may impose a special annual fee on each
44 confinement feeding operation which has been assessed
45 a civil penalty during the year, in order to reimburse
46 the county board of health for administering this
47 subsection. The amount of the annual fee shall not
48 exceed one thousand dollars. If unpaid when due as
49 provided by the county, the amount shall be placed
50 upon the tax books and collected, with interest and

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Page 4

1 penalties after due, in the same manner as other
2 unpaid property taxes.
3 Sec. ___. Section 455B.201, Code Supplement 1995,
4 is amended by adding the following new subsection:
5 NEW SUBSECTION. 5. A person shall not construct
6 or expand an earthen manure storage basin used in
7 conjunction with a confinement feeding operation in
8 which swine are confined, if all earthen manure
9 storage basins serving the confinement feeding
10 operation as constructed or expanded would have a
11 capacity to store more than four million gallons of
12 waste discharge.
13 Sec. ___. Section 455B.204, subsection 1,
14 unnumbered paragraph 1, Code Supplement 1995, is
15 amended to read as follows:
16 An animal feeding operation structure shall be
17 ~~located~~ constructed at least ~~five~~ one thousand two
18 hundred fifty feet away from an unplugged agricultural
19 drainage well or the surface intake of an agricultural
20 drainage well ~~or~~; at least five hundred feet away from
21 a known sinkhole~~,~~; and at least two hundred feet away
22 from a lake, river, or stream located within the
23 territorial limits of the state, or any marginal river
24 area adjacent to the state, which can support a
25 floating vessel capable of carrying one or more
26 persons during a total of a six-month period in one
27 out of ten years, excluding periods of flooding.
28 However, no distance separation is required between a
29 location or object and a farm pond or privately owned
30 lake, as defined in section 462A.2."
31 4. Page 15, by striking lines 26 through 28.
32 5. By renumbering as necessary.

By SUKUP of Franklin

H-5663 FILED MARCH 27, 1996
not Germone 3-28-96 (p. 1098)

SENATE FILE 2446

H-5669
1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 13, by striking lines 10 through 14 and
5 inserting the following: "department of natural
6 resources may purchase lands on which to locate a
7 native American war memorial."

By HAHN of Muscatine

H-5669 FILED MARCH 27, 1996
adopted 3/28/96 (p. 1105)

SENATE FILE 2446

H-5659

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 9, line 34, by striking the word
5 "purpose" and inserting the following: "purposes".
6 2. Page 9, line 35, by inserting before the word
7 "To" the following: "1."
8 3. Page 9, line 41, by striking the figure "1."
9 and inserting the following: "a."
10 4. Page 9, line 41, by striking the word
11 "section" and inserting the following: "subsection".
12 5. Page 9, line 47, by striking the figure "2."
A. 13 and inserting the following: "b."
14 6. Page 10, line 4, by striking the word
15 "section" and inserting the following: "subsection".
16 7. Page 10, by inserting after line 6 the
17 following:
18 "2. To the soil conservation division of the
19 department of agriculture and land stewardship for
B 20 purposes of supporting the oversight of financial
21 incentive programs administered by the division, and
22 for the salary and support of not more than the
23 following full-time equivalent position:
24 ..... $ 56,000
25 ..... FTEs 1.00"
26 8. By renumbering as necessary.

By WEIGEL of Chickasaw

H-5659 FILED MARCH 27, 1996
A. withdrawn 3-28-96 (P. 1102)
B - adopted 3-28-96 (P. 1103)

SENATE FILE 2446

H-5660

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 6, line 14, by striking the figure
5 "2,052,389" and inserting the following: "1,852,389".
6 2. Page 6, line 15, by striking the figure
7 "119.25" and inserting the following: "115.25".
8 3. Page 6, by striking lines 16 through 24.

By KOENIGS of Mitchell

H-5660 FILED MARCH 27, 1996
Lost 3/28/96
(P. 1121)

SENATE FILE 2446

H-5656

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 7, by inserting after line 38 the
5 following:
6 "c. CONDITION OF APPROPRIATION. The amount
7 appropriated pursuant to this subsection shall be
8 conditional upon the division adopting by rule, which
9 shall become effective December 31, 1996, requirements
10 relating to the disposal of manure in close proximity
11 to a designated area. The rules shall prohibit a
12 person disposing of manure on cropland within two
A 13 hundred feet from a designated area, as defined in
14 section 159.27, Code Supplement 1995."
15 2. Page 15, by inserting before line 20 the
16 following:
17 "Sec. ___. Section 455B.201, subsection 2, Code
18 Supplement 1995, is amended to read as follows:
19 2. Manure from an animal feeding operation shall
20 be disposed of in a manner which will not cause
21 surface water or groundwater pollution. Disposal in
22 accordance with the provisions of state law, including
23 this chapter, rules adopted pursuant to the provisions
24 of state law, including this chapter, and guidelines
25 adopted pursuant to this chapter~~, and section 159.27,~~
26 shall be deemed as compliance with this requirement.
27 Sec. ___. Section 455B.204, subsection 2, Code
B 28 Supplement 1995, is amended by striking the
29 subsection.
30 Sec. ___. REPEAL.
31 1. Section 159.27, Code Supplement 1995, is
32 repealed.
33 2. This section takes effect December 31, 1996."
34 3. By renumbering as necessary.

By GARMAN of Story

H-5656 FILED MARCH 27, 1996

A. Lost 3/28/96 (P. 1099)
B. Withdrawn 3/28/96 (P. 1119)

SENATE FILE 2446

H-5658

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 9, line 34, by striking the word
5 "purpose" and inserting the following: "purposes".
A 6 2. Page 9, line 35, by inserting before the word
7 "To" the following: "1."
8 3. Page 9, line 41, by striking the figure "1."
9 and inserting the following: "a."
10 4. Page 9, line 41, by striking the word
11 "section" and inserting the following: "subsection".
12 5. Page 9, line 47, by striking the figure "2."
13 and inserting the following: "b."
14 6. Page 10, line 4, by striking the word
15 "section" and inserting the following: "subsection".
16 7. Page 10, by inserting after line 6 the
17 following:
18 "2. To the soil conservation division of the
19 department of agriculture and land stewardship to
B 20 support soil and water conservation district
21 development including the training of soil and water
22 conservation district staff:
23 ..... $ 42,000"
24 8. By renumbering as necessary.

By WEIGEL of Chickasaw

H-5658 FILED MARCH 27, 1996

A. withdrawn 3-28-96 (P. 1102)
B. adopted 3-28-96 (P. 1103)

SENATE FILE 2446

H-5661

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 14, by inserting after line 41 the
5 following:
6 "Sec. ___. GIFT CERTIFICATES FOR SPECIAL PRIVILEGE
7 FEES ON STATE PARKS AND RECREATION AREAS. The
8 department of natural resources shall publish and make
9 available for purchase by the general public gift
10 certificates entitling the bearer of the certificate
11 to free camping and other special privileges at state
12 parks and recreation areas. The department shall
13 establish prices for the certificates based on amounts
14 required to be paid in fees for camping and special
15 privileges pursuant to section 461A.47."
16 2. By renumbering as necessary.

By BRAND of Benton

H-5661 FILED MARCH 27, 1996

adopted 3-28-96
(P. 1107)

SENATE FILE 2446

H-5657

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 9, line 34, by striking the word
5 "purpose" and inserting the following: "purposes".
6 2. Page 9, line 35, by inserting before the word
7 "To" the following: "1."
8 3. Page 9, line 41, by striking the figure "1."
9 and inserting the following: "a."
10 4. Page 9, line 41, by striking the word
11 "section" and inserting the following: "subsection".
12 5. Page 9, line 47, by striking the figure "2."
13 and inserting the following: "b."
14 6. Page 10, line 4, by striking the word
15 "section" and inserting the following: "subsection".
16 7. Page 10, by inserting after line 6 the
17 following:
18 "2. To the Iowa agricultural development authority
19 as established pursuant to section 175.3, to support
20 the establishment of an agri-entrepreneurship
21 education project to provide beginning agriculturists
22 with an opportunity to gain experience in owning or
23 operating agriculture-related businesses through
24 enterpreneurship loans to future farmers of America
25 chapters or other organizations administering
26 secondary education-related agricultural programs:
27 ..... $ 250,000"
28 8. By renumbering as necessary.

By HAHN of Muscatine
MERTZ of Kossuth

H-5657 FILED MARCH 27, 1996

adopted 3/28/96 (P. 1101)

SENATE FILE 2446

H-5637

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 15, by inserting before line 20 the
5 following:
6 "Sec. ___. Section 335.2, Code 1995, is amended to
7 read as follows:
8 335.2 ~~FARMS~~ AGRICULTURAL PURPOSES EXEMPT.
9 Except ~~to the extent required to implement section~~
10 ~~335.27, no~~ as provided in this section, an ordinance
11 adopted under this chapter ~~applies~~ shall not apply to
12 an agricultural operation, including land, ~~farm~~
13 houses, ~~farm~~ barns, ~~farm~~ outbuildings, or other
14 buildings or structures, which are primarily adapted,
15 by reason of nature and area, for ~~use for~~ an
16 agricultural ~~purposes~~ purpose, while so used.
17 However, ~~the ordinances~~ an ordinance adopted under
18 this chapter may apply to any of the following:
19 1. The implementation of an agricultural
20 preservation ordinance, as provided in section 335.27.
21 2. A structure, building, dam, obstruction,
22 deposit, or excavation in or on the flood plains of
23 ~~any~~ a river or stream.
24 3. An animal feeding operation, as defined in
25 section 455B.161, other than an animal feeding
26 operation which is part of a family farm. The county
27 board of supervisors shall determine if an
28 agricultural operation qualifies as a family farm. In
29 making this determination the board shall review facts
30 relating to the agricultural operation and the person
31 owning or leasing the land where the agricultural
32 operation is located, including the extent to which
33 the person:
34 a. Has held an interest in the land.
35 b. Is actively engaged in farming the land.
36 c. Produces different species of livestock on the
37 land.
38 d. Produces crops on the land. If crops are
39 produced on the land, the board shall consider the
40 extent to which the crops are used to feed livestock
41 produced on the land.
42 e. Owns and operates machinery for the following:
43 (1) The planting and harvesting of grain on the
44 land.
45 (2) The application of manure on the land.
46 f. Owns and uses facilities for the storage of
47 grain produced on the land.
48 Sec. ___. Section 455B.162, subsection 1,
49 paragraph b, unnumbered paragraph 1, Code Supplement
1995, is amended to read as follows:

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Page 2

1 The following table represents the minimum
2 separation distance in feet required between animal
3 feeding operation structures and a public use area or
4 ~~a residence not owned by the owner of the animal~~
5 ~~feeding operation, a commercial enterprise, a bona~~
6 ~~fide religious institution, or an educational~~
7 ~~institution located within~~ the corporate limits of a
8 city:
9 Sec. ___. Section 657.1, Code Supplement 1995, is
10 amended to read as follows:
11 657.1 NUISANCE -- WHAT CONSTITUTES -- ACTION TO
12 ABATE.
13 Whatever is injurious to health, indecent, or
14 ~~unreasonably~~ offensive to the senses, or an
15 obstruction to the free use of property, so as
16 essentially to ~~unreasonably~~ interfere with the
17 comfortable enjoyment of life or property, is a
18 nuisance, and a civil action by ordinary proceedings
19 may be brought to enjoin and abate the same and to
20 recover damages sustained on account thereof.
21 Sec. ___. Section 657.2, subsection 1, Code
22 Supplement 1995, is amended to read as follows:
23 1. The erecting, continuing, or using any building
24 or other place for the exercise of any trade,
25 employment, or manufacture, which, by occasioning
26 noxious exhalations, ~~unreasonably~~ offensive smells, or
27 other annoyances, becomes injurious and dangerous to
28 the health, comfort, or property of individuals or the
29 public.
30 Sec. ___. APPLICABILITY. Except as provided in
31 section 455B.163, as enacted by 1995 Iowa Acts,
32 chapter 195, section 17, with regard to the continued
33 operation of animal feeding operations constructed
34 prior to May 31, 1995, or the expansion of structures
35 constructed prior to May 31, 1995, the provisions of
36 section 455B.162, subsection 1, paragraph "b",
37 unnumbered paragraph 1, Code Supplement 1995, as
38 enacted by 1995 Iowa Acts, chapter 195, section 16,
39 shall continue to apply to animal feeding operation
40 structures constructed on or after May 31, 1995, but
41 prior to the effective date of this Act, and to the
42 expansion of such structures constructed on or after
43 May 31, 1995, but prior to the effective date of this
44 Act.
45 Sec. ___. REPEAL OF NUISANCE SUIT RESTRICTION.
46 Section 657.11, Code Supplement 1995, is repealed."
47 2. Page 15, by striking lines 26 through 28.
48 3. By renumbering as necessary.

By KOENIGS of Mitchell
BERNAU of Story
WEIGEL of Chickasaw
MUNDIE of Webster
OSTERHAUS of Jackson
CONNORS of Polk
HOLVECK of Polk
JOCHUM of Dubuque
WITT of Black Hawk
MASCHER of Johnson
BURNETT of Story
FALLON of Polk
NELSON of Pottawattamie
SHOULTZ of Black Hawk
HARPER of Black Hawk
DREES of Carroll
LARKIN of Lee
CATALDO of Polk
DODERER of Johnson
COHOON of Des Moines
McCOY of Polk
WARNSTADT of Woodbury
MURPHY of Dubuque
TAYLOR of Linn
BRAND of Benton
OLLIE of Clinton
KREIMAN of Davis
SCHRADER of Marion
MYERS of Johnson

H-5637 FILED MARCH 26, 1996
Not Germane 3/28/96 (P. 1118)

SENATE FILE 2446

H-5640

Amend the amendment, H-5482, to Senate File 2446, as amended, passed, and reprinted by the Senate, as follows:

A 1. Page 2, line 34, by striking the word "laboratory" and inserting the following: "field".

2. Page 2, line 36, by striking the word "shall" and inserting the following: "may".

B 3. Page 13, line 10, by striking the word "may" and inserting the following: "shall".

By HAHN of Muscatine

H-5640 FILED MARCH 26, 1996

A. adopted 3/27/96 (P. 1075)
B. withdrawn 3/28/96 (P. 1104)

H-5654

SENATE FILE 2446

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 6, by striking lines 20 through 24, and
5 inserting the following: "an environmental compliance
6 assistance team which shall identify, list, and survey
7 manure storage structures constructed prior to 1988 in
8 order to develop a priority system for the monitoring
9 of such structures. The team shall provide for long-
10 term monitoring and remediation of the manure storage
11 structures and particularly manure storage structures
12 which pose a heightened risk to water quality."

By WITT of Black Hawk
KOENIGS of Mitchell

H-5654 FILED MARCH 26, 1996

Lost 3/28/96 (P. 1093)

SENATE FILE 2446

H-5631

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 15, by inserting before line 20 the
5 following:
6 "Sec. ___. NEW SECTION. 331.309 CONFINEMENT
7 FEEDING OPERATIONS -- SITING ORDINANCE.
8 1. As used in this section:
9 a. "Animal feeding operation structure" means the
10 same as defined in section 455B.161.
11 b. "Animal weight capacity" means the same as
12 defined in section 455B.161.
13 c. "Confinement feeding operation" means the same
14 as defined in section 455B.161.
15 2. a. Notwithstanding section 335.2, a county may
16 adopt a confinement feeding operations siting
17 ordinance, pursuant to section 331.302. The purpose
18 of the ordinance shall be to approve the siting of a
19 confinement feeding operation regardless of whether
20 the county has adopted an ordinance under chapter 335
21 or regardless of the classification of the confinement
22 feeding operation. The ordinance shall provide
23 authority to a county to approve the site of the
24 construction or expansion of a confinement feeding
25 operation, including confinement feeding operation
26 buildings and related animal feeding operation
27 structures in order to preserve and protect natural
28 resources, including water sources and fragile
29 environmental locations; lessen congestion and
30 overcrowding of confinement feeding operations,
31 especially near cities; and to protect the health and
32 welfare of the public.
33 b. The ordinance shall provide for a method and
34 procedure required to approve the site. In
35 administering the ordinance, the county shall
36 establish a confinement feeding operations siting
37 commission which shall review each proposal for the
38 construction or expansion of a confinement feeding
39 operation, and recommend to the county board of
40 supervisors that the board approve or disapprove the
41 proposal. The board shall appoint five members of the
42 commission. Four members shall not reside in a city,
43 and one member shall reside in a city. At least three
44 members shall be or have been actively engaged in
45 animal agriculture. The commission shall make its
46 recommendation to the board within forty-five days
47 from the date that the board receives a complete
48 proposal. The board shall approve or disapprove a
49 proposal within forty-five days from the date that the
50 board receives the commission's recommendation.

1 c. A confinement feeding operations siting
2 ordinance shall not apply to a confinement feeding
3 operation, if either of the following apply:
4 (1) Only bovine or poultry are confined in the
5 confinement feeding operation.
6 (2) The confinement feeding operation has an
7 animal weight capacity of less than three hundred
8 thousand pounds.
9 Sec. ___. Section 335.2, Code 1995, is amended to
10 read as follows:
11 335.2 ~~FARMS~~ AGRICULTURAL USES EXEMPT.
12 1. As used in this section:
13 a. "Animal feeding operation" means a lot, yard,
14 corral, building, or other area in which animals are
15 confined and fed and maintained for forty-five days or
16 more in any twelve-month period, and all structures
17 used for the storage of manure from animals in the
18 operation. Two or more animal feeding operations
19 under common ownership or management are deemed to be
20 a single animal feeding operation if they are adjacent
21 or utilize a common system for manure storage. An
22 animal feeding operation does not include a livestock
23 market.
24 b. "Agricultural purpose" means any use connected
25 or related to farming.
26 c. "Farm animal feeding operation" means an animal
27 feeding operation other than an industrial feeding
28 operation.
29 d. "Farming" means the same as defined in section
30 9H.1.
31 e. "Industrial feeding operation structure" means
32 an animal feeding operation structure as defined in
33 section 455B.161 which is part of an industrial
34 feeding operation.
35 f. "Partially zoned county" means an unzoned
36 county in which is established an agricultural area
37 pursuant to section 352.6 or an area subject to zoning
38 pursuant to this chapter, if the county has not
39 adopted countywide zoning pursuant to chapter 335.
40 g. "Production inputs" means feed, supplies, and
41 veterinary medicine used to feed or breed livestock,
42 but does not include labor, construction materials,
43 equipment, or tools.
44 h. "Unzoned county" means a county which has not
45 adopted zoning pursuant to this chapter, if no part of
46 the county is subject to partial zoning.
47 i. "Zoned county" means a county which has adopted
48 zoning on a countywide basis as provided in this
49 chapter.
50 2. As used in this section, "industrial feeding

1 operation" means an animal feeding operation, if the
2 operation contains six hundred twenty-five thousand or
3 more pounds animal weight capacity for all animal
4 species other than beef cattle, or one million six
5 hundred thousand or more pounds animal weight capacity
6 for beef cattle, or fails to meet one of the following
7 criteria:
8 a. The owner of the agricultural land where an
9 animal feeding operation is located is qualified to
10 file for a homestead tax credit as provided pursuant
11 to section 425.2 or a family farm tax credit as
12 provided in section 425A.4 in the county where the
13 agricultural land is located. However, if the owner
14 of the agricultural land is a business entity all of
15 the following apply:
16 (1) One of the following persons must be eligible
17 to file:
18 (a) If the person is filing for a homestead tax
19 credit, one of the following persons must be eligible
20 to file:
21 (i) If the owner is a corporation, the majority
22 shareholder of the corporation.
23 (ii) If the owner is a partnership, any partner.
24 (iii) If the owner is a limited liability company,
25 the person holding the greatest membership interest in
26 the limited liability company.
27 (iv) If the owner is a limited partnership, the
28 person contributing the most value to the limited
29 partnership.
30 (v) If the owner is a trust, the beneficiary
31 having the greatest interest in the trust.
32 (b) If the person is filing for a family farm tax
33 credit one of the following persons must be eligible
34 to file:
35 (i) If the owner is a corporation, the majority
36 shareholder of the corporation.
37 (ii) If the owner is a partnership, any partner.
38 b. At least forty percent of the interest in the
39 business entity must be held by persons related to
40 each other as spouse, parent, grandparent, lineal
41 ascendants of grandparents or their spouses, or lineal
42 descendants of the grandparents or their spouses, or
43 persons acting in a fiduciary capacity to persons so
44 related.
45 c. More than fifty percent of the production
46 inputs used to maintain livestock on the agricultural
47 land are purchased within sixty miles from the borders
48 of the agricultural land where the livestock operation
49 is located.
50 d. The operation cannot have benefited from any of

1 the following:
2 (1) The job training partnership program and other
3 programs administered under section 15.108.
4 (2) The community economic betterment program
5 created in sections 15.315 through 15.320.
6 (3) The self-employment loan program created in
7 section 15.241.
8 (4) The targeted small business financial
9 assistance program created in section 15.247.
10 (5) An agreement for a supplemental new jobs tax
11 credit as provided in section 15.331.
12 (6) The industrial new jobs training program as
13 provided in chapter 260E.
14 (7) The small business new jobs training program
15 as provided in chapter 260F.
16 (8) An economic development area established
17 pursuant to chapter 403.
18 For purposes of reimbursing a county that has
19 acquired real estate containing an industrial feeding
20 operation structure following nonpayment of taxes
21 pursuant to section 446.19, all shareholders of any
22 corporation, partners of a partnership, members of a
23 limited liability company, limited partners of any
24 limited partnership, or beneficiaries of any trust
25 shall be liable for the entire costs of remediating
26 the site, as if they owned the industrial feeding
27 operation personally, regardless of the amount of
28 interest that is held in the entity.
29 3. ~~Except to the extent required to implement~~
30 ~~section 335.27, no~~ An ordinance adopted under this
31 chapter ~~applies~~ shall apply to land, ~~farm~~ including
32 houses, ~~farm~~ barns, ~~farm~~ outbuildings or other
33 buildings or structures located on the land, which ~~are~~
34 is primarily adapted, by reason of nature and area,
35 ~~for use~~ for an agricultural ~~purposes~~ purpose, while so
36 used, only as provided in this section. ~~However, the~~
37 ~~ordinances may apply to any~~ The ordinance shall not
38 apply to the land, unless an industrial feeding
39 operation is located on the land. If an industrial
40 feeding operation is located on the land, the
41 ordinance shall only apply to the site of the
42 industrial feeding operation as provided in this
43 section and not land where other farming operations
44 occur. The following shall apply to the site of a
45 farm animal feeding operation constructed on or after
46 the effective date of this Act, regardless of whether
47 the county has adopted an ordinance under this
48 chapter:
49 a. A farm animal feeding operation may be located
50 anywhere in a county other than within the corporate

1 limits of a city. A farm animal feeding operation may
2 be located in an unzoned, partially zoned, or zoned
3 county. An ordinance adopted under this chapter shall
4 not apply to the farm animal feeding operation.
5 b. An industrial feeding operation shall not be
6 located within the corporate limits of a city. An
7 industrial feeding operation shall not be located in
8 an unzoned county, the unzoned portion of a partially
9 zoned county, or an agricultural area within a
10 partially zoned county.
11 4. This section shall not apply to either of the
12 following:
13 a. An ordinance required to implement an
14 agricultural land preservation ordinance, as provided
15 in section 335.27.
16 b. A structure, building, dam, obstruction,
17 deposit or excavation in or on the flood plains of ~~any~~
18 a river or stream.
19 Sec. ___. Section 455B.173, subsection 13, Code
20 Supplement 1995, is amended to read as follows:
21 13. a. Adopt, modify, or repeal rules relating to
22 the construction, including the expansion, of animal
23 feeding operations, or the operation of animal feeding
24 operations. The rules shall include, but are not
25 limited to, minimum manure control requirements,
26 requirements for obtaining permits, and departmental
27 evaluations of animal feeding operations. ~~The~~
28 ~~department shall not require that a person obtain a~~
29 ~~permit for the construction of an animal feeding~~
30 ~~operation structure, if~~ A person must obtain a
31 construction permit to construct an animal feeding
32 operation structure which is part of or connected to a
33 confinement feeding operation, unless the structure is
34 part of a small animal feeding operation. However,
35 unless otherwise required by departmental rule, this
36 paragraph does not require a person to obtain a
37 construction permit to construct an animal feeding
38 operation structure which is part of or connected to
39 and used exclusively by a confinement feeding
40 operation in which only bovine or avian animals are
41 confined.
42 b. The department shall collect an indemnity fee
43 as provided in section 204.3 prior to the issuance of
44 a construction permit. The department shall deposit
45 indemnity fees in the manure storage indemnity fund
46 created in section 204.2.
47 c. The department shall not approve a permit for
48 the construction of three or more animal feeding
49 operation structures unless the applicant files a
50 statement approved by a professional engineer

1 registered pursuant to chapter 542B certifying that
2 the construction of the animal feeding operation
3 structure will not impede the drainage through
4 established drainage tile lines which cross property
5 boundary lines unless measures are taken to
6 reestablish the drainage prior to completion of
7 construction. ~~The department shall deposit moneys~~
8 ~~collected in indemnity fees in the manure storage~~
9 ~~indemnity fund created in section 204.2.~~
10 d. The department shall issue a permit for an
11 animal feeding operation, if an application is
12 submitted according to procedures required by the
13 department, and the application meets standards
14 established by the department, regardless of whether
15 the animal feeding operation is required to obtain
16 such a permit. An applicant for a construction permit
17 shall not begin construction at the location of a site
18 planned for the construction of an animal feeding
19 operation structure, until the person has been granted
20 a permit for the construction of the structure by the
21 department. The department shall make a determination
22 regarding the approval or denial of a permit within
23 sixty days from the date that the department receives
24 a completed application for a permit. However, the
25 sixty-day requirement shall not apply to an
26 application, if the applicant is not required to
27 obtain a permit in order to construct an animal
28 feeding operation structure or to operate an animal
29 feeding operation. The department shall deliver a
30 copy or require the applicant to deliver a copy of the
31 application for a construction permit to the county
32 board of supervisors in the county where the
33 confinement feeding operation or confinement feeding
34 operation structure subject to the permit is to be
35 located. The department shall not approve the
36 application or issue a construction permit until
37 thirty days following delivery of the application to
38 the county board of supervisors. The department shall
39 consider comments from the county board of
40 supervisors, regarding compliance by the applicant
41 with the legal requirements for the construction of
42 the confinement feeding operation structure as
43 provided in this chapter, and rules adopted by the
44 department pursuant to this chapter, if the comments
45 are delivered to the department within fourteen days
46 after receipt of the application by the county board
47 of supervisors. Prior to granting a permit to a
48 person for the construction of an animal feeding
49 operation, the department may require the installation
50 and operation of a hydrological monitoring system for

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Page 7
1 an exclusively earthen manure storage structure, if,
2 after an on-site inspection, the department determines
3 that the site presents an extraordinary potential for
4 groundwater pollution.
5 e. A person shall not obtain a permit for the
6 construction of a confinement feeding operation,
7 unless the person develops a manure management plan as
8 provided in section 455B.203.
9 f. The department shall not issue a permit to a
10 person under this subsection if an enforcement action
11 by the department, relating to a violation of this
12 chapter concerning a confinement feeding operation in
13 which the person has an interest, is pending. The
14 department shall not issue a permit to a person under
15 this subsection for five years after the date of the
16 last violation committed by a person or confinement
17 feeding operation in which the person holds a
18 controlling interest during which the person or
19 operation was classified as a habitual violator under
20 section 455B.191. The department shall conduct an
21 annual review of each confinement feeding operation
22 which is a habitual violator and each confinement
23 feeding operation in which a habitual violator holds a
24 controlling interest. The department shall notify
25 persons classified as habitual violators of their
26 classification, additional restrictions imposed upon
27 the persons pursuant to the classification, and
28 special civil penalties that may be imposed upon the
29 persons. The notice shall be sent to the persons by
30 certified mail."
31 2. Page 15, by striking lines 26 through 28.
32 3. By renumbering as necessary.

By WEIGEL of Chickasaw

H-5631 FILED MARCH 26, 1996
Withdrawn 3/28/96 (P.1121)

SENATE FILE 2446

H-5632
1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 15, by inserting before line 20 the
5 following:
6 "Sec. ___. Section 465A.1, unnumbered paragraph 2,
7 Code 1995, is amended by striking the unnumbered
8 paragraph."
9 2. By renumbering as necessary.

By GREIG of Emmet

H-5632 FILED MARCH 26, 1996

WITHDRAWN
3-28-96

(P.1115)

SENATE FILE 2446

H-5648

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 14, by inserting after line 41 the
5 following:
6 "Sec. 100. TRANSFER OF INTERNATIONAL MARKETING
7 UNIT OF AGRICULTURAL MARKETING DIVISION.
8 Notwithstanding the provisions in 1995 Iowa Acts,
9 chapter 204, section 1, subsection 4, paragraph "a",
10 there is appropriated an additional amount to the
11 international division of the department of economic
12 development for international trade operations, and
13 for not more than the following additional full-time
14 equivalent positions:
15 ..... $ 100,000
16 ..... FTEs 2.00
17 Notwithstanding section 8.33, moneys appropriated
18 by this section to the department of economic
19 development that remain unexpended at the end of the
20 fiscal year shall not revert but shall be available
21 for expenditure for authorized purposes during the
22 succeeding fiscal year.
23 Notwithstanding the provisions in 1995 Iowa Acts,
24 chapter 216, section 1, subsection 1, paragraph "a",
25 the amount appropriated or authorized to the
26 administrative division of the department of
27 agriculture and land stewardship for the international
28 marketing unit of the agricultural marketing division,
29 as provided in 21 IAC 1.3(1)"d", is reduced by
30 $100,000.
31 The department of economic development shall to
32 every extent possible provide the employees of the
33 international marketing unit of the department of
34 agriculture and land stewardship with the opportunity
35 to secure a comparable position within the
36 international division of the department of economic
37 development. The department of economic development
38 shall assume responsibility for international
39 marketing of agricultural commodities and products and
40 for participation in international organizations
41 relating to the international marketing of
42 agricultural commodities and products."
43 2. Page 15, line 23, by striking the word and
44 figures "21, and 33" and inserting the following:
45 "21, 33, and 100".
46 3. By renumbering as necessary.

By HAHN of Muscatine

H-5648 FILED MARCH 26, 1996

WITHDRAWN
3-28-96

(p. 1106)

SENATE FILE 2446

H-5634

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 14, by inserting after line 41 the
5 following:
6 "Sec. ___. LAND ACQUISITION -- NATURAL RESOURCE
7 COMMISSION. The natural resource commission, upon
8 consultation with department of natural resources
9 staff, shall develop and implement a land acquisition
10 policy which shall be embodied in a strategic land
11 acquisition plan administered by the department. The
12 land acquisition policy and the land acquisition
13 strategic plan shall provide for the acquisition of
14 land in order to enhance the quality of existing state
15 parks, state preserves, and state recreation areas.
16 The commission shall consider all of the following
17 factors and may consider additional factors:
18 1. The enhancement of the goals of an ecosystem or
19 biodiversity management plan for a state park, state
20 preserve, or state recreation area.
21 2. The proximity or contiguity of the land to a
22 state park, state preserve, or state recreation area.
23 3. The quality of existing natural communities
24 existing on the land.
25 4. The presence on the land of threatened or
26 endangered species.
27 5. The potential for enhancing the natural quality
28 or recreational potential of land owned or managed for
29 conservation purposes by other public or nonprofit
30 entities.
31 6. The risk of losing natural assets through the
32 sale of the land to a competing interest.
33 7. The preservation or enhancement of unique
34 irreplaceable archaeological, historical, or cultural
35 features existing on land owned or managed for such
36 purposes by other public or nonprofit entities."
37 2. By renumbering as necessary.

By WITT of Black Hawk
SALTON of Palo Alto

H-5634 FILED MARCH 26, 1996

adopted
3-28-96 (P. 1106)

SENATE FILE 2446

H-5629

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 15, by inserting before line 20 the
5 following:
6 "Sec. ___. NEW SECTION. 172A.14 PRICE
7 DISCRIMINATION -- PROHIBITION.
8 1. Except as provided in this section, a dealer or
9 a broker, or an agent purchasing livestock for
10 slaughter shall not discriminate in prices paid or
11 offered to be paid to sellers of that livestock.
12 2. This section shall not apply to a person
13 exempted from the license and financial responsibility
14 provisions of this chapter pursuant to section 172A.6.
15 This section shall not apply to a livestock market as
16 defined in section 455B.161. This section shall not
17 apply to a person purchasing cattle, including calves,
18 for slaughter. This section shall also not apply, if
19 all of the following requirements are met:
20 a. The price differential is based on one of the
21 following:
22 (1) The quality of the livestock, if the broker,
23 dealer, or agent purchases the livestock based upon a
24 payment method specifying prices paid for criteria
25 relating to carcass merit.
26 (2) Actual and quantifiable costs related to
27 transporting and acquiring the livestock by the broker
28 or dealer, or the agent.
29 (3) An agreement for the delivery of livestock at
30 a specified date or time.
31 (4) The number of livestock purchased from a
32 seller by a dealer or a broker, or an agent.
33 b. After making a differential payment to a
34 seller, the broker, dealer, or agent publishes
35 information relating to the differential pricing,
36 including the payment method for carcass merit,
37 transportation and acquisition pricing, and an offer
38 to enter into an agreement for the delivery of
39 livestock at a specified date or time according to the
40 same terms and conditions offered to other sellers.
41 3. A broker, dealer, or agent shall provide all
42 sellers with the same terms and conditions offered to
43 a seller who receives a differential price based on
44 any of the criteria described in subsection 2,
45 paragraph "a".
46 4. The dealer, broker, or agent shall, at the
47 beginning of each day in which livestock are
48 purchased, post in a conspicuous place at the point of
49 delivery, all prices for livestock to be paid that
50 day.

1 5. An agreement made by a broker or dealer, or an
2 agent with a seller in violation of this section is
3 voidable.
4 6. A broker or dealer, or an agent acting in
5 violation of this section is guilty of a fraudulent
6 practice as provided in chapter 714.
7 7. The attorney general shall enforce this
8 section. The department shall refer any violations of
9 this chapter to the attorney general. The attorney
10 general or any person injured by a violation of this
11 section may bring an action in district court to
12 restrain a dealer or broker, or an agent from
13 violating this section. A seller who receives a
14 discriminatory price or who is offered only a
15 discriminatory price for livestock based upon a
16 violation of this section by a broker or dealer, or an
17 agent, has a civil cause of action against the broker
18 or dealer, or an agent, and, if successful, shall be
19 awarded treble damages.
20 Sec. ___. NEW SECTION. 172A.14A REPORTING.
21 1. As used in this section:
22 a. "Packer" means a person, other than a packer's
23 agent, who is engaged in this state or out-of-state in
24 the business of slaughtering live animals or
25 receiving, buying, or soliciting live animals for
26 slaughtering, the meat products of which are directly
27 or indirectly to be offered for resale or for public
28 consumption.
29 b. "Packer's agent" means a person engaged in
30 buying or soliciting livestock for slaughter on behalf
31 of a packer.
32 2. A packer, other than a cold storage plant
33 regulated under chapter 171 or a frozen food locker
34 plant regulated under chapter 172, shall make
35 available for publication and to a board of trade
36 approved by the secretary of state, a daily report
37 setting forth information regarding prices paid for
38 livestock, under each contract in force, in which the
39 packer or the packer's agent, and an Iowa resident are
40 parties for the purchase of the livestock by the
41 packer or the packer's agent, and which sets a date
42 for delivery more than twenty days after the making of
43 the contract.
44 3. The reports shall be completed on forms
45 prepared by the secretary of state for comparison with
46 cash market prices for livestock according to
47 procedures required by the secretary of state.
48 However, a report shall not include information
49 regarding the identity of a seller.
50 4. The failure to report as required by this

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Page 3
1 section is punishable by a civil penalty not to exceed
2 one thousand dollars for each day that a timely or
3 truthful report is not published. The secretary of
4 state shall refer to the attorney general any packer
5 or packer's agent who the secretary of state believes
6 is in violation of this section. The attorney general
7 may, upon referral from the secretary of state, file
8 an action in district court to enforce this section."
9 2. Page 15, by striking lines 26 through 28.
10 3. By renumbering as necessary.

By WEIGEL of Chickasaw

H-5629 FILED MARCH 26, 1996

Not Germane
3/28/96
(p. 1115)

SENATE FILE 2446

H-5618

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 15, by inserting before line 20 the
5 following:
6 "Sec. ___. Section 455A.18, subsection 3,
7 unnumbered paragraph 1, Code 1995, is amended to read
8 as follows:
9 For each fiscal year of the fiscal period beginning
10 July 1, ~~1990~~ 1996, and ending June 30, ~~2001~~ 2021,
11 there is appropriated from the general fund, to the
12 Iowa resources enhancement and protection fund, the
13 amount of thirty million dollars, ~~except that for the~~
14 ~~fiscal year beginning July 1, 1990, the amount is~~
15 ~~twenty million dollars,~~ to be used as provided in this
16 chapter. However, in any fiscal year of the fiscal
17 period, if moneys from the lottery are appropriated by
18 the state to the fund, the amount appropriated under
19 this subsection shall be reduced by the amount
20 appropriated from the lottery."
21 2. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-5618 FILED MARCH 26, 1996

Lost 3/28/96 (P. 1112)

SENATE FILE 2446

H-5628

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 18, by striking the figure
5 "1,586,111" and inserting the following: "1,786,111".
6 2. Page 6, line 47, by striking the figure
7 "2,026,509" and inserting the following: "1,826,509".
8 3. Page 6, line 48, by striking the figure
9 "218.00" and inserting the following: "214.00".

By KOENIGS of Mitchell

H-5628 FILED MARCH 26, 1996

Lost 3/28/96

(P. 1120)

SENATE FILE 2446

H-5617

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 15, by inserting before line 20 the
5 following:
6 "Sec. ___. Section 321.34, subsection 17,
7 paragraph c, Code Supplement 1995, is amended to read
8 as follows:
9 c. The special natural resources fee for letter
10 number designated natural resources plates is thirty-
11 five dollars. The fee for personalized natural
12 resources plates is forty-five dollars which shall be
13 paid in addition to the special natural resources fee
14 of thirty-five dollars. The fees collected by the
15 director under this subsection shall be paid monthly
16 to the treasurer of state and credited to the road use
17 tax fund. Notwithstanding section 423.24, and prior
18 to the crediting of revenues to the road use tax fund
19 under section 423.24, subsection 1, paragraph "d", the
20 treasurer of state shall credit monthly from those
21 revenues to the Iowa resources enhancement and
22 protection fund created pursuant to section 455A.18,
23 the amount of the special natural resources fees
24 collected in the previous month for the natural
25 resources plates. Upon each date that an amount is
26 credited to the Iowa resources enhancement and
27 protection fund under this paragraph, there is
28 appropriated from the general fund of the state to the
29 Iowa resources enhancement and protection fund an
30 identical amount."
31 2. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-5617 FILED MARCH 26, 1996

Lost 3/28/96 (P. 1111)

SENATE FILE 2446

H-5614

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, line 21, by striking the figure
5 "875,475" and inserting the following: "959,475".
6 2. Page 2, by inserting after line 46 the
7 following:
8 "(___) Of the amount appropriated in this
9 paragraph "a", $25,000 shall be used for inspections
10 of bottled water sold commercially within the state."
11 3. By renumbering as necessary.

By MERTZ of Kossuth
KOENIGS of Mitchell
MUNDIE of Webster
MAY of Worth

H-5614 FILED MARCH 26, 1996

Lost 3/27/96 (P. 1075)

SENATE FILE 2446

H-5615

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 3, line 24, by striking the figure
5 "6,418,606" and inserting the following: "6,750,850".

By MERTZ of Kossuth
KOENIGS of Mitchell
WISE of Lee
OSTERHAUS of Jackson
BRAMMER of Linn
LARKIN of Lee
BELL of Jasper
MAY of Worth
MORELAND of Wapello

H-5615 FILED MARCH 26, 1996

Lost 3/27/96 (P. 1076)

SENATE FILE 2446

H-5616

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 5, by striking lines 25 through 35.
5 2. By renumbering as necessary.

By FALLON of Polk

H-5616 FILED MARCH 26, 1996

Lost 3/28/96 (P. 1120)

SENATE FILE 2446

H-5613

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 14, by inserting after line 41 the
5 following:
6 "Sec. ___. SOIL AND WATER CONSERVATION CONFERENCE.
7 1. The division of soil conservation of the
8 department of agriculture and land stewardship shall
9 sponsor a conference not later than September 1, 1996,
10 regarding the protection of cropland soils in this
11 state. The conference shall include discussions of
12 the status of soil and water conservation as it
13 relates to conservation compliance accomplishments,
14 agricultural production policies, water quality
15 protection, and the state's Iowa soil 2000 goal.
16 2. Conferees shall include representatives of the
17 division of soil conservation, the state soil
18 conservation committee, soil and water conservation
19 districts, the natural resources conservation service
20 of the United States department of agriculture, the
21 cooperative extension service of Iowa state
22 university, and the department of natural resources.
23 The division of soil conservation shall invite other
24 interested persons to serve as conferees, including
25 members of Iowa's congressional delegation; the
26 chairpersons and ranking members of the standing
27 committees on agriculture, and on natural resources,
28 environment, and energy of the senate; the
29 chairpersons and ranking members of the standing
30 committees on agriculture, on natural resources, and
31 on environmental protection of the house of
32 representatives; the chairpersons and ranking members
33 of the joint appropriations subcommittee on
34 agriculture and natural resources; representatives of
35 the United States environmental protection agency; and
36 members of farm and commodity organizations.
37 3. The division of soil conservation shall report
38 to the general assembly not later than January 15,
39 1997, regarding findings and recommendations of the
40 conferees."
41 2. By renumbering as necessary.

By GREINER of Washington

H-5613 FILED MARCH 26, 1996

adopted
3-28-96
(p. 1105)

SENATE FILE 2446

H-5563

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate as
3 follows:
4 1. Page 4, by striking lines 7 through 43.
5 2. By renumbering as necessary.

By WISE of Lee
MAY of Worth
BRAND of Benton
SHOULTZ of Black Hawk
MASCHER of Johnson
HARPER of Black Hawk
HOLVECK of Polk
WITT of Black Hawk
JOCHUM of Dubuque
CONNORS of Polk
MURPHY of Dubuque
SCHRADER of Marion
MYERS of Johnson
LARKIN of Lee
NELSON of Pottawattamie
BRAMMER of Linn
COHOON of Des Moines
BELL of Jasper
KOENIGS of Mitchell
BURNETT of Story
TAYLOR of Linn
WEIGEL of Chickasaw
OLLIE of Clinton
OSTERHAUS of Jackson
MERTZ of Kossuth
O'BRIEN of Boone
KREIMAN of Davis
DREES of Carroll
DODERER of Johnson
MORELAND of Wapello

H-5563 FILED MARCH 25, 1996

O/q Order 3/28/96 (P. 1092)

SENATE FILE 2446

H-5564

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate as
3 follows:
4 1. Page 9, line 25, by striking the figure
5 "8,000,000" and inserting the following:
6 "10,000,000".
7 2. By renumbering as necessary.

By BURNETT of Story
WISE of Lee
MAY of Worth
BRAND of Benton
OLLIE of Clinton
FALLON of Polk
MASCHER of Johnson
HARPER of Black Hawk
HOLVECK of Polk
WITT of Black Hawk
JOCHUM of Dubuque
CONNORS of Polk
MURPHY of Dubuque
OSTERHAUS of Jackson
MORELAND of Wapello
SCHRADER of Marion
MYERS of Johnson
KREIMAN of Davis
LARKIN of Lee
NELSON of Pottawattamie
BRAMMER of Linn
COHOON of Des Moines
BELL of Jasper
KOENIGS of Mitchell
O'BRIEN of Boone
MERTZ of Kossuth
WEIGEL of Chickasaw
DREES of Carroll
DODERER of Johnson
SHOULTZ of Black Hawk

H-5564 FILED MARCH 25, 1996

Lost 3/28/96 (P. 1100)

SENATE FILE 2446

H-5562

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 11, by inserting after line 27 the
5 following:
6 "Sec. ___. There is appropriated from the state
7 fish and game protection fund to the division of fish
8 and wildlife of the department of natural resources
9 for the fiscal year beginning July 1, 1996, and ending
10 June 30, 1997, the following amounts, or so much
11 thereof as is necessary, except that if revenues from
12 the income tax refund checkoff credited to the state
13 fish and game protection fund in calendar year 1995 do
14 not equal or exceed $1,500,000, the amount of the
15 deficiency is appropriated from the general fund of
16 the state instead of from the state fish and game
17 protection fund, to be used for the purposes
18 designated:
19 1. To develop and support a comprehensive nongame
20 wildlife-oriented education program to be implemented
21 through the schools, county conservation boards, and
22 the department of natural resources.
23 2. To enhance opportunities for personal contact
24 with, and the public's appreciation for, all types of
25 wildlife by developing facilities for public
26 appreciation of wildlife.
27 3. To protect, develop, and manage habitats to
28 enhance nongame populations on public and private
29 lands through habitat development and acquisition.
30 4. To develop and support nongame wildlife species
31 management, research, and surveys.
32 5. To match moneys appropriated by the United
33 States government or an agency, commission, or
34 department of the United States government if the
35 appropriation of moneys by a state is a condition of
36 the state or an agency, commission, or department of
37 the state, receiving federal moneys.
38 6. To adopt programs by the division of fish and
39 wildlife of the department of natural resources
40 relating to wildlife diversity by rule pursuant to
41 chapter 17A:
42 ..... $ 1,500,000"
43 2. By renumbering as necessary.

By BURNETT of Story
FALLON of Polk

H-5562 FILED MARCH 25, 1996

WITHDRAWN
3-28-96
(P. 1103)

SENATE FILE 2446

H-5572

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate as
3 follows:
4 1. Page 1, line 18, by striking the figure
5 "1,586,111" and inserting the following: "1,636,111".
6 2. Page 1, line 19, by striking the figure
7 "41.45" and inserting the following: "42.45".
8 3. Page 5, by striking lines 36 through 40.
9 4. By striking page 14, line 42, through page 15,
10 line 19.
11 5. By renumbering as necessary.

By KOENIGS of Mitchell

H-5572 FILED MARCH 25, 1996

Withdrawn 3/28/96
(P. 1119)

SENATE FILE 2446

H-5536

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 19, by striking the figure
A 5 "41.45" and inserting the following: "42.45".
B 6 2. Page 4, by striking lines 7 through 43.
7 3. Page 5, by striking lines 36 through 40.
8 4. By striking page 14, line 42, through page 15,
9 line 19.
A 10 5. By renumbering as necessary.

By GARMAN of Story

H-5536 FILED MARCH 25, 1996

A. Lost 3/27/96 (P. 1074)
B. adopted 3/27/96 (P. 1077)

SENATE FILE 2446

H-5535

1 Amend the amendment, H-5482, to Senate File 2446,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 15, by inserting before line 20 the
5 following:
6 "Sec. ___. Section 335.2, Code 1995, is amended to
7 read as follows:
8 335.2 ~~FARMS~~ AGRICULTURAL PURPOSES EXEMPT.
9 1. As used in this section, "confinement swine
10 feeding operation" means a confinement feeding
11 operation as defined in section 455B.161 in which
12 swine are confined and fed.
13 2. Except ~~to the extent required to implement~~
14 ~~section 335.27, no~~ as provided in this section, an
15 ordinance adopted under this chapter ~~applies~~ shall not
16 apply to an agricultural operation, including land,
17 ~~farm~~ houses, ~~farm~~ barns, ~~farm~~ outbuildings, or other
18 buildings or structures, which are primarily adapted,
19 by reason of nature and area, for ~~use for~~ an
20 agricultural ~~purposes~~ purpose, while so used.
21 However, ~~the ordinances~~ an ordinance adopted under
22 this chapter may apply to any of the following:
23 a. The implementation of an agricultural land
24 preservation ordinance, as provided in section 335.27.
25 b. A structure, building, dam, obstruction,
26 deposit, or excavation in or on the flood plains of
27 ~~any~~ a river or stream.
28 c. A confinement swine feeding operation.
29 However, an ordinance adopted under this chapter shall
30 not apply to a confinement swine feeding operation, if
31 any of the following are applicable:
32 (1) There are less than three thousand five
33 hundred head of swine subject to care and feeding by
34 the confinement swine feeding operation.
35 (2) The owner of the parcel of agricultural land
36 where the confinement swine feeding operation is
37 located is qualified to file for a homestead tax
38 credit as provided pursuant to section 425.2 on that
39 parcel."
40 2. By renumbering as necessary.

By GARMAN of Story

H-5535 FILED MARCH 25, 1996

Not Germane
3/28/96
(p.1109)

HOUSE AMENDMENT TO
SENATE FILE 2446

S-5613

1 Amend Senate File 2446, as amended, passed, and
2 reprinted by the Senate, 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, 1996, and ending June
10 30, 1997, 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 ..... $ 1,586,111
19 ..... FTEs 41.45
20 (1) Of the funds appropriated in this paragraph
21 "a", $322,406 and 7.00 FTEs shall be used to support
22 horticulture. The president of the state horticulture
23 society or the president's designee and the department
24 shall consult and mutually agree on all expenditures
25 of moneys in this subparagraph and on the filling of
26 full-time equivalent positions, as allocated in this
27 subparagraph.
28 (2) Of the amount appropriated in this paragraph
29 "a", $50,000 shall be allocated to the state 4-H
30 foundation to foster the development of Iowa's youth
31 and to encourage them to study the subject of
32 agriculture.
33 (3) Of the amount appropriated and full-time
34 equivalent positions authorized in this paragraph "a",
35 $130,519 and 4.00 FTEs shall be allocated to the
36 statistics bureau to provide county-by-county
37 information on land in farms, production by crop,
38 acres by crop, and county prices by crop. This
39 information shall be made available to the department
40 of revenue and finance for use in the productivity
41 formula for valuing and equalizing the values of
42 agricultural land.
43 (4) Of the amount appropriated in this paragraph
44 "a", not more than $5,000 shall be allocated to the
45 Iowa limousin cattle junior association in connection
46 with the 1996 national junior limousin cattle show.
47 b. For the operations of the dairy trade practices
48 bureau:
49 ..... $ 66,846
50 c. For the purpose of performing commercial feed

1 audits:
2 ..... $ 64,698
3 d. For the purpose of performing fertilizer
4 audits:
5 ..... $ 64,697
6 2. REGULATORY DIVISION
7 a. For salaries, support, maintenance,
8 miscellaneous purposes, and for not more than the
9 following full-time equivalent positions:
10 ..... $ 3,848,960
11 ..... FTEs 122.50
12 b. For the costs of inspection, sampling,
13 analysis, and other expenses necessary for the
14 administration of chapters 192, 194, and 195:
15 ..... $ 651,220
16 3. LABORATORY DIVISION
17 a. For salaries, support, maintenance, and
18 miscellaneous purposes, including the administration
19 of the gypsy moth program, and for not more than the
20 following full-time equivalent positions:
21 ..... $ 875,475
22 ..... FTEs 85.10
23 (1) Of the amount appropriated in this paragraph
24 "a", $110,000 shall be used to administer a program
25 relating to the detection, surveillance, and
26 eradication of the gypsy moth. The department shall
27 allocate and use the appropriation made in this
28 paragraph before moneys other than those appropriated
29 in this paragraph are used to support the program.
30 (2) Of the amount appropriated and the number of
31 full-time equivalent positions authorized in this
32 paragraph "a", $49,850 and 1.00 FTE shall be used to
33 support a regional entomologist for purposes of
34 conducting field inspection activities.
35 (3) Of the amount appropriated in this paragraph
36 "a", $82,000 may be used for the acquisition of
37 laboratory equipment, including, but not limited to, a
38 fat analyzer and a nitrogen protein combustion
39 analyzer.
40 (4) Of the number of full-time equivalent
41 positions authorized in this paragraph "a" and funded
42 in paragraph "c", 1.00 FTE shall be used to support an
43 organics program coordinator who shall assure
44 compliance of organic foods sold commercially within
45 the state with federal regulations relating to organic
46 foods.
47 b. For the operations of the commercial feed
48 programs:
49 ..... $ 742,499
50 c. For the operations of the pesticide programs:

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1 ..... $ 1,291,781
2 Of the amount appropriated in this paragraph "c",
3 $200,000 shall be allocated to Iowa state university
4 for purposes of training commercial pesticide
5 applicators.
6 d. For the operations of the fertilizer programs:
7 ..... $ 633,832
8 4. SOIL CONSERVATION DIVISION
9 a. For salaries, support, maintenance, assistance
10 to soil conservation districts, miscellaneous
11 purposes, and for not more than the following full-
12 time equivalent positions:
13 ..... $ 5,805,591
14 ..... FTEs 171.28
15 Of the amount appropriated in this paragraph "a",
16 $330,000 shall be used to reimburse commissioners of
17 soil and water conservation districts for
18 administrative expenses. Moneys used for the payment
19 of meeting dues by counties shall be matched on a
20 dollar-for-dollar basis by the soil conservation
21 division.
22 b. To provide financial incentives for soil
23 conservation practices under chapter 161A:
24 ..... $ 6,418,606
25 c. The following requirements apply to the moneys
26 appropriated in paragraph "b":
27 (1) Not more than 5 percent of the moneys
28 appropriated in paragraph "b" may be allocated for
29 cost sharing to abate complaints filed under section
30 161A.47.
31 (2) Of the moneys appropriated in paragraph "b", 5
32 percent shall be allocated for financial incentives to
33 establish practices to protect watersheds above
34 publicly owned lakes of the state from soil erosion
35 and sediment as provided in section 161A.73.
36 (3) Not more than 30 percent of a district's
37 allocation of moneys as financial incentives may be
38 provided for the purpose of establishing management
39 practices to control soil erosion on land that is row
40 cropped, including but not limited to no-till
41 planting, ridge-till planting, contouring, and contour
42 strip-cropping as provided in section 161A.73.
43 (4) The state soil conservation committee created
44 in section 161A.4 may allocate moneys to conduct
45 research and demonstration projects to promote
46 conservation tillage and nonpoint source pollution
47 control practices.
48 (5) The financial incentive payments may be used
49 in combination with department of natural resources
50 moneys.

1 d. The provisions of section 8.33 shall not apply
2 to the moneys appropriated in paragraph "b".
3 Unencumbered or unobligated moneys remaining on June
4 30, 2000, from moneys appropriated in paragraph "b"
5 for the fiscal year beginning July 1, 1996, shall
6 revert to the general fund on August 31, 2000.
7 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
8 appropriated from the general fund of the state to the
9 department of agriculture and land stewardship for the
10 fiscal year beginning July 1, 1996, and ending June
11 30, 1997, the following amount, or so much thereof as
12 is necessary, to be used for the purposes designated:
13 For salaries, support, maintenance, and
14 miscellaneous purposes, to be used by the department
15 to continue and expand the farmers' market coupon
16 program by providing federal special supplemental food
17 program recipients with coupons redeemable at farmers'
18 markets, and for not more than the following full-time
19 equivalent positions:
20 ..... $ 215,807
21 ..... FTEs 1.00
22 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.
23 1. There is appropriated from the general fund of
24 the state to the department of agriculture and land
25 stewardship for the fiscal year beginning July 1,
26 1996, and ending June 30, 1997, the following amount,
27 or so much thereof as is necessary, to be used for the
28 purpose designated:
29 For support of the pseudorabies eradication
30 program:
31 ..... $ 900,300
32 2. Persons, including organizations interested in
33 swine production in this state and in the promotion of
34 Iowa pork products who contribute support to the
35 program, are encouraged to increase financial support
36 for purposes of ensuring the program's effective
37 continuation.
38 Sec. 4. HORSE AND DOG RACING. There is
39 appropriated from the moneys available under section
40 99D.13 to the regulatory division of the department of
41 agriculture and land stewardship for the fiscal year
42 beginning July 1, 1996, and ending June 30, 1997, the
43 following amount, or so much thereof as is necessary,
44 to be used for the purpose designated:
45 For salaries, support, maintenance, and
46 miscellaneous purposes for the administration of
47 section 99D.22:
48 ..... $ 192,560
49 Sec. 5. As a condition of the appropriations made
50 to the department of agriculture and land stewardship

1 in sections 1, 2, 3, and 4 of this Act, the position
2 of deputy secretary of agriculture, established
3 pursuant to section 14A.1, shall be eliminated.
4 Sec. 6. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
5 MARKETING. There is appropriated from the general
6 fund of the state to the interstate agricultural grain
7 marketing commission for the fiscal year beginning
8 July 1, 1996, and ending June 30, 1997, the following
9 amount, or so much thereof as is necessary, to be used
10 for the purpose designated:
11 For carrying out duties of the commission as
12 provided in Article IV of the interstate compact on
13 agricultural grain marketing as provided in chapter
14 183:
15 ..... $ 80,000
16 DEPARTMENT OF NATURAL RESOURCES
17 Sec. 7. GENERAL APPROPRIATION. There is
18 appropriated from the general fund of the state to the
19 department of natural resources for the fiscal year
20 beginning July 1, 1996, and ending June 30, 1997, the
21 following amounts, or so much thereof as is necessary,
22 to be used for the purposes designated:
23 1. ADMINISTRATIVE AND SUPPORT SERVICES
24 For salaries, support, maintenance, miscellaneous
25 purposes, and for not more than the following full-
26 time equivalent positions:
27 ..... $ 2,052,389
28 ..... FTEs 119.25
29 Of the amount appropriated and the number of full-
30 time equivalent positions authorized in this
31 subsection 1, at least $200,000 and 4.00 FTEs shall be
32 used by administration and support services to support
33 a compliance and permit assistance team to facilitate
34 cooperation between the department and persons
35 regulated by the department in order to ensure
36 efficient compliance with applicable legal
37 requirements.
38 2. PARKS AND PRESERVES DIVISION
39 For salaries, support, maintenance, miscellaneous
40 purposes, and for not more than the following full-
41 time equivalent positions:
42 ..... $ 5,546,988
43 ..... FTEs 195.73
44 3. FORESTS AND FORESTRY DIVISION
45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-
47 time equivalent positions:
48 ..... $ 1,494,908
49 ..... FTEs 48.71
50 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

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1 For salaries, support, maintenance, miscellaneous
2 purposes, and for not more than the following full-
3 time equivalent positions:
4 ..... $ 1,681,228
5 ..... FTEs 52.00
6 5. a. ENVIRONMENTAL PROTECTION DIVISION
7 (1) For salaries, support, maintenance,
8 miscellaneous purposes, and for not more than the
9 following full-time equivalent positions:
10 ..... $ 2,026,509
11 ..... FTEs 218.00
12 (2) Of the amount appropriated and the number of
13 full-time equivalent positions authorized in
14 subparagraph (1) at least $480,600 and 9.00 FTEs shall
15 be used to support the regulation of animal feeding
16 operations.
17 (3) Of the number of full-time equivalent
18 positions authorized in subparagraph (1), 1.00 FTE
19 shall be used to support administration of the waste
20 tire management fund, if enacted in 1996 Iowa Acts,
21 House File 2433.
22 b. WATER QUALITY PROTECTION FUND
23 For allocation to the administrative account of the
24 water quality protection fund established pursuant to
25 section 455B.183A, to carry out the purpose of that
26 account:
27 ..... $ 879,000
28 (1) Of the number of full-time equivalent
29 positions authorized in paragraph "a", 36.00 FTEs
30 shall be dedicated to carrying out the provisions of
31 chapter 455B relating to the administration,
32 regulation, and enforcement of the federal Safe
33 Drinking Water Act and to support the program to
34 assist water supply systems as provided in section
35 455B.183B. However, the limitation on full-time
36 equivalent positions provided in paragraph "a", shall
37 not limit the number of additional full-time
38 equivalent positions supported by moneys deposited in
39 the water quality protection fund as provided in
40 section 455B.183A, in order to carry out the
41 provisions of division III of chapter 455B relating to
42 the administration, regulation, and enforcement of the
43 federal Safe Drinking Water Act, and the
44 administration of the program to assist water supply
45 systems pursuant to section 455B.183B.
46 (2) In providing assistance to water supply
47 systems, the department shall provide priority to
48 water supply systems serving a population of seven
49 thousand or less. At least 2.00 FTEs shall be
50 allocated to provide assistance to systems serving a

1 population of seven thousand or less.
2 6. FISH AND WILDLIFE DIVISION
3 For not more than the following full-time
4 equivalent positions:
5 ..... FTEs 342.18
6 7. WASTE MANAGEMENT ASSISTANCE DIVISION
7 For not more than the following full-time
8 equivalent positions:
9 ..... FTEs 16.75
10 Sec. 8. STATE FISH AND GAME PROTECTION FUND --
11 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.
12 1. There is appropriated from the state fish and
13 game protection fund to the division of fish and
14 wildlife of the department of natural resources for
15 the fiscal year beginning July 1, 1996, and ending
16 June 30, 1997, the following amount, or so much
17 thereof as is necessary, to be used for the purposes
18 designated:
19 For administrative support, and for salaries,
20 support, maintenance, equipment, and miscellaneous
21 purposes:
22 ..... $ 21,290,891
23 2. The department shall not expend more moneys
24 from the fish and game protection fund than provided
25 in this section, unless the expenditure derives from
26 contributions made by a private entity, or a grant or
27 moneys received from the federal government, and is
28 approved by the natural resource commission. The
29 department of natural resources shall promptly notify
30 the legislative fiscal bureau and the chairpersons and
31 ranking members of the joint appropriations
32 subcommittee on agriculture and natural resources
33 concerning the commission's approval.
34 Sec. 9. MARINE FUEL TAX RECEIPTS -- BOATING
35 FACILITIES AND ACCESS. There is appropriated from the
36 marine fuel tax receipts deposited in the general fund
37 of the state to the department of natural resources
38 for the fiscal year beginning July 1, 1996, and ending
39 June 30, 1997, the following amount, or so much
40 thereof as is necessary, to be used for the purpose
41 designated:
42 For purposes of maintaining and developing boating
43 facilities and access to public waters by the parks
44 and preserves division:
45 ..... $ 411,311
46 Sec. 10. SNOWMOBILE FEES -- TRANSFER FOR
47 ENFORCEMENT PURPOSES. There is transferred on July 1,
48 1996, from the fees deposited under section 321G.7 to
49 the fish and game protection fund and appropriated to
50 the department of natural resources for the fiscal

1 year beginning July 1, 1996, and ending June 30, 1997,
2 the following amount, or so much thereof as is
3 necessary, to be used for the purpose designated:
4 For the purpose of enforcing snowmobile laws as
5 part of the state snowmobile program administered by
6 the department of natural resources:
7 ..... $ 100,000
8 Sec. 11. VESSEL FEES -- TRANSFER FOR ENFORCEMENT
9 PURPOSES. There is transferred on July 1, 1996, from
10 the fees deposited under section 462A.52 to the fish
11 and game protection fund and appropriated to the
12 department of natural resources for the fiscal year
13 beginning July 1, 1996, and ending June 30, 1997, the
14 following amount, or so much thereof as is necessary,
15 to be used for the purpose designated:
16 For the administration and enforcement of
17 navigation laws and water safety:
18 ..... $ 1,250,000
19 Of the amount appropriated in this section, $50,000
20 may be used for purposes of controlling and
21 eradicating eurasian milfoil.
22 Notwithstanding section 8.33, moneys transferred
23 pursuant to this section which are unencumbered or
24 unobligated on June 30, 1997, shall be transferred on
25 July 1, 1997, to the special conservation fund
26 established by section 462A.52 to be used as provided
27 in that section, and shall not revert as provided in
28 section 8.33.
29 RESOURCES ENHANCEMENT AND PROTECTION
30 Sec. 12. GENERAL APPROPRIATION. Notwithstanding
31 the amount of the standing appropriation from the
32 general fund of the state under section 455A.18,
33 subsection 3, there is appropriated from the general
34 fund of the state to the Iowa resources enhancement
35 and protection fund, in lieu of the appropriation made
36 in section 455A.18, for the fiscal year beginning July
37 1, 1996, and ending June 30, 1997, the sum of
38 $8,000,000, of which all moneys shall be allocated as
39 provided in section 455A.19.
40 RELATED APPROPRIATIONS
41 Sec. 13. APPROPRIATION FROM ORGANIC NUTRIENT
42 MANAGEMENT FUND. There is appropriated from the
43 organic nutrient management fund to the following
44 entities in the fiscal year beginning July 1, 1996,
45 and ending June 30, 1997, the following amounts, or so
46 much thereof as is necessary, to be used for the
47 purposes designated:
48 1. To Iowa state university for supporting odor
49 control applications of animal feeding operations,
50 including confinement feeding operations, regulated by

1 the department of natural resources pursuant to
2 chapter 455B:
3 ..... $ 500,000
4 a. Moneys provided under this subsection for odor
5 control applications of animal feeding operations
6 shall be provided on a dollar-for-dollar match with an
7 individual owner or operator and shall not exceed the
8 amount actually spent by or on behalf of the owner or
9 operator for odor control.
10 b. Notwithstanding section 8.33, moneys provided
11 under this subsection for odor control applications of
12 animal feeding operations shall not revert to the
13 organic nutrient management fund but shall remain
14 available for use as provided in this subsection
15 during the fiscal year beginning July 1, 1997, and
16 ending June 30, 1998. The moneys appropriated in this
17 subsection which remain unexpended or unobligated on
18 June 30, 1998, shall revert to the organic nutrient
19 management fund on August 31, 1998.
20 2. To the Iowa agricultural development authority
21 as established pursuant to section 175.3, to support
22 the establishment of an agri-entrepreneurship
23 education project to provide beginning agriculturists
24 with an opportunity to gain experience in owning or
25 operating agriculture-related businesses through
26 enterpreneurship loans to future farmers of America
27 chapters or other organizations administering
28 secondary education-related agricultural programs:
29 ..... $ 250,000
30 3. To the soil conservation division of the
31 department of agriculture and land stewardship for
32 purposes of supporting the oversight of financial
33 incentive programs administered by the division, and
34 for the salary and support of not more than the
35 following full-time equivalent position:
36 ..... $ 56,000
37 ..... FTEs 1.00
38 4. To the soil conservation division of the
39 department of agriculture and land stewardship to
40 support soil and water conservation district
41 development including the training of soil and water
42 conservation district staff:
43 ..... $ 42,000
44 Sec. 14. MULTIFLORA ROSE ERADICATION.
45 1. There is appropriated from the general fund of
46 the state to Iowa state university for the fiscal year
47 beginning July 1, 1996, and ending June 30, 1997, the
48 following amount, or so much thereof as is necessary,
49 to be used for the purpose designated:
50 For supporting multiflora rose eradication research

1 and projects:
2 ..... $ 25,000
3 2. Notwithstanding 1995 Iowa Acts, chapter 216,
4 section 19, subsection 2, moneys allocated pursuant to
5 1995 Iowa Acts, chapter 216, section 19, subsection 1,
6 paragraph "d", which remain unencumbered or
7 unobligated on June 30, 1996, shall not revert
8 pursuant to section 8.33, but shall remain available
9 to Iowa state university for purposes of supporting
10 multiflora rose eradication research and projects, for
11 subsequent fiscal years.
12 Sec. 15. NONREVERSION OF MONEYS ALLOCATED TO IOWA
13 GRAIN QUALITY INITIATIVE. Notwithstanding 1995 Iowa
14 Acts, chapter 216, section 19, subsection 2, moneys
15 allocated pursuant to 1995 Iowa Acts, chapter 216,
16 section 19, subsection 1, paragraph "f", subparagraph
17 (1), which remain unencumbered or unobligated on June
18 30, 1996, shall not revert pursuant to section 8.33,
19 but shall remain available to Iowa state university
20 for purposes of supporting the Iowa cooperative
21 extension service in agriculture and home economics in
22 establishing and administering an Iowa grain quality
23 initiative in subsequent fiscal years.
24 Sec. 16. TRANSFERS OF MONEYS REQUIRED TO BE
25 DEPOSITED IN THE WATER PROTECTION FUND.
26 Notwithstanding section 161C.4 and the reversion and
27 allocation provisions in section 455A.19, subsection
28 1, paragraph "c", of the unencumbered and unobligated
29 moneys remaining, which are required to be deposited
30 in the water protection fund created in section
31 161C.4, as provided in section 455A.19, subsection 1,
32 paragraph "c", the following amount shall be
33 transferred first from moneys required to be deposited
34 in the water protection practices account, and if
35 necessary from moneys required to be deposited in the
36 water quality protection projects account, which shall
37 be used for the following purposes:
38 To the Loess Hills development and conservation
39 authority, for deposit in the Loess Hills development
40 and conservation fund created in section 161D.2 for
41 the purposes specified in section 161D.1:
42 ..... $ 400,000
43 Sec. 17. REVENUE ADMINISTERED BY THE IOWA
44 COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD --
45 TRANSFER. There is appropriated from the unassigned
46 revenue fund administered by the Iowa comprehensive
47 underground storage tank fund board, to the department
48 of natural resources for the fiscal year beginning
49 July 1, 1996, and ending June 30, 1997, the following
50 amount, or so much thereof as is necessary, to be used

1 for the purpose designated:
2 For administration expenses of the underground
3 storage tank section of the department of natural
4 resources:
5 ..... $ 75,000
6 Sec. 18. TRANSFER -- AIR QUALITY. For the fiscal
7 year beginning July 1, 1996, and ending June 30, 1997,
8 the department of natural resources shall transfer up
9 to $430,000 from the hazardous substance remedial fund
10 created pursuant to section 455B.423, to support
11 purposes related to carrying out the duties of the
12 commission under section 455B.133, or the director
13 under section 455B.134, or for carrying out the
14 provisions of chapter 455B, division II.
15 MISCELLANEOUS
16 Sec. 19. DOLLIVER MEMORIAL STATE PARK -- BRIDGE
17 CONSTRUCTION PROHIBITED -- ROAD EXPENSES SHARED.
18 1. The department shall not construct a bridge at
19 or near the historic ford of a stream across a
20 secondary road in Dolliver memorial state park. The
21 department may make repairs or improvements at the
22 historic ford to provide for flood control.
23 2. The department, pursuant to section 306.4,
24 shall enter into an agreement to match the
25 expenditures, not to exceed fifty percent of the cost
26 of each project, with the board of supervisors for the
27 reconstruction, repair, and maintenance of the
28 secondary road entering and exiting Dolliver memorial
29 state park.
30 Sec. 20. WITHDRAWAL FROM THE AGRICULTURAL GRAIN
31 MARKETING COMPACT -- REPEAL. Pursuant to article VI
32 of the agricultural grain marketing compact, the state
33 of Iowa withdraws from the compact by enacting this
34 section repealing the compact. Notwithstanding this
35 section, the state retains its membership in the
36 compact and shall continue to function under the
37 compact as if it were in effect, until one year
38 following the effective date of this section and
39 notification of withdrawal by the governor of this
40 state to the interstate agricultural grain marketing
41 commission.
42 Sec. 21. STATE NURSERIES. Notwithstanding section
43 17A.2, subsection 10, paragraph "g", the department of
44 natural resources shall adopt administrative rules
45 establishing a range of prices of plant material grown
46 at the state forest nurseries to cover all expenses
47 related to the growing of the plants.
48 1. The department shall develop programs to
49 encourage the wise management and preservation of
50 existing woodlands and shall continue its efforts to

1 encourage forestation and reforestation on private and
2 public lands in the state.
3 2. The department shall encourage a cooperative
4 relationship between the state forest nurseries and
5 private nurseries in the state in order to achieve
6 these goals.
7 Sec. 22. TRANSFER OF MONEYS OR POSITIONS; CHANGES
8 IN TABLES OF ORGANIZATION -- NOTIFICATION. In
9 addition to the requirements of section 8.39, in each
10 fiscal quarter, the department of agriculture and land
11 stewardship and the department of natural resources
12 shall notify the chairpersons, vice chairpersons, and
13 ranking members of the joint appropriations
14 subcommittee on agriculture and natural resources for
15 the previous fiscal quarter of any transfer of moneys
16 or full-time equivalent positions made by either
17 department which is not authorized in this Act, or any
18 permanent position added to or deleted from either
19 department's table of organization.
20 Sec. 23. AIR QUALITY PROGRAM -- NONGENERAL FUND
21 SUPPORT. The department of natural resources for the
22 fiscal year beginning July 1, 1996, and ending June
23 30, 1997, shall not use moneys appropriated from the
24 general fund of the state pursuant to this Act, to
25 support any purpose related to carrying out the duties
26 of the commission under section 455B.133 or the
27 director under section 455B.134, or for carrying out
28 the provisions of chapter 455B, division II.
29 Notwithstanding section 455B.133B, the department
30 may use moneys deposited in the air contaminant source
31 fund created in section 455B.133B during the fiscal
32 year beginning July 1, 1996, and ending June 30, 1997,
33 for any purpose related to carrying out the duties of
34 the commission under section 455B.133 or the director
35 under section 455B.134, or for carrying out the
36 provisions of chapter 455B, division II.
37 Sec. 24. STUDY OF LOCATING FIELD OFFICE IN NORTH
38 CENTRAL DISTRICT. The department of natural resources
39 shall conduct a study of the feasibility of locating a
40 field office in the department's north central
41 district. On or before January 1, 1997, the
42 department of natural resources shall submit a report
43 including findings and recommendations resulting from
44 the study to the committees of the general assembly
45 which have jurisdiction over natural resources.
46 Sec. 25. NATIVE AMERICAN WAR MEMORIAL. The
47 department of natural resources may purchase lands on
48 which to locate a native American war memorial.
49 Sec. 26. DEPARTMENTAL INFORMATION REQUIRED.
50 1. The department of agriculture and land

1 stewardship and the department of natural resources,
2 in cooperation as necessary with the department of
3 management and the department of personnel, shall
4 provide a list to the legislative fiscal bureau, on a
5 quarterly basis, of all permanent positions added to
6 or deleted from the departments' table of organization
7 in the previous fiscal quarter. This list shall
8 include at least the position number, salary range,
9 projected funding source or sources of each position,
10 and the reason for the addition or deletion. The
11 legislative fiscal bureau may use this information to
12 assist in the establishment of the full-time
13 equivalent position limits authorized in law for the
14 departments.
15 2. The department of natural resources shall
16 provide the legislative fiscal bureau information and
17 financial data by cost center, on at least a monthly
18 basis, relating to the indirect cost accounting
19 procedure, the amount of funding from each funding
20 source for each cost center, and the internal budget
21 system used by the department. The information shall
22 include but is not limited to financial data covering
23 the department's budget by cost center and funding
24 source prior to the start of the fiscal year, and to
25 the department's actual expenditures by cost center
26 and funding source after the accounting system has
27 been closed for that fiscal year.
28 3. The department of agriculture and land
29 stewardship shall provide the legislative fiscal
30 bureau information and financial data on at least a
31 monthly basis, relating to the internal budget system
32 used by the department. The information shall include
33 but is not limited to financial data covering the
34 department's budget prior to the start of the fiscal
35 year, and to the department's actual expenditures
36 after the accounting system has been closed for that
37 fiscal year.
38 Sec. 27. TRUST FUND INFORMATION. The department
39 of revenue and finance in cooperation with each
40 appropriate agency shall track receipts to the general
41 fund of the state which under law were previously
42 collected to be used for specific purposes, or to be
43 credited to, or be deposited to a particular account
44 or fund, as provided in section 8.60.
45 The department of revenue and finance and each
46 appropriate agency shall prepare reports detailing
47 revenue from receipts previously deposited into each
48 of the funds. A report shall be submitted to the
49 legislative fiscal bureau at least once for each
50 three-month period as designated by the legislative

1 fiscal bureau.
2 Sec. 28. SOIL AND WATER CONSERVATION. The
3 division of soil conservation of the department of
4 agriculture and land stewardship shall establish a
5 voluntary financial incentive program under section
6 161A.73 which provides for the allocation of cost-
7 share moneys as financial incentives for the same
8 purposes that are supported from the soil and water
9 enhancement account of the resources enhancement and
10 protection fund as provided in section 455A.19, or by
11 the water protection practices account of the water
12 protection fund established pursuant to section
13 161C.4. The financial incentives shall not exceed
14 fifty percent of the estimated cost of establishing
15 the practices, or fifty percent of the actual cost,
16 whichever is less.
17 Sec. 29. PREFERENCE PROVIDED -- PERSONS MEETING
18 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM.
19 In its employment of persons in temporary positions in
20 conservation and outdoor recreation, the department of
21 natural resources shall give preference to persons
22 meeting eligibility requirements for the green thumb
23 program under section 15.227 and to persons working
24 toward an advanced education in natural resources and
25 conservation.
26 Sec. 30. SOIL AND WATER CONSERVATION CONFERENCE.
27 1. The division of soil conservation of the
28 department of agriculture and land stewardship shall
29 sponsor a conference not later than September 1, 1996,
30 regarding the protection of cropland soils in this
31 state. The conference shall include discussions of
32 the status of soil and water conservation as it
33 relates to conservation compliance accomplishments,
34 agricultural production policies, water quality
35 protection, and the state's Iowa soil 2000 goal.
36 2. Conferees shall include representatives of the
37 division of soil conservation, the state soil
38 conservation committee, soil and water conservation
39 districts, the natural resources conservation service
40 of the United States department of agriculture, the
41 cooperative extension service of Iowa state
42 university, and the department of natural resources.
43 The division of soil conservation shall invite other
44 interested persons to serve as conferees, including
45 members of Iowa's congressional delegation; the
46 chairpersons and ranking members of the standing
47 committees on agriculture, and on natural resources,
48 environment, and energy of the senate; the
49 chairpersons and ranking members of the standing
50 committees on agriculture, on natural resources, and

1 on environmental protection of the house of
2 representatives; the chairpersons and ranking members
3 of the joint appropriations subcommittee on
4 agriculture and natural resources; representatives of
5 the United States environmental protection agency; and
6 members of farm and commodity organizations.
7 3. The division of soil conservation shall report
8 to the general assembly not later than January 15,
9 1997, regarding findings and recommendations of the
10 conferees.
11 Sec. 31. LAND ACQUISITION -- NATURAL RESOURCE
12 COMMISSION. The natural resource commission, upon
13 consultation with department of natural resources
14 staff, shall develop and implement a land acquisition
15 policy which shall be embodied in a strategic land
16 acquisition plan administered by the department. The
17 land acquisition policy and the land acquisition
18 strategic plan shall provide for the acquisition of
19 land in order to enhance the quality of existing state
20 parks, state preserves, and state recreation areas.
21 The commission shall consider all of the following
22 factors and may consider additional factors:
23 1. The enhancement of the goals of an ecosystem or
24 biodiversity management plan for a state park, state
25 preserve, or state recreation area.
26 2. The proximity or contiguity of the land to a
27 state park, state preserve, or state recreation area.
28 3. The quality of existing natural communities
29 existing on the land.
30 4. The presence on the land of threatened or
31 endangered species.
32 5. The potential for enhancing the natural quality
33 or recreational potential of land owned or managed for
34 conservation purposes by other public or nonprofit
35 entities.
36 6. The risk of losing natural assets through the
37 sale of the land to a competing interest.
38 7. The preservation or enhancement of unique
39 irreplaceable archaeological, historical, or cultural
40 features existing on land owned or managed for such
41 purposes by other public or nonprofit entities.
42 Sec. 32. GIFT CERTIFICATES FOR SPECIAL PRIVILEGE
43 FEES ON STATE PARKS AND RECREATION AREAS. The
44 department of natural resources shall publish and make
45 available for purchase by the general public gift
46 certificates entitling the bearer of the certificate
47 to free camping and other special privileges at state
48 parks and recreation areas. The department shall
49 establish prices for the certificates based on amounts
50 required to be paid in fees for camping and special

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1 privileges pursuant to section 461A.47.
2 Sec. 33. Section 14A.1, Code 1995, is amended to
3 read as follows:
4 14A.1 DEPUTIES.
5 The secretary, auditor, and treasurer of state~~, and~~
6 ~~secretary of agriculture~~ may each appoint, in writing,
7 any person, except one holding a state office, as
8 deputy, for whose acts the appointing officer shall be
9 responsible, and from whom the appointing officer
10 shall require bond, which appointment and bond must be
11 approved by the officer having the approval of the
12 principal's bond, and such appointment may be revoked
13 in the same manner. The appointment and revocation
14 shall be filed with and kept by the secretary of
15 state. The state shall pay the reasonable cost of the
16 bonds required by this section.
17 Sec. 34. Section 159.14, Code 1995, is amended to
18 read as follows:
19 159.14 BONDS.
20 The secretary shall require every inspector or
21 employee who collects fees or handles funds belonging
22 to the state to give an official bond, properly
23 conditioned and signed by sufficient sureties, in a
24 sum to be fixed by the secretary, which bond shall be
25 approved by the secretary and filed in the office of
26 the secretary of state. ~~This section shall not apply~~
27 ~~to the deputy secretary of agriculture.~~ The state
28 shall pay the reasonable cost of the bonds required by
29 this section.
30 Sec. 35. REPEAL. Chapter 183, Code 1995, is
31 repealed.
32 Sec. 36. EFFECTIVE DATES. Section 14, subsection
33 2, and sections 15, 20, and 35 of this Act, being
34 deemed of immediate importance, take effect upon
35 enactment."
36 2. Title page, by striking lines 2 and 3 and
37 inserting the following: "providing for
38 appropriations, and providing effective dates."

RECEIVED FROM THE HOUSE

S-5613 FILED APRIL 1, 1996

Senate concurred as amended 4/2/96 (p.1187)

SENATE FILE 2446

S-5624

1 Amend the House amendment, S-5613, to Senate File
2 2446, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. By striking page 1, line 5, through page 16,
5 line 38, and inserting the following:
6 ""DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
7 Section 1. GENERAL APPROPRIATION. There is
8 appropriated from the general fund of the state to the
9 department of agriculture and land stewardship for the
10 fiscal year beginning July 1, 1996, and ending June
11 30, 1997, the following amounts, or so much thereof as
12 is necessary, to be used for the purposes designated:
13 1. ADMINISTRATIVE DIVISION
14 a. For salaries, support, maintenance, the support
15 of the state 4-H foundation, support of the statistics
16 bureau, and miscellaneous purposes, and for the
17 salaries and support of not more than the following
18 full-time equivalent positions:
19 ..... $ 1,636,111
20 ..... FTEs 42.45
21 (1) Of the funds appropriated in this paragraph
22 "a", $322,406 and 7.00 FTEs shall be used to support
23 horticulture. The president of the state horticulture
24 society or the president's designee and the department
25 shall consult and mutually agree on all expenditures
26 of moneys in this subparagraph and on the filling of
27 full-time equivalent positions, as allocated in this
28 subparagraph.
29 (2) Of the amount appropriated in this paragraph
30 "a", $50,000 shall be allocated to the state 4-H
31 foundation to foster the development of Iowa's youth
32 and to encourage them to study the subject of
33 agriculture.
34 (3) Of the amount appropriated and full-time
35 equivalent positions authorized in this paragraph "a",
36 $130,519 and 4.00 FTEs shall be allocated to the
37 statistics bureau to provide county-by-county
38 information on land in farms, production by crop,
39 acres by crop, and county prices by crop. This
40 information shall be made available to the department
41 of revenue and finance for use in the productivity
42 formula for valuing and equalizing the values of
43 agricultural land.
44 (4) Of the amount appropriated in this paragraph
45 "a", not more than $5,000 shall be allocated to the
46 Iowa limousin cattle junior association in connection
47 with the 1996 national junior limousin cattle show.
48 (5) Of the amount appropriated in this paragraph
49 "a", $500 shall be allocated as state aid to support
50 the north Iowa poultry expo.

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1 b. For the operations of the dairy trade practices
2 bureau:
3 ..... $ 66,846
4 c. For the purpose of performing commercial feed
5 audits:
6 ..... $ 64,698
7 d. For the purpose of performing fertilizer
8 audits:
9 ..... $ 64,697
10 2. REGULATORY DIVISION
11 a. For salaries, support, maintenance,
12 miscellaneous purposes, and for not more than the
13 following full-time equivalent positions:
14 ..... $ 3,848,960
15 ..... FTEs 122.50
16 b. For the costs of inspection, sampling,
17 analysis, and other expenses necessary for the
18 administration of chapters 192, 194, and 195:
19 ..... $ 651,220
20 3. LABORATORY DIVISION
21 a. For salaries, support, maintenance, and
22 miscellaneous purposes, including the administration
23 of the gypsy moth program, and for not more than the
24 following full-time equivalent positions:
25 ..... $ 959,475
26 ..... FTEs 85.10
27 (1) Of the amount appropriated in this paragraph
28 "a", $110,000 shall be used to administer a program
29 relating to the detection, surveillance, and
30 eradication of the gypsy moth. The department shall
31 allocate and use the appropriation made in this
32 paragraph before moneys other than those appropriated
33 in this paragraph are used to support the program.
34 (2) Of the amount appropriated and the number of
35 full-time equivalent positions authorized in this
36 paragraph "a", $49,850 and 1.00 FTE shall be used to
37 support a regional entomologist for purposes of
38 conducting laboratory inspection activities.
39 (3) Of the amount appropriated in this paragraph
40 "a", $82,000 shall be used for the acquisition of
41 laboratory equipment, including, but not limited to, a
42 fat analyzer and a nitrogen protein combustion
43 analyzer.
44 (4) Of the amount appropriated in this paragraph
45 "a", $25,000 shall be used for inspections of bottled
46 water sold commercially within the state.
47 (5) Of the number of full-time equivalent
48 positions authorized in this paragraph "a" and funded
49 in paragraph "c", 1.00 FTE shall be used to support an
50 organics program coordinator who shall assure

1 compliance of organic foods sold commercially within
2 the state with federal regulations relating to organic
3 foods.
4 b. For the operations of the commercial feed
5 programs:
6 ..... $ 742,499
7 c. For the operations of the pesticide programs:
8 ..... $ 1,291,781
9 Of the amount appropriated in this paragraph "c",
10 $200,000 shall be allocated to Iowa state university
11 for purposes of training commercial pesticide
12 applicators.
13 d. For the operations of the fertilizer programs:
14 ..... $ 633,832
15 4. SOIL CONSERVATION DIVISION
16 a. For salaries, support, maintenance, assistance
17 to soil conservation districts, miscellaneous
18 purposes, and for not more than the following full-
19 time equivalent positions:
20 ..... $ 6,045,591
21 ..... FTEs 172.28
22 (1) Of the amount appropriated in this paragraph
23 "a", $330,000 shall be used to reimburse commissioners
24 of soil and water conservation districts for
25 administrative expenses. Moneys used for the payment
26 of meeting dues by counties shall be matched on a
27 dollar-for-dollar basis by the soil conservation
28 division.
29 (2) Of the amount appropriated in this paragraph
30 "a", $42,000 shall be used to support soil and water
31 conservation district development including the
32 training of soil and water conservation district
33 staff.
34 (3) Of the amount appropriated and the number of
35 full-time equivalent positions authorized in this
36 paragraph "a", $56,000 and 1.00 FTE shall be used to
37 support a position for oversight of financial
38 incentive programs.
39 b. To provide financial incentives for soil
40 conservation practices under chapter 161A:
41 ..... $ 6,750,850
42 c. The following requirements apply to the moneys
43 appropriated in paragraph "b":
44 (1) Not more than 5 percent of the moneys
45 appropriated in paragraph "b" may be allocated for
46 cost sharing to abate complaints filed under section
47 161A.47.
48 (2) Of the moneys appropriated in paragraph "b", 5
49 percent shall be allocated for financial incentives to
50 establish practices to protect watersheds above

1 publicly owned lakes of the state from soil erosion
2 and sediment as provided in section 161A.73.
3 (3) Not more than 30 percent of a district's
4 allocation of moneys as financial incentives may be
5 provided for the purpose of establishing management
6 practices to control soil erosion on land that is row
7 cropped, including but not limited to no-till
8 planting, ridge-till planting, contouring, and contour
9 strip-cropping as provided in section 161A.73.
10 (4) The state soil conservation committee created
11 in section 161A.4 may allocate moneys to conduct
12 research and demonstration projects to promote
13 conservation tillage and nonpoint source pollution
14 control practices.
15 (5) The financial incentive payments may be used
16 in combination with department of natural resources
17 moneys.
18 d. The provisions of section 8.33 shall not apply
19 to the moneys appropriated in paragraph "b".
20 Unencumbered or unobligated moneys remaining on June
21 30, 2000, from moneys appropriated in paragraph "b"
22 for the fiscal year beginning July 1, 1996, shall
23 revert to the general fund on August 31, 2000.
24 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
25 appropriated from the general fund of the state to the
26 department of agriculture and land stewardship for the
27 fiscal year beginning July 1, 1996, and ending June
28 30, 1997, the following amount, or so much thereof as
29 is necessary, to be used for the purposes designated:
30 For salaries, support, maintenance, and
31 miscellaneous purposes, to be used by the department
32 to continue and expand the farmers' market coupon
33 program by providing federal special supplemental food
34 program recipients with coupons redeemable at farmers'
35 markets, and for not more than the following full-time
36 equivalent positions:
37 ..... $ 215,807
38 ..... FTEs 1.00
39 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.
40 1. There is appropriated from the general fund of
41 the state to the department of agriculture and land
42 stewardship for the fiscal year beginning July 1,
43 1996, and ending June 30, 1997, the following amount,
44 or so much thereof as is necessary, to be used for the
45 purpose designated:
46 For support of the pseudorabies eradication
47 program:
48 ..... $ 900,300
49 2. Persons, including organizations interested in
50 swine production in this state and in the promotion of

1 Iowa pork products who contribute support to the
2 program, are encouraged to increase financial support
3 for purposes of ensuring the program's effective
4 continuation.
5 Sec. 4. HORSE AND DOG RACING. There is
6 appropriated from the moneys available under section
7 99D.13 to the regulatory division of the department of
8 agriculture and land stewardship for the fiscal year
9 beginning July 1, 1996, and ending June 30, 1997, the
10 following amount, or so much thereof as is necessary,
11 to be used for the purpose designated:
12 For salaries, support, maintenance, and
13 miscellaneous purposes for the administration of
14 section 99D.22:
15 ..... $ 192,560
16 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
17 MARKETING. There is appropriated from the general
18 fund of the state to the interstate agricultural grain
19 marketing commission for the fiscal year beginning
20 July 1, 1996, and ending June 30, 1997, the following
21 amount, or so much thereof as is necessary, to be used
22 for the purpose designated:
23 For carrying out duties of the commission as
24 provided in Article IV of the interstate compact on
25 agricultural grain marketing as provided in chapter
26 183:
27 ..... $ 80,000
28 DEPARTMENT OF NATURAL RESOURCES
29 Sec. 6. GENERAL APPROPRIATION. There is
30 appropriated from the general fund of the state to the
31 department of natural resources for the fiscal year
32 beginning July 1, 1996, and ending June 30, 1997, the
33 following amounts, or so much thereof as is necessary,
34 to be used for the purposes designated:
35 1. ADMINISTRATIVE AND SUPPORT SERVICES
36 For salaries, support, maintenance, miscellaneous
37 purposes, and for not more than the following full-
38 time equivalent positions:
39 ..... $ 2,052,389
40 ..... FTEs 119.25
41 2. PARKS AND PRESERVES DIVISION
42 For salaries, support, maintenance, miscellaneous
43 purposes, and for not more than the following full-
44 time equivalent positions:
45 ..... $ 5,546,988
46 ..... FTEs 195.73
47 3. FORESTS AND FORESTRY DIVISION
48 For salaries, support, maintenance, miscellaneous
49 purposes, and for not more than the following full-
50 time equivalent positions:

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1 ..... $ 1,494,908
2 ..... FTEs 48.71
3 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION
4 For salaries, support, maintenance, miscellaneous
5 purposes, and for not more than the following full-
6 time equivalent positions:
7 ..... $ 1,681,228
8 ..... FTEs 52.00
9 5. a. ENVIRONMENTAL PROTECTION DIVISION
10 (1) For salaries, support, maintenance,
11 miscellaneous purposes, and for not more than the
12 following full-time equivalent positions:
13 ..... $ 1,917,509
14 ..... FTEs 211.50
15 (2) Of the amount appropriated and the number of
16 full-time equivalent positions authorized in
17 subparagraph (1) at least $371,600 and 7.00 FTEs shall
18 be used to support the regulation of animal feeding
19 operations.
20 b. WATER QUALITY PROTECTION FUND
21 For allocation to the administrative account of the
22 water quality protection fund established pursuant to
23 section 455B.183A, to carry out the purpose of that
24 account:
25 ..... $ 729,000
26 (1) Of the number of full-time equivalent
27 positions authorized in paragraph "a", 32.50 FTEs
28 shall be dedicated to carrying out the provisions of
29 chapter 455B relating to the administration,
30 regulation, and enforcement of the federal Safe
31 Drinking Water Act and to support the program to
32 assist water supply systems as provided in section
33 455B.183B. However, the limitation on full-time
34 equivalent positions provided in paragraph "a", shall
35 not limit the number of additional full-time
36 equivalent positions supported by moneys deposited in
37 the water quality protection fund as provided in
38 section 455B.183A, in order to carry out the
39 provisions of division III of chapter 455B relating to
40 the administration, regulation, and enforcement of the
41 federal Safe Drinking Water Act, and the
42 administration of the program to assist water supply
43 systems pursuant to section 455B.183B.
44 (2) In providing assistance to water supply
45 systems, the department shall provide priority to
46 water supply systems serving a population of seven
47 thousand or less. At least 2.00 FTEs shall be
48 allocated to provide assistance to systems serving a
49 population of seven thousand or less.
50 6. FISH AND WILDLIFE DIVISION

1 For not more than the following full-time
2 equivalent positions:
3 ..... FTEs 342.18
4 7. WASTE MANAGEMENT ASSISTANCE DIVISION
5 For not more than the following full-time
6 equivalent positions:
7 ..... FTEs 16.75
8 Sec. 7. STATE FISH AND GAME PROTECTION FUND --
9 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.
10 1. There is appropriated from the state fish and
11 game protection fund to the division of fish and
12 wildlife of the department of natural resources for
13 the fiscal year beginning July 1, 1996, and ending
14 June 30, 1997, the following amount, or so much
15 thereof as is necessary, to be used for the purposes
16 designated:
17 For administrative support, and for salaries,
18 support, maintenance, equipment, and miscellaneous
19 purposes:
20 ..... $ 21,365,891
21 2. The department shall not expend more moneys
22 from the fish and game protection fund than provided
23 in this section, unless the expenditure derives from
24 contributions made by a private entity, or a grant or
25 moneys received from the federal government, and is
26 approved by the natural resource commission. The
27 department of natural resources shall promptly notify
28 the legislative fiscal bureau and the chairpersons and
29 ranking members of the joint appropriations
30 subcommittee on agriculture and natural resources
31 concerning the commission's approval.
32 Sec. 8. MARINE FUEL TAX RECEIPTS -- BOATING
33 FACILITIES AND ACCESS. There is appropriated from the
34 marine fuel tax receipts deposited in the general fund
35 of the state to the department of natural resources
36 for the fiscal year beginning July 1, 1996, and ending
37 June 30, 1997, the following amount, or so much
38 thereof as is necessary, to be used for the purpose
39 designated:
40 For purposes of maintaining and developing boating
41 facilities and access to public waters by the parks
42 and preserves division:
43 ..... $ 411,311
44 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR
45 ENFORCEMENT PURPOSES. There is transferred on July 1,
46 1996, from the fees deposited under section 321G.7 to
47 the fish and game protection fund and appropriated to
48 the department of natural resources for the fiscal
49 year beginning July 1, 1996, and ending June 30, 1997,
50 the following amount, or so much thereof as is

1 necessary, to be used for the purpose designated:
2 For the purpose of enforcing snowmobile laws as
3 part of the state snowmobile program administered by
4 the department of natural resources:
5 ..... $ 100,000
6 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT
7 PURPOSES. There is transferred on July 1, 1996, from
8 the fees deposited under section 462A.52 to the fish
9 and game protection fund and appropriated to the
10 department of natural resources for the fiscal year
11 beginning July 1, 1996, and ending June 30, 1997, the
12 following amount, or so much thereof as is necessary,
13 to be used for the purpose designated:
14 For the administration and enforcement of
15 navigation laws and water safety:
16 ..... $ 1,325,000
17 Of the amount appropriated in this section,
18 $125,000 shall be used for purposes of controlling and
19 eradicating harmful exotic species and eurasian
20 milfoil.
21 Notwithstanding section 8.33, moneys transferred
22 pursuant to this section which are unencumbered or
23 unobligated on June 30, 1997, shall be transferred on
24 July 1, 1997, to the special conservation fund
25 established by section 462A.52 to be used as provided
26 in that section, and shall not revert as provided in
27 section 8.33.
28 RESOURCES ENHANCEMENT AND PROTECTION
29 Sec. 11. GENERAL APPROPRIATION. Notwithstanding
30 the amount of the standing appropriation from the
31 general fund of the state under section 455A.18,
32 subsection 3, there is appropriated from the general
33 fund of the state to the Iowa resources enhancement
34 and protection fund, in lieu of the appropriation made
35 in section 455A.18, for the fiscal year beginning July
36 1, 1996, and ending June 30, 1997, the sum of
37 $10,000,000, of which all moneys shall be allocated as
38 provided in section 455A.19.
39 RELATED APPROPRIATIONS
40 Sec. 12. APPROPRIATION FROM ORGANIC NUTRIENT
41 MANAGEMENT FUND. There is appropriated from the
42 organic nutrient management fund, as created in
43 section 161C.5, to the following entities in the
44 fiscal year beginning July 1, 1996, and ending June
45 30, 1997, the following amounts, or so much thereof as
46 is necessary, to be used for the purposes designated:
47 1. To Iowa state university for supporting odor
48 control applications of animal feeding operations,
49 including confinement feeding operations, regulated by
50 the department of natural resources pursuant to

1 chapter 455B:
2 ..... $ 350,000
3 a. Moneys provided under this subsection for odor
4 control applications of animal feeding operations
5 shall be provided on a dollar-for-dollar match with an
6 individual owner or operator and shall not exceed the
7 amount actually spent by or on behalf of the owner or
8 operator for odor control.
9 b. Notwithstanding section 8.33, moneys provided
10 under this subsection for odor control applications of
11 animal feeding operations shall not revert to the
12 organic nutrient management fund but shall remain
13 available for use as provided in this subsection
14 during the fiscal year beginning July 1, 1997, and
15 ending June 30, 1998. The moneys appropriated in this
16 subsection which remain unexpended or unobligated on
17 June 30, 1998, shall revert to the organic nutrient
18 management fund on August 31, 1998.
19 2. To the department of natural resources for
20 establishment of a pilot project for the control of
21 odor originating from animal feeding operation
22 structures, including anaerobic lagoons and earthen
23 manure storage basins, by using emergent plant or
24 vegetative growth:
25 ..... $ 25,000
26 On or before January 1, 1997, the department of
27 natural resources shall submit a report including
28 findings and recommendations resulting from the pilot
29 project to the committees of the general assembly
30 which have jurisdiction over agriculture and natural
31 resources.
32 3. To Iowa state university for supporting a
33 person connected with the United States department of
34 agriculture who engages in animal control, for
35 purposes of contributing to the control of animals,
36 and especially predators, which pose a threat to this
37 state's agriculture:
38 ..... $ 50,000
39 4. To the department of agriculture and land
40 stewardship for the administration of a grant project
41 to support a cattle slaughtering and beef processing
42 facility in this state:
43 ..... $ 150,000
44 Not later than September 1, 1996, the department
45 shall award $75,000 to an eligible person for purposes
46 of conducting a feasibility and planning study for the
47 construction of the cattle slaughtering and beef
48 processing facility. If another person is not
49 selected by January 1, 1997, the department shall
50 award the remaining $75,000 to the same person for

1 purposes of completing the study. A person receiving
2 an award must be an entity organized to do business
3 under the laws of this state and principally located
4 in this state. The business entity must make a
5 commitment to invest at least $25,000,000 for the
6 construction and operation of the proposed cattle
7 slaughtering and beef processing facility, if, based
8 on the study, the business entity constructs the
9 facility. The department, in cooperation with the
10 department of economic development, shall establish
11 criteria, select eligible business entities, and make
12 awards as directed by the agricultural products
13 advisory council established pursuant to section
14 15.203.
15 5. To the department of natural resources for
16 supporting the environmental education initiative
17 pursuant to section 258B.1, as enacted in this Act:
18 ..... $ 150,000
19 Sec. 13. ATTORNEY GENERAL INVESTIGATORS -- ANIMAL
20 FEEDING OPERATIONS. There is appropriated from the
21 general fund of the state to the office of attorney
22 general for the fiscal year beginning July 1, 1996,
23 and ending June 30, 1997, the following amount, or so
24 much thereof as is necessary, to be used for the
25 purpose designated:
26 For the investigation of animal feeding operations
27 regulated under chapter 455B, including salaries,
28 support, maintenance, miscellaneous purposes, and for
29 not more than the following full-time equivalent
30 positions:
31 ..... $ 109,000
32 ..... FTEs 2.00
33 Persons employed as investigators under this
34 section shall investigate animal feeding operations,
35 including by inspecting animal feeding operations, and
36 especially confinement feeding operations and the
37 storage and disposal of manure from animal feeding
38 operations, to ensure compliance with state law,
39 including chapter 455B and rules adopted by the
40 department of natural resources. Each investigator
41 shall have an office in and investigate a region of
42 the state where there is a high concentration of
43 confinement feeding operations. An investigator may
44 inspect an animal feeding operation at any time during
45 normal working hours or at other times if exigent
46 circumstances exist, and may examine records required
47 to be maintained as part of a manure management plan
48 required pursuant to section 455B.203. In order to
49 access the animal feeding operation during normal
50 business hours, the investigator must comply with

1 standard disease control restrictions customarily
2 required by the operation. The investigator shall
3 comply with the requirements in section 455B.103 to
4 the same extent required by the director of the
5 department of natural resources conducting an
6 inspection or search of property. The attorney
7 general and the department of natural resources shall
8 cooperate in carrying out this section. Each four
9 months, the attorney general shall submit a report
10 regarding violations investigated and prosecuted by
11 the attorney general to the secretary of the senate
12 and to the chief clerk of the house of
13 representatives.
14 Sec. 14. MULTIFLORA ROSE ERADICATION.
15 1. There is appropriated from the general fund of
16 the state to Iowa state university for the fiscal year
17 beginning July 1, 1996, and ending June 30, 1997, the
18 following amount, or so much thereof as is necessary,
19 to be used for the purpose designated:
20 For supporting multiflora rose eradication research
21 and projects:
22 ..... $ 25,000
23 2. Notwithstanding 1995 Iowa Acts, chapter 216,
24 section 19, subsection 2, moneys allocated pursuant to
25 1995 Iowa Acts, chapter 216, section 19, subsection 1,
26 paragraph "d", which remain unencumbered or
27 unobligated on June 30, 1996, shall not revert
28 pursuant to section 8.33, but shall remain available
29 to Iowa state university for purposes of supporting
30 multiflora rose eradication research and projects, for
31 subsequent fiscal years.
32 Sec. 15. NONREVERSION OF MONEYS ALLOCATED TO IOWA
33 GRAIN QUALITY INITIATIVE. Notwithstanding 1995 Iowa
34 Acts, chapter 216, section 19, subsection 2, moneys
35 allocated pursuant to 1995 Iowa Acts, chapter 216,
36 section 19, subsection 1, paragraph "f", subparagraph
37 (1), which remain unencumbered or unobligated on June
38 30, 1996, shall not revert pursuant to section 8.33,
39 but shall remain available to Iowa state university
40 for purposes of supporting the Iowa cooperative
41 extension service in agriculture and home economics in
42 establishing and administering an Iowa grain quality
43 initiative in subsequent fiscal years.
44 Sec. 16. TRANSFERS OF MONEYS REQUIRED TO BE
45 DEPOSITED IN THE WATER PROTECTION FUND.
46 Notwithstanding section 161C.4 and the reversion and
47 allocation provisions in section 455A.19, subsection
48 1, paragraph "c", of the unencumbered and unobligated
49 moneys remaining, which are required to be deposited
50 in the water protection fund created in section

1 161C.4, as provided in section 455A.19, subsection 1,
2 paragraph "c", the following amount shall be
3 transferred first from moneys required to be deposited
4 in the water protection practices account, and if
5 necessary from moneys required to be deposited in the
6 water quality protection projects account, which shall
7 be used for the following purposes:
8 To the Loess Hills development and conservation
9 authority, for deposit in the Loess Hills development
10 and conservation fund created in section 161D.2 for
11 the purposes specified in section 161D.1:
12 ..... $ 400,000
13 Sec. 17. REVENUE ADMINISTERED BY THE IOWA
14 COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD --
15 TRANSFER. There is appropriated from the unassigned
16 revenue fund administered by the Iowa comprehensive
17 underground storage tank fund board, to the department
18 of natural resources for the fiscal year beginning
19 July 1, 1996, and ending June 30, 1997, the following
20 amount, or so much thereof as is necessary, to be used
21 for the purpose designated:
22 For administration expenses of the underground
23 storage tank section of the department of natural
24 resources:
25 ..... $ 75,000
26 Sec. 18. TRANSFER -- AIR QUALITY. For the fiscal
27 year beginning July 1, 1996, and ending June 30, 1997,
28 the department of natural resources may transfer up to
29 $430,000 from the hazardous substance remedial fund
30 created pursuant to section 455B.423, to support
31 purposes related to carrying out the duties of the
32 commission under section 455B.133, or the director
33 under section 455B.134, or for carrying out the
34 provisions of chapter 455B, division II.
35 MISCELLANEOUS
36 Sec. 19. STUDY OF LOCATING FIELD OFFICE IN NORTH
37 CENTRAL DISTRICT. The department of natural resources
38 shall conduct a study of the feasibility of locating a
39 field office in the department's north central
40 district. On or before January 1, 1997, the
41 department of natural resources shall submit a report
42 including findings and recommendations resulting from
43 the study to the committees of the general assembly
44 which have jurisdiction over natural resources.
45 Sec. 20. IOWA AGRICULTURE 2000 CONFERENCE. There
46 is appropriated from the general fund of the state to
47 Iowa state university for the fiscal year beginning
48 July 1, 1996, and ending June 30, 1997, the following
49 amount, or so much thereof as is necessary, to be used
50 for the purpose designated:

1 To support Iowa state university, in cooperation
2 with the farm section of the attorney general's
3 office, in sponsoring an Iowa agriculture 2000
4 conference, with assistance provided by the department
5 of agriculture and land stewardship and Iowa commodity
6 organizations, for independent agricultural producers
7 and other persons interested in the future of Iowa
8 agriculture:
9 ..... $ 80,000
10 Moneys appropriated by this section shall be used
11 to defray expenses incurred by Iowa state university
12 and the farm section of the attorney general's office
13 in planning and sponsoring the conference.
14 Sec. 21. STATE NURSERIES. Notwithstanding section
15 17A.2, subsection 10, paragraph "g", the department of
16 natural resources shall adopt administrative rules
17 establishing a range of prices of plant material grown
18 at the state forest nurseries to cover all expenses
19 related to the growing of the plants.
20 1. The department shall develop programs to
21 encourage the wise management and preservation of
22 existing woodlands and shall continue its efforts to
23 encourage forestation and reforestation on private and
24 public lands in the state.
25 2. The department shall encourage a cooperative
26 relationship between the state forest nurseries and
27 private nurseries in the state in order to achieve
28 these goals.
29 Sec. 22. TRANSFER OF MONEYS OR POSITIONS; CHANGES
30 IN TABLES OF ORGANIZATION -- NOTIFICATION. In
31 addition to the requirements of section 8.39, in each
32 fiscal quarter, the department of agriculture and land
33 stewardship and the department of natural resources
34 shall notify the chairpersons, vice chairpersons, and
35 ranking members of the joint appropriations
36 subcommittee on agriculture and natural resources for
37 the previous fiscal quarter of any transfer of moneys
38 or full-time equivalent positions made by either
39 department which is not authorized in this Act, or any
40 permanent position added to or deleted from either
41 department's table of organization.
42 Sec. 23. AIR QUALITY PROGRAM -- NONGENERAL FUND
43 SUPPORT. The department of natural resources for the
44 fiscal year beginning July 1, 1996, and ending June
45 30, 1997, shall not use moneys appropriated from the
46 general fund of the state pursuant to this Act, to
47 support any purpose related to carrying out the duties
48 of the commission under section 455B.133 or the
49 director under section 455B.134, or for carrying out
50 the provisions of chapter 455B, division II.

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1 Notwithstanding section 455B.133B, the department
2 may use moneys deposited in the air contaminant source
3 fund created in section 455B.133B during the fiscal
4 year beginning July 1, 1996, and ending June 30, 1997,
5 for any purpose related to carrying out the duties of
6 the commission under section 455B.133 or the director
7 under section 455B.134, or for carrying out the
8 provisions of chapter 455B, division II.
9 Sec. 24. RULES RELATING TO PESTICIDE AND
10 FERTILIZER CONTAMINATED SITES -- ENVIRONMENTAL
11 PROTECTION COMMISSION. The environmental protection
12 commission shall adopt all rules required to establish
13 criteria for the classification and prioritization of
14 sites upon which pesticide or fertilizer contamination
15 has been discovered, as provided in section 455B.601
16 not later than October 1, 1996.
17 Sec. 25. NATIVE AMERICAN WAR MEMORIAL. The
18 department of natural resources may purchase, with
19 funds which become available under chapter 465A for
20 the fiscal year beginning July 1, 1996, and ending
21 June 30, 1997, lands on which to locate a native
22 American war memorial.
23 STATUTORY CHANGES
24 Sec. 26. NEW SECTION. 2.55A DEPARTMENTAL
25 INFORMATION REQUIRED.
26 1. The department of agriculture and land
27 stewardship and the department of natural resources,
28 in cooperation as necessary with the department of
29 management and the department of personnel, shall
30 provide a list to the legislative fiscal bureau, on a
31 quarterly basis, of all permanent positions added to
32 or deleted from the departments' table of organization
33 in the previous fiscal quarter. This list shall
34 include at least the position number, salary range,
35 projected funding source or sources of each position,
36 and the reason for the addition or deletion. The
37 legislative fiscal bureau may use this information to
38 assist in the establishment of the full-time
39 equivalent position limits authorized in law for the
40 departments.
41 2. The department of natural resources shall
42 provide the legislative fiscal bureau information and
43 financial data by cost center, on at least a monthly
44 basis, relating to the indirect cost accounting
45 procedure, the amount of funding from each funding
46 source for each cost center, and the internal budget
47 system used by the department. The information shall
48 include but is not limited to financial data covering
49 the department's budget by cost center and funding
50 source prior to the start of the fiscal year, and to

1 the department's actual expenditures by cost center
2 and funding source after the accounting system has
3 been closed for that fiscal year.
4 3. The department of agriculture and land
5 stewardship shall provide the legislative fiscal
6 bureau information and financial data on at least a
7 monthly basis, relating to the internal budget system
8 used by the department. The information shall include
9 but is not limited to financial data covering the
10 department's budget prior to the start of the fiscal
11 year, and to the department's actual expenditures
12 after the accounting system has been closed for that
13 fiscal year.
14 Sec. 27. NEW SECTION. 8.60A TRUST FUND
15 INFORMATION.
16 The department of revenue and finance in
17 cooperation with each appropriate agency shall track
18 receipts to the general fund of the state which under
19 law were previously collected to be used for specific
20 purposes, or to be credited to, or be deposited to a
21 particular account or fund, as provided in section
22 8.60.
23 The department of revenue and finance and each
24 appropriate agency shall prepare reports detailing
25 revenue from receipts previously deposited into each
26 of the funds. A report shall be submitted to the
27 legislative fiscal bureau at least once for each
28 three-month period as designated by the legislative
29 fiscal bureau.
30 Sec. 28. Section 166D.10, Code 1995, is amended by
31 adding the following new subsection:
32 NEW SUBSECTION. 4. In addition to other
33 applicable requirements of this section, feeder swine
34 shall not be moved into this state from another state
35 except to slaughter, unless the feeder swine are
36 vaccinated by a differentiable vaccine within ninety
37 days of arrival in this state.
38 Sec. 29. NEW SECTION. 258B.1 RESIDENTIAL
39 ENVIRONMENTAL EDUCATION PROGRAMS -- APPROPRIATION.
40 1. A residential environmental education program
41 is created to recognize the critical role that both
42 direct experience with the outdoors and a several-day
43 residential experience away from home and the formal
44 school environment play in the formation of an
45 environmentally literate citizenry.
46 2. Phase I of the program shall provide
47 supplemental funding of thirty-five dollars per pupil
48 to school districts that choose to provide for the
49 attendance of the pupils in one grade level at a
50 certified residential environmental education center.

1 To receive this funding, school districts must provide
2 proof of attendance by their pupils at such a center
3 and participation by pupils in a certified program for
4 a minimum of three consecutive days for each pupil.
5 In addition, school districts shall submit evidence of
6 matching contributions of at least fifty percent of
7 the total program cost. Local school districts shall
8 choose the grade level and the time of year they feel
9 is most developmentally appropriate for this
10 residential experience.
11 3. Phase II of the program shall consist of all of
12 the following:
13 a. Development of certification criteria for
14 facilities, staff, and programs.
15 b. Census of existing facilities, staff, and
16 programs relative to the certification criteria.
17 c. Assessment of the needs of these facilities.
18 4. The program shall be administered cooperatively
19 by the department of education and the department of
20 natural resources.
21 Sec. 30. Section 455A.18, subsection 3, unnumbered
22 paragraph 1, Code 1995, is amended to read as follows:
23 For each fiscal year of the fiscal period beginning
24 July 1, ~~1990~~ 1997, and ending June 30, ~~2001~~ 2021,
25 there is appropriated from the general fund, to the
26 Iowa resources enhancement and protection fund, the
27 amount of ~~thirty~~ twenty million dollars, ~~except that~~
28 ~~for the fiscal year beginning July 1, 1990, the amount~~
29 ~~is twenty million dollars,~~ to be used as provided in
30 this chapter. However, in any fiscal year of the
31 fiscal period, if moneys from the lottery are
32 appropriated by the state to the fund, the amount
33 appropriated under this subsection shall be reduced by
34 the amount appropriated from the lottery.
35 Sec. 31. NEW SECTION. 455A.21 PREFERENCE
36 PROVIDED -- PERSONS MEETING ELIGIBILITY REQUIREMENTS
37 OF THE GREEN THUMB PROGRAM.
38 In its employment of persons in temporary positions
39 in conservation and outdoor recreation, the department
40 of natural resources shall give preference to persons
41 meeting eligibility requirements for the green thumb
42 program under section 15.227 and to persons working
43 toward an advanced education in natural resources and
44 conservation.
45 Sec. 32. NEW SECTION. 456A.37 NONGAME WILDLIFE-
46 ORIENTED EDUCATION.
47 The department shall establish a nongame wildlife-
48 oriented education initiative. In administering the
49 initiative, the department shall do all of the
50 following:

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1 1. Develop and support a comprehensive nongame
2 wildlife-oriented education program to be implemented
3 through the schools, county conservation boards, and
4 the department.
5 2. Enhance opportunities for personal contact
6 with, and the public's appreciation for, all types of
7 wildlife by developing facilities for public
8 appreciation of wildlife.
9 3. Protect, develop, and manage habitats to
10 enhance nongame populations on public and private
11 lands through habitat development and acquisition.
12 4. Develop and support nongame wildlife species
13 management, research, and surveys.
14 5. Adopt programs administered by the division of
15 fish and wildlife relating to wildlife diversity as
16 provided by rule adopted pursuant to chapter 17A.
17 Sec. 33. EFFECTIVE DATES.
18 1. Section 14, subsection 2, and section 15 of
19 this Act, being deemed of immediate importance, take
20 effect upon enactment.
21 2. Section 30 of this Act, amending section
22 455A.18, takes effect July 1, 1997.""

By DENNIS H. BLACK
BRAD BANKS
WAYNE D. BENNETT
DON GETTINGS
BERL E. PRIEBE

S-5624 FILED APRIL 2, 1996
ADOPTED

(p.1187)

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 2446
H-5834

1 Amend the House amendment, S-5613, to Senate File
2 2446, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. By striking page 1, line 5, through page 16,
5 line 38, and inserting the following:
6 ""DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
7 Section 1. GENERAL APPROPRIATION. There is
8 appropriated from the general fund of the state to the
9 department of agriculture and land stewardship for the
10 fiscal year beginning July 1, 1996, and ending June
11 30, 1997, the following amounts, or so much thereof as
12 is necessary, to be used for the purposes designated:
13 1. ADMINISTRATIVE DIVISION
14 a. For salaries, support, maintenance, the support
15 of the state 4-H foundation, support of the statistics
16 bureau, and miscellaneous purposes, and for the
17 salaries and support of not more than the following
18 full-time equivalent positions:
19 ..... $ 1,636,111
20 ..... FTEs 42.45
21 (1) Of the funds appropriated in this paragraph
22 "a", $322,406 and 7.00 FTEs shall be used to support
23 horticulture. The president of the state horticulture
24 society or the president's designee and the department
25 shall consult and mutually agree on all expenditures
26 of moneys in this subparagraph and on the filling of
27 full-time equivalent positions, as allocated in this
28 subparagraph.
29 (2) Of the amount appropriated in this paragraph
30 "a", $50,000 shall be allocated to the state 4-H
31 foundation to foster the development of Iowa's youth
32 and to encourage them to study the subject of
33 agriculture.
34 (3) Of the amount appropriated and full-time
35 equivalent positions authorized in this paragraph "a",
36 $130,519 and 4.00 FTEs shall be allocated to the
37 statistics bureau to provide county-by-county
38 information on land in farms, production by crop,
39 acres by crop, and county prices by crop. This
40 information shall be made available to the department
41 of revenue and finance for use in the productivity
42 formula for valuing and equalizing the values of
43 agricultural land.
44 (4) Of the amount appropriated in this paragraph
45 "a", not more than $5,000 shall be allocated to the
46 Iowa limousin cattle junior association in connection
47 with the 1996 national junior limousin cattle show.
48 (5) Of the amount appropriated in this paragraph
49 "a", $500 shall be allocated as state aid to support
50 the north Iowa poultry expo.

1 b. For the operations of the dairy trade practices
2 bureau:
3 ..... $ 66,846
4 c. For the purpose of performing commercial feed
5 audits:
6 ..... $ 64,698
7 d. For the purpose of performing fertilizer
8 audits:
9 ..... $ 64,697
10 2. REGULATORY DIVISION
11 a. For salaries, support, maintenance,
12 miscellaneous purposes, and for not more than the
13 following full-time equivalent positions:
14 ..... $ 3,848,960
15 ..... FTEs 122.50
16 b. For the costs of inspection, sampling,
17 analysis, and other expenses necessary for the
18 administration of chapters 192, 194, and 195:
19 ..... $ 651,220
20 3. LABORATORY DIVISION
21 a. For salaries, support, maintenance, and
22 miscellaneous purposes, including the administration
23 of the gypsy moth program, and for not more than the
24 following full-time equivalent positions:
25 ..... $ 959,475
26 ..... FTEs 85.10
27 (1) Of the amount appropriated in this paragraph
28 "a", $110,000 shall be used to administer a program
29 relating to the detection, surveillance, and
30 eradication of the gypsy moth. The department shall
31 allocate and use the appropriation made in this
32 paragraph before moneys other than those appropriated
33 in this paragraph are used to support the program.
34 (2) Of the amount appropriated and the number of
35 full-time equivalent positions authorized in this
36 paragraph "a", $49,850 and 1.00 FTE shall be used to
37 support a regional entomologist for purposes of
38 conducting laboratory inspection activities.
39 (3) Of the amount appropriated in this paragraph
40 "a", $82,000 shall be used for the acquisition of
41 laboratory equipment, including, but not limited to, a
42 fat analyzer and a nitrogen protein combustion
43 analyzer.
44 (4) Of the amount appropriated in this paragraph
45 "a", $25,000 shall be used for inspections of bottled
46 water sold commercially within the state.
47 (5) Of the number of full-time equivalent
48 positions authorized in this paragraph "a" and funded
49 in paragraph "c", 1.00 FTE shall be used to support an
50 organics program coordinator who shall assure

1 compliance of organic foods sold commercially within
2 the state with federal regulations relating to organic
3 foods.
4 b. For the operations of the commercial feed
5 programs:
6 ..... $ 742,499
7 c. For the operations of the pesticide programs:
8 ..... $ 1,291,781
9 Of the amount appropriated in this paragraph "c",
10 $200,000 shall be allocated to Iowa state university
11 for purposes of training commercial pesticide
12 applicators.
13 d. For the operations of the fertilizer programs:
14 ..... $ 633,832
15 4. SOIL CONSERVATION DIVISION
16 a. For salaries, support, maintenance, assistance
17 to soil conservation districts, miscellaneous
18 purposes, and for not more than the following full-
19 time equivalent positions:
20 ..... $ 6,045,591
21 ..... FTEs 172.28
22 (1) Of the amount appropriated in this paragraph
23 "a", $330,000 shall be used to reimburse commissioners
24 of soil and water conservation districts for
25 administrative expenses. Moneys used for the payment
26 of meeting dues by counties shall be matched on a
27 dollar-for-dollar basis by the soil conservation
28 division.
29 (2) Of the amount appropriated in this paragraph
30 "a", $42,000 shall be used to support soil and water
31 conservation district development including the
32 training of soil and water conservation district
33 staff.
34 (3) Of the amount appropriated and the number of
35 full-time equivalent positions authorized in this
36 paragraph "a", $56,000 and 1.00 FTE shall be used to
37 support a position for oversight of financial
38 incentive programs.
39 b. To provide financial incentives for soil
40 conservation practices under chapter 161A:
41 ..... $ 6,750,850
42 c. The following requirements apply to the moneys
43 appropriated in paragraph "b":
44 (1) Not more than 5 percent of the moneys
45 appropriated in paragraph "b" may be allocated for
46 cost sharing to abate complaints filed under section
47 161A.47.
48 (2) Of the moneys appropriated in paragraph "b", 5
49 percent shall be allocated for financial incentives to
50 establish practices to protect watersheds above

1 publicly owned lakes of the state from soil erosion
2 and sediment as provided in section 161A.73.
3 (3) Not more than 30 percent of a district's
4 allocation of moneys as financial incentives may be
5 provided for the purpose of establishing management
6 practices to control soil erosion on land that is row
7 cropped, including but not limited to no-till
8 planting, ridge-till planting, contouring, and contour
9 strip-cropping as provided in section 161A.73.
10 (4) The state soil conservation committee created
11 in section 161A.4 may allocate moneys to conduct
12 research and demonstration projects to promote
13 conservation tillage and nonpoint source pollution
14 control practices.
15 (5) The financial incentive payments may be used
16 in combination with department of natural resources
17 moneys.
18 d. The provisions of section 8.33 shall not apply
19 to the moneys appropriated in paragraph "b".
20 Unencumbered or unobligated moneys remaining on June
21 30, 2000, from moneys appropriated in paragraph "b"
22 for the fiscal year beginning July 1, 1996, shall
23 revert to the general fund on August 31, 2000.
24 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
25 appropriated from the general fund of the state to the
26 department of agriculture and land stewardship for the
27 fiscal year beginning July 1, 1996, and ending June
28 30, 1997, the following amount, or so much thereof as
29 is necessary, to be used for the purposes designated:
30 For salaries, support, maintenance, and
31 miscellaneous purposes, to be used by the department
32 to continue and expand the farmers' market coupon
33 program by providing federal special supplemental food
34 program recipients with coupons redeemable at farmers'
35 markets, and for not more than the following full-time
36 equivalent positions:
37 ..... $ 215,807
38 ..... FTEs 1.00
39 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.
40 1. There is appropriated from the general fund of
41 the state to the department of agriculture and land
42 stewardship for the fiscal year beginning July 1,
43 1996, and ending June 30, 1997, the following amount,
44 or so much thereof as is necessary, to be used for the
45 purpose designated:
46 For support of the pseudorabies eradication
47 program:
48 ..... $ 900,300
49 2. Persons, including organizations interested in
50 swine production in this state and in the promotion of

1 Iowa pork products who contribute support to the
2 program, are encouraged to increase financial support
3 for purposes of ensuring the program's effective
4 continuation.
5 Sec. 4. HORSE AND DOG RACING. There is
6 appropriated from the moneys available under section
7 99D.13 to the regulatory division of the department of
8 agriculture and land stewardship for the fiscal year
9 beginning July 1, 1996, and ending June 30, 1997, the
10 following amount, or so much thereof as is necessary,
11 to be used for the purpose designated:
12 For salaries, support, maintenance, and
13 miscellaneous purposes for the administration of
14 section 99D.22:
15 ..... $ 192,560
16 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
17 MARKETING. There is appropriated from the general
18 fund of the state to the interstate agricultural grain
19 marketing commission for the fiscal year beginning
20 July 1, 1996, and ending June 30, 1997, the following
21 amount, or so much thereof as is necessary, to be used
22 for the purpose designated:
23 For carrying out duties of the commission as
24 provided in Article IV of the interstate compact on
25 agricultural grain marketing as provided in chapter
26 183:
27 ..... $ 80,000
28 DEPARTMENT OF NATURAL RESOURCES
29 Sec. 6. GENERAL APPROPRIATION. There is
30 appropriated from the general fund of the state to the
31 department of natural resources for the fiscal year
32 beginning July 1, 1996, and ending June 30, 1997, the
33 following amounts, or so much thereof as is necessary,
34 to be used for the purposes designated:
35 1. ADMINISTRATIVE AND SUPPORT SERVICES
36 For salaries, support, maintenance, miscellaneous
37 purposes, and for not more than the following full-
38 time equivalent positions:
39 ..... $ 2,052,389
40 ..... FTEs 119.25
41 2. PARKS AND PRESERVES DIVISION
42 For salaries, support, maintenance, miscellaneous
43 purposes, and for not more than the following full-
44 time equivalent positions:
45 ..... $ 5,546,988
46 ..... FTEs 195.73
47 3. FORESTS AND FORESTRY DIVISION
48 For salaries, support, maintenance, miscellaneous
49 purposes, and for not more than the following full-
50 time equivalent positions:

1 ..... $ 1,494,908
2 ..... FTEs 48.71
3 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION
4 For salaries, support, maintenance, miscellaneous
5 purposes, and for not more than the following full-
6 time equivalent positions:
7 ..... $ 1,681,228
8 ..... FTEs 52.00
9 5. a. ENVIRONMENTAL PROTECTION DIVISION
10 (1) For salaries, support, maintenance,
11 miscellaneous purposes, and for not more than the
12 following full-time equivalent positions:
13 ..... $ 1,917,509
14 ..... FTEs 211.50
15 (2) Of the amount appropriated and the number of
16 full-time equivalent positions authorized in
17 subparagraph (1) at least $371,600 and 7.00 FTEs shall
18 be used to support the regulation of animal feeding
19 operations.
20 b. WATER QUALITY PROTECTION FUND
21 For allocation to the administrative account of the
22 water quality protection fund established pursuant to
23 section 455B.183A, to carry out the purpose of that
24 account:
25 ..... $ 729,000
26 (1) Of the number of full-time equivalent
27 positions authorized in paragraph "a", 32.50 FTEs
28 shall be dedicated to carrying out the provisions of
29 chapter 455B relating to the administration,
30 regulation, and enforcement of the federal Safe
31 Drinking Water Act and to support the program to
32 assist water supply systems as provided in section
33 455B.183B. However, the limitation on full-time
34 equivalent positions provided in paragraph "a", shall
35 not limit the number of additional full-time
36 equivalent positions supported by moneys deposited in
37 the water quality protection fund as provided in
38 section 455B.183A, in order to carry out the
39 provisions of division III of chapter 455B relating to
40 the administration, regulation, and enforcement of the
41 federal Safe Drinking Water Act, and the
42 administration of the program to assist water supply
43 systems pursuant to section 455B.183B.
44 (2) In providing assistance to water supply
45 systems, the department shall provide priority to
46 water supply systems serving a population of seven
47 thousand or less. At least 2.00 FTEs shall be
48 allocated to provide assistance to systems serving a
49 population of seven thousand or less.
50 6. FISH AND WILDLIFE DIVISION

1 For not more than the following full-time
2 equivalent positions:
3 ..... FTEs 342.18
4 7. WASTE MANAGEMENT ASSISTANCE DIVISION
5 For not more than the following full-time
6 equivalent positions:
7 ..... FTEs 16.75
8 Sec. 7. STATE FISH AND GAME PROTECTION FUND --
9 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.
10 1. There is appropriated from the state fish and
11 game protection fund to the division of fish and
12 wildlife of the department of natural resources for
13 the fiscal year beginning July 1, 1996, and ending
14 June 30, 1997, the following amount, or so much
15 thereof as is necessary, to be used for the purposes
16 designated:
17 For administrative support, and for salaries,
18 support, maintenance, equipment, and miscellaneous
19 purposes:
20 ..... $ 21,365,891
21 2. The department shall not expend more moneys
22 from the fish and game protection fund than provided
23 in this section, unless the expenditure derives from
24 contributions made by a private entity, or a grant or
25 moneys received from the federal government, and is
26 approved by the natural resource commission. The
27 department of natural resources shall promptly notify
28 the legislative fiscal bureau and the chairpersons and
29 ranking members of the joint appropriations
30 subcommittee on agriculture and natural resources
31 concerning the commission's approval.
32 Sec. 8. MARINE FUEL TAX RECEIPTS -- BOATING
33 FACILITIES AND ACCESS. There is appropriated from the
34 marine fuel tax receipts deposited in the general fund
35 of the state to the department of natural resources
36 for the fiscal year beginning July 1, 1996, and ending
37 June 30, 1997, the following amount, or so much
38 thereof as is necessary, to be used for the purpose
39 designated:
40 For purposes of maintaining and developing boating
41 facilities and access to public waters by the parks
42 and preserves division:
43 ..... $ 411,311
44 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR
45 ENFORCEMENT PURPOSES. There is transferred on July 1,
46 1996, from the fees deposited under section 321G.7 to
47 the fish and game protection fund and appropriated to
48 the department of natural resources for the fiscal
49 year beginning July 1, 1996, and ending June 30, 1997,
50 the following amount, or so much thereof as is

1 necessary, to be used for the purpose designated:
2 For the purpose of enforcing snowmobile laws as
3 part of the state snowmobile program administered by
4 the department of natural resources:
5 ..... $ 100,000
6 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT
7 PURPOSES. There is transferred on July 1, 1996, from
8 the fees deposited under section 462A.52 to the fish
9 and game protection fund and appropriated to the
10 department of natural resources for the fiscal year
11 beginning July 1, 1996, and ending June 30, 1997, the
12 following amount, or so much thereof as is necessary,
13 to be used for the purpose designated:
14 For the administration and enforcement of
15 navigation laws and water safety:
16 ..... $ 1,325,000
17 Of the amount appropriated in this section,
18 $125,000 shall be used for purposes of controlling and
19 eradicating harmful exotic species and eurasian
20 milfoil.
21 Notwithstanding section 8.33, moneys transferred
22 pursuant to this section which are unencumbered or
23 unobligated on June 30, 1997, shall be transferred on
24 July 1, 1997, to the special conservation fund
25 established by section 462A.52 to be used as provided
26 in that section, and shall not revert as provided in
27 section 8.33.
28 RESOURCES ENHANCEMENT AND PROTECTION
29 Sec. 11. GENERAL APPROPRIATION. Notwithstanding
30 the amount of the standing appropriation from the
31 general fund of the state under section 455A.18,
32 subsection 3, there is appropriated from the general
33 fund of the state to the Iowa resources enhancement
34 and protection fund, in lieu of the appropriation made
35 in section 455A.18, for the fiscal year beginning July
36 1, 1996, and ending June 30, 1997, the sum of
37 $10,000,000, of which all moneys shall be allocated as
38 provided in section 455A.19.
39 RELATED APPROPRIATIONS
40 Sec. 12. APPROPRIATION FROM ORGANIC NUTRIENT
41 MANAGEMENT FUND. There is appropriated from the
42 organic nutrient management fund, as created in
43 section 161C.5, to the following entities in the
44 fiscal year beginning July 1, 1996, and ending June
45 30, 1997, the following amounts, or so much thereof as
46 is necessary, to be used for the purposes designated:
47 1. To Iowa state university for supporting odor
48 control applications of animal feeding operations,
49 including confinement feeding operations, regulated by
50 the department of natural resources pursuant to

1 chapter 455B:
2 ..... $ 350,000
3 a. Moneys provided under this subsection for odor
4 control applications of animal feeding operations
5 shall be provided on a dollar-for-dollar match with an
6 individual owner or operator and shall not exceed the
7 amount actually spent by or on behalf of the owner or
8 operator for odor control.
9 b. Notwithstanding section 8.33, moneys provided
10 under this subsection for odor control applications of
11 animal feeding operations shall not revert to the
12 organic nutrient management fund but shall remain
13 available for use as provided in this subsection
14 during the fiscal year beginning July 1, 1997, and
15 ending June 30, 1998. The moneys appropriated in this
16 subsection which remain unexpended or unobligated on
17 June 30, 1998, shall revert to the organic nutrient
18 management fund on August 31, 1998.
19 2. To the department of natural resources for
20 establishment of a pilot project for the control of
21 odor originating from animal feeding operation
22 structures, including anaerobic lagoons and earthen
23 manure storage basins, by using emergent plant or
24 vegetative growth:
25 ..... $ 25,000
26 On or before January 1, 1997, the department of
27 natural resources shall submit a report including
28 findings and recommendations resulting from the pilot
29 project to the committees of the general assembly
30 which have jurisdiction over agriculture and natural
31 resources.
32 3. To Iowa state university for supporting a
33 person connected with the United States department of
34 agriculture who engages in animal control, for
35 purposes of contributing to the control of animals,
36 and especially predators, which pose a threat to this
37 state's agriculture:
38 ..... $ 50,000
39 4. To the department of agriculture and land
40 stewardship for the administration of a grant project
41 to support a cattle slaughtering and beef processing
42 facility in this state:
43 ..... $ 150,000
44 Not later than September 1, 1996, the department
45 shall award $75,000 to an eligible person for purposes
46 of conducting a feasibility and planning study for the
47 construction of the cattle slaughtering and beef
48 processing facility. If another person is not
49 selected by January 1, 1997, the department shall
50 award the remaining $75,000 to the same person for

1 purposes of completing the study. A person receiving
2 an award must be an entity organized to do business
3 under the laws of this state and principally located
4 in this state. The business entity must make a
5 commitment to invest at least $25,000,000 for the
6 construction and operation of the proposed cattle
7 slaughtering and beef processing facility, if, based
8 on the study, the business entity constructs the
9 facility. The department, in cooperation with the
10 department of economic development, shall establish
11 criteria, select eligible business entities, and make
12 awards as directed by the agricultural products
13 advisory council established pursuant to section
14 15.203.
15 5. To the department of natural resources for
16 supporting the environmental education initiative
17 pursuant to section 258B.1, as enacted in this Act:
18 ..... $ 150,000
19 Sec. 13. ATTORNEY GENERAL INVESTIGATORS -- ANIMAL
20 FEEDING OPERATIONS. There is appropriated from the
21 general fund of the state to the office of attorney
22 general for the fiscal year beginning July 1, 1996,
23 and ending June 30, 1997, the following amount, or so
24 much thereof as is necessary, to be used for the
25 purpose designated:
26 For the investigation of animal feeding operations
27 regulated under chapter 455B, including salaries,
28 support, maintenance, miscellaneous purposes, and for
29 not more than the following full-time equivalent
30 positions:
31 ..... $ 109,000
32 ..... FTEs 2.00
33 Persons employed as investigators under this
34 section shall investigate animal feeding operations,
35 including by inspecting animal feeding operations, and
36 especially confinement feeding operations and the
37 storage and disposal of manure from animal feeding
38 operations, to ensure compliance with state law,
39 including chapter 455B and rules adopted by the
40 department of natural resources. Each investigator
41 shall have an office in and investigate a region of
42 the state where there is a high concentration of
43 confinement feeding operations. An investigator may
44 inspect an animal feeding operation at any time during
45 normal working hours or at other times if exigent
46 circumstances exist, and may examine records required
47 to be maintained as part of a manure management plan
48 required pursuant to section 455B.203. In order to
49 access the animal feeding operation during normal
50 business hours, the investigator must comply with

1 standard disease control restrictions customarily
2 required by the operation. The investigator shall
3 comply with the requirements in section 455B.103 to
4 the same extent required by the director of the
5 department of natural resources conducting an
6 inspection or search of property. The attorney
7 general and the department of natural resources shall
8 cooperate in carrying out this section. Each four
9 months, the attorney general shall submit a report
10 regarding violations investigated and prosecuted by
11 the attorney general to the secretary of the senate
12 and to the chief clerk of the house of
13 representatives.
14 Sec. 14. MULTIFLORA ROSE ERADICATION.
15 1. There is appropriated from the general fund of
16 the state to Iowa state university for the fiscal year
17 beginning July 1, 1996, and ending June 30, 1997, the
18 following amount, or so much thereof as is necessary,
19 to be used for the purpose designated:
20 For supporting multiflora rose eradication research
21 and projects:
22 ..... $ 25,000
23 2. Notwithstanding 1995 Iowa Acts, chapter 216,
24 section 19, subsection 2, moneys allocated pursuant to
25 1995 Iowa Acts, chapter 216, section 19, subsection 1,
26 paragraph "d", which remain unencumbered or
27 unobligated on June 30, 1996, shall not revert
28 pursuant to section 8.33, but shall remain available
29 to Iowa state university for purposes of supporting
30 multiflora rose eradication research and projects, for
31 subsequent fiscal years.
32 Sec. 15. NONREVERSION OF MONEYS ALLOCATED TO IOWA
33 GRAIN QUALITY INITIATIVE. Notwithstanding 1995 Iowa
34 Acts, chapter 216, section 19, subsection 2, moneys
35 allocated pursuant to 1995 Iowa Acts, chapter 216,
36 section 19, subsection 1, paragraph "f", subparagraph
37 (1), which remain unencumbered or unobligated on June
38 30, 1996, shall not revert pursuant to section 8.33,
39 but shall remain available to Iowa state university
40 for purposes of supporting the Iowa cooperative
41 extension service in agriculture and home economics in
42 establishing and administering an Iowa grain quality
43 initiative in subsequent fiscal years.
44 Sec. 16. TRANSFERS OF MONEYS REQUIRED TO BE
45 DEPOSITED IN THE WATER PROTECTION FUND.
46 Notwithstanding section 161C.4 and the reversion and
47 allocation provisions in section 455A.19, subsection
48 1, paragraph "c", of the unencumbered and unobligated
49 moneys remaining, which are required to be deposited
50 in the water protection fund created in section

1 161C.4, as provided in section 455A.19, subsection 1,
2 paragraph "c", the following amount shall be
3 transferred first from moneys required to be deposited
4 in the water protection practices account, and if
5 necessary from moneys required to be deposited in the
6 water quality protection projects account, which shall
7 be used for the following purposes:
8 To the Loess Hills development and conservation
9 authority, for deposit in the Loess Hills development
10 and conservation fund created in section 161D.2 for
11 the purposes specified in section 161D.1:
12 ..... $ 400,000
13 Sec. 17. REVENUE ADMINISTERED BY THE IOWA
14 COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD --
15 TRANSFER. There is appropriated from the unassigned
16 revenue fund administered by the Iowa comprehensive
17 underground storage tank fund board, to the department
18 of natural resources for the fiscal year beginning
19 July 1, 1996, and ending June 30, 1997, the following
20 amount, or so much thereof as is necessary, to be used
21 for the purpose designated:
22 For administration expenses of the underground
23 storage tank section of the department of natural
24 resources:
25 ..... $ 75,000
26 Sec. 18. TRANSFER -- AIR QUALITY. For the fiscal
27 year beginning July 1, 1996, and ending June 30, 1997,
28 the department of natural resources may transfer up to
29 $430,000 from the hazardous substance remedial fund
30 created pursuant to section 455B.423, to support
31 purposes related to carrying out the duties of the
32 commission under section 455B.133, or the director
33 under section 455B.134, or for carrying out the
34 provisions of chapter 455B, division II.
35 MISCELLANEOUS
36 Sec. 19. STUDY OF LOCATING FIELD OFFICE IN NORTH
37 CENTRAL DISTRICT. The department of natural resources
38 shall conduct a study of the feasibility of locating a
39 field office in the department's north central
40 district. On or before January 1, 1997, the
41 department of natural resources shall submit a report
42 including findings and recommendations resulting from
43 the study to the committees of the general assembly
44 which have jurisdiction over natural resources.
45 Sec. 20. IOWA AGRICULTURE 2000 CONFERENCE. There
46 is appropriated from the general fund of the state to
47 Iowa state university for the fiscal year beginning
48 July 1, 1996, and ending June 30, 1997, the following
49 amount, or so much thereof as is necessary, to be used
50 for the purpose designated:

1 To support Iowa state university, in cooperation
2 with the farm section of the attorney general's
3 office, in sponsoring an Iowa agriculture 2000
4 conference, with assistance provided by the department
5 of agriculture and land stewardship and Iowa commodity
6 organizations, for independent agricultural producers
7 and other persons interested in the future of Iowa
8 agriculture:
9 ..... $ 80,000
10 Moneys appropriated by this section shall be used
11 to defray expenses incurred by Iowa state university
12 and the farm section of the attorney general's office
13 in planning and sponsoring the conference.
14 Sec. 21. STATE NURSERIES. Notwithstanding section
15 17A.2, subsection 10, paragraph "g", the department of
16 natural resources shall adopt administrative rules
17 establishing a range of prices of plant material grown
18 at the state forest nurseries to cover all expenses
19 related to the growing of the plants.
20 1. The department shall develop programs to
21 encourage the wise management and preservation of
22 existing woodlands and shall continue its efforts to
23 encourage forestation and reforestation on private and
24 public lands in the state.
25 2. The department shall encourage a cooperative
26 relationship between the state forest nurseries and
27 private nurseries in the state in order to achieve
28 these goals.
29 Sec. 22. TRANSFER OF MONEYS OR POSITIONS; CHANGES
30 IN TABLES OF ORGANIZATION -- NOTIFICATION. In
31 addition to the requirements of section 8.39, in each
32 fiscal quarter, the department of agriculture and land
33 stewardship and the department of natural resources
34 shall notify the chairpersons, vice chairpersons, and
35 ranking members of the joint appropriations
36 subcommittee on agriculture and natural resources for
37 the previous fiscal quarter of any transfer of moneys
38 or full-time equivalent positions made by either
39 department which is not authorized in this Act, or any
40 permanent position added to or deleted from either
41 department's table of organization.
42 Sec. 23. AIR QUALITY PROGRAM -- NONGENERAL FUND
43 SUPPORT. The department of natural resources for the
44 fiscal year beginning July 1, 1996, and ending June
45 30, 1997, shall not use moneys appropriated from the
46 general fund of the state pursuant to this Act, to
47 support any purpose related to carrying out the duties
48 of the commission under section 455B.133 or the
49 director under section 455B.134, or for carrying out
50 the provisions of chapter 455B, division II.

1 Notwithstanding section 455B.133B, the department
2 may use moneys deposited in the air contaminant source
3 fund created in section 455B.133B during the fiscal
4 year beginning July 1, 1996, and ending June 30, 1997,
5 for any purpose related to carrying out the duties of
6 the commission under section 455B.133 or the director
7 under section 455B.134, or for carrying out the
8 provisions of chapter 455B, division II.
9 Sec. 24. RULES RELATING TO PESTICIDE AND
10 FERTILIZER CONTAMINATED SITES -- ENVIRONMENTAL
11 PROTECTION COMMISSION. The environmental protection
12 commission shall adopt all rules required to establish
13 criteria for the classification and prioritization of
14 sites upon which pesticide or fertilizer contamination
15 has been discovered, as provided in section 455B.601
16 not later than October 1, 1996.
17 Sec. 25. NATIVE AMERICAN WAR MEMORIAL. The
18 department of natural resources may purchase, with
19 funds which become available under chapter 465A for
20 the fiscal year beginning July 1, 1996, and ending
21 June 30, 1997, lands on which to locate a native
22 American war memorial.
23 STATUTORY CHANGES
24 Sec. 26. NEW SECTION. 2.55A DEPARTMENTAL
25 INFORMATION REQUIRED.
26 1. The department of agriculture and land
27 stewardship and the department of natural resources,
28 in cooperation as necessary with the department of
29 management and the department of personnel, shall
30 provide a list to the legislative fiscal bureau, on a
31 quarterly basis, of all permanent positions added to
32 or deleted from the departments' table of organization
33 in the previous fiscal quarter. This list shall
34 include at least the position number, salary range,
35 projected funding source or sources of each position,
36 and the reason for the addition or deletion. The
37 legislative fiscal bureau may use this information to
38 assist in the establishment of the full-time
39 equivalent position limits authorized in law for the
40 departments.
41 2. The department of natural resources shall
42 provide the legislative fiscal bureau information and
43 financial data by cost center, on at least a monthly
44 basis, relating to the indirect cost accounting
45 procedure, the amount of funding from each funding
46 source for each cost center, and the internal budget
47 system used by the department. The information shall
48 include but is not limited to financial data covering
49 the department's budget by cost center and funding
50 source prior to the start of the fiscal year, and to

1 the department's actual expenditures by cost center
2 and funding source after the accounting system has
3 been closed for that fiscal year.
4 3. The department of agriculture and land
5 stewardship shall provide the legislative fiscal
6 bureau information and financial data on at least a
7 monthly basis, relating to the internal budget system
8 used by the department. The information shall include
9 but is not limited to financial data covering the
10 department's budget prior to the start of the fiscal
11 year, and to the department's actual expenditures
12 after the accounting system has been closed for that
13 fiscal year.
14 Sec. 27. NEW SECTION. 8.60A TRUST FUND
15 INFORMATION.
16 The department of revenue and finance in
17 cooperation with each appropriate agency shall track
18 receipts to the general fund of the state which under
19 law were previously collected to be used for specific
20 purposes, or to be credited to, or be deposited to a
21 particular account or fund, as provided in section
22 8.60.
23 The department of revenue and finance and each
24 appropriate agency shall prepare reports detailing
25 revenue from receipts previously deposited into each
26 of the funds. A report shall be submitted to the
27 legislative fiscal bureau at least once for each
28 three-month period as designated by the legislative
29 fiscal bureau.
30 Sec. 28. Section 166D.10, Code 1995, is amended by
31 adding the following new subsection:
32 NEW SUBSECTION. 4. In addition to other
33 applicable requirements of this section, feeder swine
34 shall not be moved into this state from another state
35 except to slaughter, unless the feeder swine are
36 vaccinated by a differentiable vaccine within ninety
37 days of arrival in this state.
38 Sec. 29. NEW SECTION. 258B.1 RESIDENTIAL
39 ENVIRONMENTAL EDUCATION PROGRAMS -- APPROPRIATION.
40 1. A residential environmental education program
41 is created to recognize the critical role that both
42 direct experience with the outdoors and a several-day
43 residential experience away from home and the formal
44 school environment play in the formation of an
45 environmentally literate citizenry.
46 2. Phase I of the program shall provide
47 supplemental funding of thirty-five dollars per pupil
48 to school districts that choose to provide for the
49 attendance of the pupils in one grade level at a
50 certified residential environmental education center.

1 To receive this funding, school districts must provide
2 proof of attendance by their pupils at such a center
3 and participation by pupils in a certified program for
4 a minimum of three consecutive days for each pupil.
5 In addition, school districts shall submit evidence of
6 matching contributions of at least fifty percent of
7 the total program cost. Local school districts shall
8 choose the grade level and the time of year they feel
9 is most developmentally appropriate for this
10 residential experience.
11 3. Phase II of the program shall consist of all of
12 the following:
13 a. Development of certification criteria for
14 facilities, staff, and programs.
15 b. Census of existing facilities, staff, and
16 programs relative to the certification criteria.
17 c. Assessment of the needs of these facilities.
18 4. The program shall be administered cooperatively
19 by the department of education and the department of
20 natural resources.
21 Sec. 30. Section 455A.18, subsection 3, unnumbered
22 paragraph 1, Code 1995, is amended to read as follows:
23 For each fiscal year of the fiscal period beginning
24 July 1, ~~1990~~ 1997, and ending June 30, ~~2001~~ 2021,
25 there is appropriated from the general fund, to the
26 Iowa resources enhancement and protection fund, the
27 amount of ~~thirty~~ twenty million dollars, ~~except that~~
28 ~~for the fiscal year beginning July 1, 1990, the amount~~
29 ~~is twenty million dollars,~~ to be used as provided in
30 this chapter. However, in any fiscal year of the
31 fiscal period, if moneys from the lottery are
32 appropriated by the state to the fund, the amount
33 appropriated under this subsection shall be reduced by
34 the amount appropriated from the lottery.
35 Sec. 31. NEW SECTION. 455A.21 PREFERENCE
36 PROVIDED -- PERSONS MEETING ELIGIBILITY REQUIREMENTS
37 OF THE GREEN THUMB PROGRAM.
38 In its employment of persons in temporary positions
39 in conservation and outdoor recreation, the department
40 of natural resources shall give preference to persons
41 meeting eligibility requirements for the green thumb
42 program under section 15.227 and to persons working
43 toward an advanced education in natural resources and
44 conservation.
45 Sec. 32. NEW SECTION. 456A.37 NONGAME WILDLIFE-
46 ORIENTED EDUCATION.
47 The department shall establish a nongame wildlife-
48 oriented education initiative. In administering the
49 initiative, the department shall do all of the
50 following:

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1 1. Develop and support a comprehensive nongame
2 wildlife-oriented education program to be implemented
3 through the schools, county conservation boards, and
4 the department.
5 2. Enhance opportunities for personal contact
6 with, and the public's appreciation for, all types of
7 wildlife by developing facilities for public
8 appreciation of wildlife.
9 3. Protect, develop, and manage habitats to
10 enhance nongame populations on public and private
11 lands through habitat development and acquisition.
12 4. Develop and support nongame wildlife species
13 management, research, and surveys.
14 5. Adopt programs administered by the division of
15 fish and wildlife relating to wildlife diversity as
16 provided by rule adopted pursuant to chapter 17A.
17 Sec. 33. EFFECTIVE DATES.
18 1. Section 14, subsection 2, and section 15 of
19 this Act, being deemed of immediate importance, take
20 effect upon enactment.
21 2. Section 30 of this Act, amending section
22 455A.18, takes effect July 1, 1997.""

RECEIVED FROM THE SENATE

H-5834 FILED APRIL 2, 1996

House refused to concur (p.1364) 4/3/96

Senate Insists (p. 1227) (4/3/96)

4-4-96

p. 1187

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 2446

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

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 2446, a bill for An Act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates, respectfully make the following report:

1. That the Senate recedes from its amendment, H-5834.

2. That the House recedes from its amendment, S-5613.

3. That Senate File 2446, as amended, passed, and reprinted by the Senate, 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, 1996, and ending June 30, 1997, 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:

..... $ 1,836,111
..... FTEs 43.45

(1) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", $322,406 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 and full-time equivalent positions authorized in this paragraph "a", $130,519 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 limousin cattle junior association in connection with the 1996 national junior limousin cattle show.

(5) Of the amount appropriated in this paragraph "a", $500 shall be allocated as state aid to support the north Iowa poultry expo.

(6) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", $71,486 and 1.00 FTE shall be allocated to support the administrative assistant VI position created in section 26 of this Act.

b. For the operations of the dairy trade practices bureau:

..... $ 66,846

c. For the purpose of performing commercial feed audits:

..... $ 64,698

d. For the purpose of performing fertilizer audits:

..... $ 64,697

2. REGULATORY DIVISION

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

..... $ 3,858,960

..... FTEs 122.50

Of the amount appropriated pursuant to this paragraph "a", not more than $10,000 shall be used to support the hiring and training of a meat and poultry inspector in west-central Iowa.

b. For the costs of inspection, sampling, analysis, and other expenses necessary for the administration of chapters 192, 194, and 195:

..... $ 651,220

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:

..... $ 852,475

..... FTEs 85.10

(1) 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.

(2) Of the amount appropriated and the number of full-time equivalent positions authorized in this paragraph "a", $49,850 and 1.00 FTE shall be used to support an additional regional entomologist for purposes of conducting laboratory and field inspection activities.

(3) Of the number of full-time equivalent positions authorized in this paragraph "a" and funded in paragraph "c", 1.00 FTE shall be used to support an organics program coordinator who shall assure compliance of organic foods sold commercially within the state with federal regulations relating to organic foods.

b. For the operations of the commercial feed programs:
..... $ 742,499

c. For the operations of the pesticide programs:
..... $ 1,291,781

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:
..... $ 633,832

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:
..... $ 5,951,591
..... FTEs 172.28

(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 authorized in this paragraph "a", $56,000 and 1.00 FTE shall be used to support a position for oversight of financial incentive programs.

b. To provide financial incentives for soil conservation practices under chapter 161A:
..... $ 6,461,850

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, 2000, from moneys appropriated in paragraph "b" for the fiscal year beginning July 1, 1996, shall revert to the general fund on August 31, 2000.

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, 1996, and ending June 30, 1997, 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:

..... $ 215,807

..... 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, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For support of the pseudorabies eradication program:

..... $ 900,300

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, 1996, and ending June 30, 1997, 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:

..... $ 192,560

DEPARTMENT OF NATURAL RESOURCES

Sec. 5. 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, 1996, and ending June 30, 1997, 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:

..... $ 2,002,389
..... FTEs 119.25

Of the amount appropriated and the number of full-time equivalent positions authorized in this subsection 1, at least $150,000 and 4.00 FTEs shall be used by administration and support services to support a compliance and permit assistance team to facilitate cooperation between the department and persons regulated by the department in order to ensure efficient compliance with applicable legal requirements.

2. PARKS AND PRESERVES DIVISION

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

..... $ 5,546,988
..... 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:

..... $ 1,494,908
..... 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:

..... $ 1,681,228
..... 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:

..... $ 1,920,509
..... FTEs 214.50

(2) Of the amount appropriated and the number of full-time equivalent positions authorized in subparagraph (1) at least

$374,600 and 9.00 FTEs shall be used to support the regulation of animal feeding operations.

(3) Of the number of full-time equivalent positions authorized in subparagraph (1), 1.00 FTE shall be used to support the administration of the waste tire management fund, as provided in section 455D.11C, as enacted in 1996 Iowa Acts, House File 2433.

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:

..... $ 729,000

(1) Of the number of full-time equivalent positions authorized in paragraph "a", 32.50 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 2.00 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 342.18

7. WASTE MANAGEMENT ASSISTANCE DIVISION

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

..... FTEs 16.75

Sec. 6. 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, 1996, and ending June 30, 1997, 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:

..... $ 21,340,891

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. 7. MARINE FUEL TAX RECEIPTS -- 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, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintaining and developing boating facilities and access to public waters by the parks and preserves division:

..... $ 411,311

Sec. 8. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT

PURPOSES. There is transferred on July 1, 1996, 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, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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

..... $ 100,000

Sec. 9. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1996, 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, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the administration and enforcement of navigation laws and water safety:

..... $ 1,300,000

Of the amount appropriated in this section and the full-time equivalent positions authorized by section 5, subsection 6, of this Act, not more than $100,000 and 1.00 FTE may be used for purposes of controlling and eradicating eurasian milfoil.

Notwithstanding section 8.33, moneys transferred pursuant to this section which are unencumbered or unobligated on June 30, 1997, shall be transferred on July 1, 1997, to the special conservation fund established by section 462A.52 to be used as provided in that section, and shall not revert as provided in section 8.33.

RESOURCES ENHANCEMENT AND PROTECTION

Sec. 10. 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, 1996, and ending June 30, 1997, the sum of $9,000,000, of which all moneys shall be allocated as provided in section 455A.19.

RELATED APPROPRIATIONS

Sec. 11. APPROPRIATION AND TRANSFER FROM ORGANIC NUTRIENT MANAGEMENT FUND. There is appropriated and transferred from the organic nutrient management fund, as created in section 161C.5, to the following entities in the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To Iowa state university for supporting odor control applications of animal feeding operations, including confinement feeding operations, regulated by the department of natural resources pursuant to chapter 455B:

..... $ 400,000

a. Moneys provided under this subsection for odor control applications of animal feeding operations shall be provided on a dollar-for-dollar match with an individual owner or operator and shall not exceed the amount actually spent by or on behalf of the owner or operator for odor control.

b. Notwithstanding section 8.33, moneys provided under this subsection for odor control applications of animal feeding operations shall not revert to the organic nutrient management fund but shall remain available for use as provided in this subsection during the fiscal year beginning July 1, 1997, and ending June 30, 1998. The moneys provided in this subsection which remain unexpended or unobligated on June 30, 1998, shall revert to the organic nutrient management fund on August 31, 1998.

2. To Iowa state university for supporting a person connected with the United States department of agriculture who engages in animal control, for purposes of contributing to the control of animals, and especially predators, which pose a

threat to this state's agriculture:

..... $ 50,000

3. To the soil conservation division of the department of agriculture and land stewardship for supporting soil and water conservation district development, including the training of soil and water conservation district staff:

..... $ 42,000

4. To the interstate agricultural grain marketing commission 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

5. a. To Iowa state university for supporting multiflora rose eradication research and projects:

..... $ 25,000

b. Notwithstanding 1995 Iowa Acts, chapter 216, section 19, subsection 2, moneys allocated pursuant to 1995 Iowa Acts, chapter 216, section 19, subsection 1, paragraph "d", which remain unencumbered or unobligated on June 30, 1996, shall not revert pursuant to section 8.33, but shall remain available to Iowa state university for purposes of supporting multiflora rose eradication research and projects, for subsequent fiscal years.

6. To the soil conservation division of the department of agriculture and land stewardship to provide financial incentives for soil conservation practices under chapter 161A:

..... $ 100,000

7. To Iowa state university, in cooperation with the farm section of the attorney general's office, in sponsoring an Iowa agriculture 2000 conference, with assistance provided by the department of agriculture and land stewardship and Iowa commodity organizations, for independent agricultural producers and other persons interested in the future of Iowa agriculture:

..... $ 80,000

Moneys provided by this subsection shall be used to defray

expenses incurred by Iowa state university and the farm section of the attorney general's office in planning and sponsoring the conference. Iowa state university shall prepare a report which accounts for moneys expended by the university in sponsoring the conference. The report shall be submitted to the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources on or before January 15, 1997.

Sec. 12. NONREVERSION OF MONEYS ALLOCATED TO IOWA GRAIN QUALITY INITIATIVE. Notwithstanding 1995 Iowa Acts, chapter 216, section 19, subsection 2, moneys allocated pursuant to 1995 Iowa Acts, chapter 216, section 19, subsection 1, paragraph "f", subparagraph (1), which remain unencumbered or unobligated on June 30, 1996, shall not revert pursuant to section 8.33, but shall remain available 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 in subsequent fiscal years.

Sec. 13. 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, which are required to be deposited in the water protection fund created in section 161C.4, as provided in section 455A.19, subsection 1, paragraph "c", the following amount 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:

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

..... $ 400,000

Sec. 14. 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, 1996, and ending June 30, 1997, 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. 15. TRANSFER -- AIR QUALITY. For the fiscal year beginning July 1, 1996, and ending June 30, 1997, the department of natural resources shall transfer up to $430,000 from the hazardous substance remedial fund created pursuant to section 455B.423, 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.

MISCELLANEOUS

Sec. 16. STUDY OF LOCATING FIELD OFFICE IN NORTH CENTRAL DISTRICT. The department of natural resources shall conduct a study of the feasibility of locating a field office in the department's north central district. On or before January 1, 1997, the department of natural resources shall submit a report including findings and recommendations resulting from the study to the committees of the general assembly which have jurisdiction over natural resources.

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

1. 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.

2. 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. 18. TRANSFER OF MONEYS OR POSITIONS; CHANGES IN TABLES OF ORGANIZATION -- NOTIFICATION. In addition to the requirements of section 8.39, in each fiscal quarter, 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. 19. AIR QUALITY PROGRAM -- NONGENERAL FUND SUPPORT. The department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, 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, 1996, and ending June 30, 1997, 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. 20. NATIVE AMERICAN WAR MEMORIAL. The department of natural resources may purchase, with funds which become available under chapter 465A for the fiscal year beginning July 1, 1996, and ending June 30, 1997, lands on which to

locate a native American war memorial.

Sec. 21. SOIL AND WATER CONSERVATION CONFERENCE.

1. The division of soil conservation of the department of agriculture and land stewardship shall sponsor a conference not later than September 1, 1996, regarding the protection of cropland soils in this state. The conference shall include discussions of the status of soil and water conservation as it relates to conservation compliance accomplishments, agricultural production policies, water quality protection, and the state's Iowa soil 2000 goal.

2. Conferees shall include representatives of the division of soil conservation, the state soil conservation committee, soil and water conservation districts, the natural resources conservation service of the United States department of agriculture, the cooperative extension service of Iowa state university, and the department of natural resources. The division of soil conservation shall invite other interested persons to serve as conferees, including members of Iowa's congressional delegation; the chairpersons and ranking members of the standing committees on agriculture, and on natural resources, environment, and energy of the senate; the chairpersons and ranking members of the standing committees on agriculture, on natural resources, and on environmental protection of the house of representatives; the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources; representatives of the United States environmental protection agency; and members of farm and commodity organizations.

3. The division of soil conservation shall report to the general assembly not later than January 15, 1997, regarding findings and recommendations of the conferees.

Sec. 22. LAND ACQUISITION -- NATURAL RESOURCE COMMISSION. The natural resource commission, upon consultation with department of natural resources staff, shall develop and implement a land acquisition policy which shall be embodied in a strategic land acquisition plan administered by the

department. The land acquisition policy and the land acquisition strategic plan shall provide for the acquisition of land in order to enhance the quality of existing state parks, state preserves, state forests, state wildlife areas, and state recreation areas. The commission shall consider all of the following factors and may consider additional factors:

1. The enhancement of the goals of an ecosystem or biodiversity management plan for a state park, state preserve, state forest, state wildlife area, or state recreation area.

2. The proximity or contiguity of the land to a state park, state preserve, state forest, state wildlife area, or state recreation area.

3. The quality of existing natural communities existing on the land.

4. The presence on the land of threatened or endangered species.

5. The potential for enhancing the natural quality or recreational potential of land owned or managed for conservation purposes by other public or nonprofit entities.

6. The risk of losing natural assets through the sale of the land to a competing interest.

7. The preservation or enhancement of unique irreplaceable archaeological, historical, or cultural features existing on land owned or managed for such purposes by other public or nonprofit entities.

Sec. 23. GIFT CERTIFICATES FOR SPECIAL PRIVILEGE FEES ON STATE PARKS AND RECREATION AREAS. The department of natural resources shall publish and make available for purchase by the general public gift certificates entitling the bearer of the certificate to free camping and other special privileges at state parks and recreation areas. The department shall establish prices for the certificates based on amounts required to be paid in fees for camping and special privileges pursuant to section 461A.47.

Sec. 24. APPROPRIATIONS CONDITIONAL UPON IMPLEMENTATION OF CERTAIN PROVISIONS. As a condition of the appropriations made

to the department of agriculture and land stewardship in sections 1 through 4 of this Act, the following shall occur as provided in sections 26 and 27 of this Act by July 1, 1996:

1. The department shall complete all administrative functions necessary to transfer the powers and duties of the deputy secretary of agriculture to the interim assistant secretary of agriculture.

2. The office from which the position of deputy secretary of agriculture performed duties on January 1, 1996, shall be vacated until the position of interim assistant secretary of agriculture is filled.

Sec. 25. DEPUTY SECRETARY OF AGRICULTURE -- POSITION ELIMINATED. Notwithstanding contrary provisions in sections 14A.1 and 159.14, the position of deputy secretary of agriculture is eliminated.

Sec. 26. ADMINISTRATIVE ASSISTANT VI POSITION. An additional position of administrative assistant VI is created within the department of agriculture and land stewardship. The duties of the position shall not include any matter relating to personnel, including the appointment of an interim assistant secretary of agriculture as provided in section 27 of this Act; or the administration of or budgeting for the department or its administrative units, including divisions within the department. The position shall not have jurisdiction over the heads of the department's administrative units, including division directors. Notwithstanding chapter 19A, the person appointed to fill the position shall serve at the pleasure of the secretary of agriculture. The secretary of agriculture shall prepare and submit a written report to the chairpersons and ranking members of the house and senate standing committees on appropriations and to the legislative fiscal bureau director not later than August 31, 1996, describing the duties and responsibilities of the position.

Sec. 27. INTERIM ASSISTANT SECRETARY OF AGRICULTURE. The position of interim assistant secretary of agriculture is created within the department of agriculture and land

stewardship. The secretary of agriculture shall appoint a person to serve as the interim assistant secretary of agriculture, at any time after the effective date of this section of this Act. However, the person appointed as interim assistant secretary of agriculture shall not fill that position before January 15, 1997. Notwithstanding chapter 19A, the person appointed as interim assistant secretary of agriculture shall serve at the pleasure of the secretary of agriculture. The interim assistant secretary of agriculture shall have the same powers and duties performed by the position of the deputy secretary of agriculture, as that position existed on January 1, 1996. Until the appointment of the interim assistant secretary of agriculture is made, the interim assistant secretary of agriculture's duties shall be performed by the administrative division director of the department of agriculture and land stewardship who shall be acting interim assistant secretary of agriculture. Upon appointment, the interim assistant secretary of agriculture shall receive compensation at the same pay grade at which the position of deputy secretary of agriculture was compensated immediately prior to the effective date of this section of this Act. No position shall be housed in the office from which the position of deputy secretary of agriculture performed duties on January 1, 1996, until the appointment of the interim assistant secretary of agriculture, who shall be housed in that office.

CODIFIED CHANGES

Sec. 28. NEW SECTION. 2.55A DEPARTMENTAL INFORMATION REQUIRED.

1. 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. 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. 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. 29. NEW SECTION. 8.60A TRUST FUND INFORMATION.

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. 30. Section 166D.10, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 4. In addition to other applicable requirements of this section, feeder swine shall not be moved into this state from another state except to slaughter, unless the feeder swine are vaccinated by a differentiable vaccine within forty-five days of arrival in this state.

Sec. 31. Section 455A.18, subsection 3, unnumbered paragraph 1, Code 1995, is amended to read as follows:

For each fiscal year of the fiscal period beginning July 1, ~~1990~~ 1997, and ending June 30, ~~2001~~ 2021, there is appropriated from the general fund, to the Iowa resources enhancement and protection fund, the amount of ~~thirty~~ twenty million dollars, ~~except that for the fiscal year beginning July 1, 1990, the amount is twenty million dollars,~~ to be used as provided in this chapter. However, in any fiscal year of the fiscal period, if moneys from the lottery are appropriated by the state to the fund, the amount appropriated under this subsection shall be reduced by the amount appropriated from the lottery.

Sec. 32. NEW SECTION. 455A.21 PREFERENCE PROVIDED -- PERSONS MEETING ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM.

In its employment of persons in temporary positions in conservation and outdoor recreation, the department of natural resources shall give preference to persons meeting eligibility requirements for the green thumb program under section 15.227 and to persons working toward an advanced education in natural resources and conservation.

Sec. 33. FUTURE REPEAL. Sections 25 through 27 of this Act are repealed on December 31, 1998.

Sec. 34. EFFECTIVE DATES.

1. This subsection, section 11, subsection 5, paragraph "b", and section 12 of this Act, being deemed of immediate

CCS-2446.4

Page 22

importance, take effect upon enactment.

2. The amendment to section 455A.18 in this Act takes effect on July 1, 1997."

ON THE PART OF THE SENATE:

DENNIS H. BLACK, Chairperson
BRAD BANKS
DON E. GETTINGS

ON THE PART OF THE HOUSE:

JAMES HAHN, Chairperson
JACK DRAKE
SANDRA GREINER

CCS-2446.4 FILED APRIL 22, 1996
ADOPTED 4-22-96
(P. ~~1859~~ 1462)

adopted 4-22-96 (P. 1859)

Black
Murphy
Banks

SSB 2339.1
Appropriations
ded By
SENATE FILE (SF/HF 2446
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
SENATE APPROPRIATIONS
SUBCOMMITTEE ON AGRICULTURE
AND NATURAL RESOURCES)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to agriculture and natural resources, by
2 providing for appropriations, providing related statutory
3 changes, and providing an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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TLSB 3498SA 76
kah/jj/8

S.F. _____ H.F. _____

Succeeded By SF/HF

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, 1996, and ending June 30, 1997, 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, the 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 ..... $ 1,636,111
14 ..... FTEs 42.45
15 (1) Of the funds appropriated in this paragraph "a",
16 $322,406 and 7.00 FTEs shall be used to support horticulture.
17 (2) Of the amount appropriated in this paragraph "a",
18 $50,000 shall be allocated to the state 4-H foundation to
19 foster the development of Iowa's youth and to encourage them
20 to study the subject of agriculture.
21 (3) Of the amount appropriated and full-time equivalent
22 positions authorized in this paragraph "a", $130,519 and 4.00
23 FTEs shall be allocated to the statistics bureau to provide
24 county-by-county information on land in farms, production by
25 crop, acres by crop, and county prices by crop. This
26 information shall be made available to the department of
27 revenue and finance for use in the productivity formula for
28 valuing and equalizing the values of agricultural land.
29 (4) Of the amount appropriated in this paragraph "a", not
30 more than $5,000 shall be allocated to the Iowa limousin
31 cattle junior association in connection with the 1996 national
32 junior limousin cattle show.
33 b. For the operations of the dairy trade practices bureau:
34 ..... $ 66,846
35 c. For the purpose of performing commercial feed audits:

1 ..... $ 64,698
2 d. For the purpose of performing fertilizer audits:
3 ..... $ 64,697
4 2. REGULATORY DIVISION
5 a. For salaries, support, maintenance, miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:
8 ..... $ 3,848,960
9 ..... FTEs 122.50
10 b. For the costs of inspection, sampling, analysis, and
11 other expenses necessary for the administration of chapters
12 192, 194, and 195:
13 ..... $ 651,220
14 3. LABORATORY DIVISION
15 a. For salaries, support, maintenance, and miscellaneous
16 purposes, including the administration of the gypsy moth
17 program, and for not more than the following full-time
18 equivalent positions:
19 ..... $ 959,475
20 ..... FTEs 78.10
21 (1) Of the amount appropriated in this paragraph "a",
22 $110,000 shall be used to administer a program relating to the
23 detection, surveillance, and eradication of the gypsy moth.
24 The department shall allocate and use the appropriation made
25 in this paragraph before moneys other than those appropriated
26 in this paragraph are used to support the program.
27 (2) Of the amount appropriated and the number of full-time
28 equivalent positions authorized in this paragraph "a", $49,850
29 and 1.00 FTE shall be used to support a regional entomologist
30 for purposes of conducting laboratory inspection activities.
31 (3) Of the amount appropriated in this paragraph "a",
32 $82,000 shall be used for the acquisition of laboratory
33 equipment, including, but not limited to, a fat analyzer and a
34 nitrogen protein combustion analyzer.
35 (4) Of the amount appropriated in this paragraph "a",

1 $25,000 shall be used for inspections of bottled water sold
2 commercially within the state.
3 (5) Of the number of full-time equivalent positions
4 authorized in this paragraph "a", 1.00 FTE shall be used to
5 support an organics program coordinator who shall assure
6 compliance of organic foods sold commercially within the state
7 with federal regulations relating to organic foods.
8 b. For the operations of the commercial feed programs:
9 ..... $ 742,499
10 c. For the operations of the pesticide programs:
11 ..... $ 1,291,781
12 Of the amount appropriated in this paragraph "c", $200,000
13 shall be allocated to Iowa state university for purposes of
14 training commercial pesticide applicators.
15 d. For the operations of the fertilizer programs:
16 ..... $ 633,832
17 4. SOIL CONSERVATION DIVISION
18 a. For salaries, support, maintenance, assistance to soil
19 conservation districts, miscellaneous purposes, and for not
20 more than the following full-time equivalent positions:
21 ..... $ 6,045,591
22 ..... FTEs 172.28
23 (1) Of the amount appropriated in this paragraph "a",
24 $330,000 shall be used to reimburse commissioners of soil and
25 water conservation districts for administrative expenses.
26 Moneys used for the payment of meeting dues by counties shall
27 be matched on a dollar-for-dollar basis by the soil
28 conservation division.
29 (2) Of the amount appropriated in this paragraph "a",
30 $42,000 shall be used to support soil and water conservation
31 district development including the training of soil and water
32 conservation district staff.
33 (3) Of the amount appropriated and the number of full-time
34 equivalent positions authorized in this paragraph "a", $56,000
35 and 1.00 FTE shall be used to support a program planner for

1 oversight of financial incentive programs.
2 b. To provide financial incentives for soil conservation
3 practices under chapter 161A:
4 ..... $ 6,750,850
5 c. The following requirements apply to the moneys
6 appropriated in paragraph "b":
7 (1) Not more than 5 percent of the moneys appropriated in
8 paragraph "b" may be allocated for cost sharing to abate
9 complaints filed under section 161A.47.
10 (2) Of the moneys appropriated in paragraph "b", 5 percent
11 shall be allocated for financial incentives to establish
12 practices to protect watersheds above publicly owned lakes of
13 the state from soil erosion and sediment as provided in
14 section 161A.73.
15 (3) Not more than 30 percent of a district's allocation of
16 moneys as financial incentives may be provided for the purpose
17 of establishing management practices to control soil erosion
18 on land that is row cropped, including but not limited to no-
19 till planting, ridge-till planting, contouring, and contour
20 strip-cropping as provided in section 161A.73.
21 (4) The state soil conservation committee created in
22 section 161A.4 may allocate moneys to conduct research and
23 demonstration projects to promote conservation tillage and
24 nonpoint source pollution control practices.
25 (5) The financial incentive payments may be used in
26 combination with department of natural resources moneys.
27 d. The provisions of section 8.33 shall not apply to the
28 moneys appropriated in paragraph "b". Unencumbered or
29 unobligated moneys remaining on June 30, 2000, from moneys
30 appropriated in paragraph "b" for the fiscal year beginning
31 July 1, 1996, shall revert to the general fund on August 31,
32 2000.
33 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
34 appropriated from the general fund of the state to the
35 department of agriculture and land stewardship for the fiscal

1 year beginning July 1, 1996, and ending June 30, 1997, the
2 following amount, or so much thereof as is necessary, to be
3 used for the purposes designated:
4 For salaries, support, maintenance, and miscellaneous
5 purposes, to be used by the department to continue and expand
6 the farmers' market coupon program by providing federal
7 special supplemental food program recipients with coupons
8 redeemable at farmers' markets, and for not more than the
9 following full-time equivalent positions:
10 ..... $ 215,807
11 ..... FTEs 1.00
12 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.
13 1. There is appropriated from the general fund of the
14 state to the department of agriculture and land stewardship
15 for the fiscal year beginning July 1, 1996, and ending June
16 30, 1997, the following amount, or so much thereof as is
17 necessary, to be used for the purpose designated:
18 For support of the pseudorabies eradication program:
19 ..... $ 900,300
20 2. Persons, including organizations interested in swine
21 production in this state and in the promotion of Iowa pork
22 products who contribute support to the program, are encouraged
23 to increase financial support for purposes of ensuring the
24 program's effective continuation.
25 Sec. 4. HORSE AND DOG RACING. There is appropriated from
26 the moneys available under section 99D.13 to the regulatory
27 division of the department of agriculture and land stewardship
28 for the fiscal year beginning July 1, 1996, and ending June
29 30, 1997, the following amount, or so much thereof as is
30 necessary, to be used for the purpose designated:
31 For salaries, support, maintenance, and miscellaneous
32 purposes for the administration of section 99D.22:
33 ..... $ 192,560
34 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
35 MARKETING. There is appropriated from the general fund of the

1 state to the interstate agricultural grain marketing
2 commission for the fiscal year beginning July 1, 1996, and
3 ending June 30, 1997, the following amount, or so much thereof
4 as is necessary, to be used for the purpose designated:
5 For carrying out duties of the commission as provided in
6 Article IV of the interstate compact on agricultural grain
7 marketing as provided in chapter 183:
8 ..... $ 80,000
9 DEPARTMENT OF NATURAL RESOURCES
10 Sec. 6. GENERAL APPROPRIATION. There is appropriated from
11 the general fund of the state to the department of natural
12 resources for the fiscal year beginning July 1, 1996, and
13 ending June 30, 1997, the following amounts, or so much
14 thereof as is necessary, to be used for the purposes
15 designated:
16 1. ADMINISTRATIVE AND SUPPORT SERVICES
17 For salaries, support, maintenance, miscellaneous purposes,
18 and for not more than the following full-time equivalent
19 positions:
20 ..... $ 2,052,389
21 ..... FTEs 119.25
22 2. PARKS AND PRESERVES DIVISION
23 For salaries, support, maintenance, miscellaneous purposes,
24 and for not more than the following full-time equivalent
25 positions:
26 ..... $ 5,546,988
27 ..... FTEs 195.73
28 3. FORESTS AND FORESTRY DIVISION
29 For salaries, support, maintenance, miscellaneous purposes,
30 and for not more than the following full-time equivalent
31 positions:
32 ..... $ 1,494,908
33 ..... FTEs 48.71
34 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION
35 For salaries, support, maintenance, miscellaneous purposes,

1 and for not more than the following full-time equivalent
2 positions:
3 ..... $ 1,681,228
4 ..... FTEs 52.00
5 5. a. ENVIRONMENTAL PROTECTION DIVISION
6 (1) For salaries, support, maintenance, miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:
9 ..... $ 2,026,509
10 ..... FTEs 213.50
11 (2) Of the amount appropriated and the number of full-time
12 equivalent positions authorized in subparagraph (1) at least
13 $480,600 and 9.00 FTEs shall be used to support the regulation
14 of animal feeding operations.
15 b. WATER QUALITY PROTECTION FUND
16 For allocation to the administrative account of the water
17 quality protection fund established pursuant to section
18 455B.183A, to carry out the purpose of that account:
19 ..... $ 729,000
20 (1) Of the number of full-time equivalent positions
21 authorized in paragraph "a", 32.50 FTEs shall be dedicated to
22 carrying out the provisions of chapter 455B relating to the
23 administration, regulation, and enforcement of the federal
24 Safe Drinking Water Act and to support the program to assist
25 water supply systems as provided in section 455B.183B.
26 However, the limitation on full-time equivalent positions
27 provided in paragraph "a", shall not limit the number of
28 additional full-time equivalent positions supported by moneys
29 deposited in the water quality protection fund as provided in
30 section 455B.183A, in order to carry out the provisions of
31 division III of chapter 455B relating to the administration,
32 regulation, and enforcement of the federal Safe Drinking Water
33 Act, and the administration of the program to assist water
34 supply systems pursuant to section 455B.183B.
35 (2) In providing assistance to water supply systems, the

1 department shall provide priority to water supply systems
2 serving a population of seven thousand or less. At least 2.00
3 FTEs shall be allocated to provide assistance to systems
4 serving a population of seven thousand or less.
5 6. FISH AND WILDLIFE DIVISION
6 For not more than the following full-time equivalent
7 positions:
8 ..... FTEs 342.18
9 7. WASTE MANAGEMENT ASSISTANCE DIVISION
10 For not more than the following full-time equivalent
11 positions:
12 ..... FTEs 16.75
13 Sec. 7. STATE FISH AND GAME PROTECTION FUND --
14 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.
15 1. There is appropriated from the state fish and game
16 protection fund to the division of fish and wildlife of the
17 department of natural resources for the fiscal year beginning
18 July 1, 1996, and ending June 30, 1997, the following amount,
19 or so much thereof as is necessary, to be used for the
20 purposes designated:
21 For administrative support, and for salaries, support,
22 maintenance, equipment, and miscellaneous purposes:
23 ..... $ 21,240,891
24 2. The department shall not expend more moneys from the
25 fish and game protection fund than provided in this section,
26 unless the expenditure derives from contributions made by a
27 private entity, or a grant or moneys received from the federal
28 government, and is approved by the natural resource
29 commission. The department of natural resources shall
30 promptly notify the legislative fiscal bureau and the
31 chairpersons and ranking members of the joint appropriations
32 subcommittee on agriculture and natural resources concerning
33 the commission's approval.
34 Sec. 8. MARINE FUEL TAX RECEIPTS -- BOATING FACILITIES AND
35 ACCESS. There is appropriated from the marine fuel tax

1 receipts deposited in the general fund of the state to the
2 department of natural resources for the fiscal year beginning
3 July 1, 1996, and ending June 30, 1997, the following amount,
4 or so much thereof as is necessary, to be used for the purpose
5 designated:
6 For purposes of maintaining and developing boating
7 facilities and access to public waters by the parks and
8 preserves division:
9 ..... $ 411,311
10 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT
11 PURPOSES. There is transferred on July 1, 1996, from the fees
12 deposited under section 321G.7 to the fish and game protection
13 fund and appropriated to the department of natural resources
14 for the fiscal year beginning July 1, 1996, and ending June
15 30, 1997, the following amount, or so much thereof as is
16 necessary, to be used for the purpose designated:
17 For the purpose of enforcing snowmobile laws as part of the
18 state snowmobile program administered by the department of
19 natural resources:
20 ..... $ 100,000
21 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.
22 There is transferred on July 1, 1996, from the fees deposited
23 under section 462A.52 to the fish and game protection fund and
24 appropriated to the department of natural resources for the
25 fiscal year beginning July 1, 1996, and ending June 30, 1997,
26 the following amount, or so much thereof as is necessary, to
27 be used for the purpose designated:
28 For the administration and enforcement of navigation laws
29 and water safety:
30 ..... $ 1,325,000
31 Of the amount appropriated in this section, $125,000 shall
32 be used for purposes of controlling and eradicating harmful
33 exotic species and eurasian milfoil.
34 Notwithstanding section 8.33, moneys transferred pursuant
35 to this section which are unencumbered or unobligated on June

1 30, 1997, shall be transferred on July 1, 1997, to the special
2 conservation fund established by section 462A.52 to be used as
3 provided in that section, and shall not revert as provided in
4 section 8.33.
5 RESOURCES ENHANCEMENT AND PROTECTION
6 Sec. 11. GENERAL APPROPRIATION. Notwithstanding the
7 amount of the standing appropriation from the general fund of
8 the state under section 455A.18, subsection 3, there is
9 appropriated from the general fund of the state to the Iowa
10 resources enhancement and protection fund, in lieu of the
11 appropriation made in section 455A.18, for the fiscal year
12 beginning July 1, 1996, and ending June 30, 1997, the sum of
13 $10,000,000, of which all moneys shall be allocated as
14 provided in section 455A.19.
15 Sec. 12. APPROPRIATION FROM ORGANIC NUTRIENT MANAGEMENT
16 FUND. There is appropriated from the organic nutrient
17 management fund to the following entities in the fiscal year
18 beginning July 1, 1996, and ending June 30, 1997, the
19 following amounts, or so much thereof as is necessary, to be
20 used for the purposes designated:
21 1. To Iowa state university for supporting odor control
22 applications of animal feeding operations, including
23 confinement feeding operations, regulated by the department of
24 natural resources pursuant to chapter 455B:
25 ..... $ 500,000
26 a. Moneys provided under this subsection for odor control
27 applications of animal feeding operations shall be provided on
28 a dollar-for-dollar match with an individual owner or operator
29 and shall not exceed the amount actually spent by or on behalf
30 of the owner or operator for odor control.
31 b. Notwithstanding section 8.33, moneys provided under
32 this subsection for odor control applications of animal
33 feeding operations shall not revert to the organic nutrient
34 management fund but shall remain available for use as provided
35 in this subsection during the fiscal year beginning July 1,

1997, and ending June 30, 1998. The moneys appropriated in this subsection which remain unexpended or unobligated on June 30, 1998, shall revert to the organic nutrient management fund on August 31, 1998.

2. To the department of natural resources for establishment of a pilot project for the control of odor originating from animal feeding operation structures, including anaerobic lagoons and earthen manure storage basins, by using emergent plant or vegetative growth:

..... $ 25,000

On or before January 1, 1997, the department of natural resources shall submit a report including findings and recommendations resulting from the pilot project to the committees of the general assembly which have jurisdiction over agriculture and natural resources.

Sec. 13. MULTIFLORA ROSE ERADICATION.

1. There is appropriated from the general fund of the state to Iowa state university for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For supporting multiflora rose eradication research and projects:

..... $ 25,000

2. Notwithstanding 1995 Iowa Acts, chapter 216, section 19, subsection 2, moneys allocated pursuant to 1995 Iowa Acts, chapter 216, section 19, subsection 1, paragraph "d", which remain unencumbered or unobligated on June 30, 1996, shall not revert pursuant to section 8.33, but shall remain available to Iowa state university for purposes of supporting multiflora rose eradication research and projects, for subsequent fiscal years.

RELATED APPROPRIATIONS

Sec. 14. NONREVERSION OF MONEYS ALLOCATED TO IOWA GRAIN QUALITY INITIATIVE. Notwithstanding 1995 Iowa Acts, chapter

1 216, section 19, subsection 2, moneys allocated pursuant to
2 1995 Iowa Acts, chapter 216, section 19, subsection 1,
3 paragraph "f", subparagraph (1), which remain unencumbered or
4 unobligated on June 30, 1996, shall not revert pursuant to
5 section 8.33, but shall remain available to Iowa state
6 university for purposes of supporting the Iowa cooperative
7 extension service in agriculture and home economics in
8 establishing and administering an Iowa grain quality
9 initiative in subsequent fiscal years.
10 Sec. 15. TRANSFERS OF MONEYS REQUIRED TO BE DEPOSITED IN
11 THE WATER PROTECTION FUND. Notwithstanding section 161C.4 and
12 the reversion and allocation provisions in section 455A.19,
13 subsection 1, paragraph "c", of the unencumbered and
14 unobligated moneys remaining, which are required to be
15 deposited in the water protection fund created in section
16 161C.4, as provided in section 455A.19, subsection 1,
17 paragraph "c", the following amount shall be transferred first
18 from moneys required to be deposited in the water protection
19 practices account, and if necessary from moneys required to be
20 deposited in the water quality protection projects account,
21 which shall be used for the following purposes:
22 To the Loess Hills development and conservation authority,
23 for deposit in the Loess Hills development and conservation
24 fund created in section 161D.2 for the purposes specified in
25 section 161D.1:
26 ..... $ 400,000
27 Sec. 16. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
28 UNDERGROUND STORAGE TANK FUND BOARD -- TRANSFER. There is
29 appropriated from the unassigned revenue fund administered by
30 the Iowa comprehensive underground storage tank fund board, to
31 the department of natural resources for the fiscal year
32 beginning July 1, 1996, and ending June 30, 1997, the
33 following amount, or so much thereof as is necessary, to be
34 used for the purpose designated:
35 For administration expenses of the underground storage tank

1 section of the department of natural resources:
2 ..... $ 75,000
3 Sec. 17. TRANSFER -- AIR QUALITY. For the fiscal year
4 beginning July 1, 1996, and ending June 30, 1997, the
5 department of natural resources may transfer up to $430,000
6 from the hazardous substance remedial fund created pursuant to
7 section 455B.423, to support purposes related to carrying out
8 the duties of the commission under section 455B.133, or the
9 director under section 455B.134, or for carrying out the
10 provisions of chapter 455B, division II.
11 MISCELLANEOUS
12 Sec. 18. STUDY OF LOCATING FIELD OFFICE IN NORTH CENTRAL
13 DISTRICT. The department of natural resources shall conduct a
14 study of the feasibility of locating a field office in the
15 department's north central district. On or before January 1,
16 1997, the department of natural resources shall submit a
17 report including findings and recommendations resulting from
18 the study to the committees of the general assembly which have
19 jurisdiction over natural resources.
20 Sec. 19. IOWA AGRICULTURE 2000 CONFERENCE. There is
21 appropriated from the general fund of the state to the
22 department of agriculture and land stewardship for the fiscal
23 year beginning July 1, 1996, and ending June 30, 1997, the
24 following amount, or so much thereof as is necessary, to be
25 used for the purpose designated:
26 To support Iowa state university, in cooperation with the
27 attorney general's office, and the department of agriculture
28 and land stewardship, in sponsoring an Iowa agriculture 2000
29 conference, with assistance provided by Iowa commodity
30 organizations, for independent agricultural producers and
31 other persons interested in the future of Iowa agriculture:
32 ..... $ 80,000
33 The Iowa agriculture 2000 conference shall be conducted
34 over the course of several days early this summer in Ames for
35 purposes of providing expert information, opinions, and

1 options to Iowa producers, and to allow experts and producers
2 to share ideas and experiences, and to work toward adopting
3 practicable strategies and solutions in order to manage
4 changing production and marketing structures, including
5 working in the federal and state regulatory environment; to
6 adapt to changing marketing systems; and to understand new
7 marketing opportunities and challenges, including producer
8 networking, and contracting.
9 Sec. 20. STATE NURSERIES. Notwithstanding section 17A.2,
10 subsection 10, paragraph "g", the department of natural
11 resources shall adopt administrative rules establishing a
12 range of prices of plant material grown at the state forest
13 nurseries to cover all expenses related to the growing of the
14 plants.
15 1. 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 2. 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. TRANSFER OF MONEYS OR POSITIONS; CHANGES IN
23 TABLES OF ORGANIZATION -- NOTIFICATION. In addition to the
24 requirements of section 8.39, in each fiscal quarter, the
25 department of agriculture and land stewardship and the
26 department of natural resources shall notify the chairpersons,
27 vice chairpersons, and ranking members of the joint
28 appropriations subcommittee on agriculture and natural
29 resources for the previous fiscal quarter of any transfer of
30 moneys or full-time equivalent positions made by either
31 department which is not authorized in this Act, or any
32 permanent position added to or deleted from either
33 department's table of organization.
34 Sec. 22. AIR QUALITY PROGRAM -- NONGENERAL FUND SUPPORT.
35 The department of natural resources for the fiscal year

1 beginning July 1, 1996, and ending June 30, 1997, shall not
2 use moneys appropriated from the general fund of the state
3 pursuant to this Act, to support any purpose related to
4 carrying out the duties of the commission under section
5 455B.133 or the director under section 455B.134, or for
6 carrying out the provisions of chapter 455B, division II.
7 Notwithstanding section 455B.133B, the department may use
8 moneys deposited in the air contaminant source fund created in
9 section 455B.133B during the fiscal year beginning July 1,
10 1996, and ending June 30, 1997, for any purpose related to
11 carrying out the duties of the commission under section
12 455B.133 or the director under section 455B.134, or for
13 carrying out the provisions of chapter 455B, division II.
14 Sec. 23. RULES RELATING TO PESTICIDE AND FERTILIZER
15 CONTAMINATED SITES -- ENVIRONMENTAL PROTECTION COMMISSION.
16 The environmental protection commission shall adopt all rules
17 required to establish criteria for the classification and
18 prioritization of sites upon which pesticide or fertilizer
19 contamination has been discovered, as provided in section
20 455B.601 not later than October 1, 1996.
21 STATUTORY CHANGES
22 Sec. 24. NEW SECTION. 2.55A DEPARTMENTAL INFORMATION
23 REQUIRED.
24 1. The department of agriculture and land stewardship and
25 the department of natural resources, in cooperation as
26 necessary with the department of management and the department
27 of personnel, shall provide a list to the legislative fiscal
28 bureau, on a quarterly basis, of all permanent positions added
29 to or deleted from the departments' table of organization in
30 the previous fiscal quarter. This list shall include at least
31 the position number, salary range, projected funding source or
32 sources of each position, and the reason for the addition or
33 deletion. The legislative fiscal bureau may use this
34 information to assist in the establishment of the full-time
35 equivalent position limits authorized in law for the

1 departments.
2 2. The department of natural resources shall provide the
3 legislative fiscal bureau information and financial data by
4 cost center, on at least a monthly basis, relating to the
5 indirect cost accounting procedure, the amount of funding from
6 each funding source for each cost center, and the internal
7 budget system used by the department. The information shall
8 include but is not limited to financial data covering the
9 department's budget by cost center and funding source prior to
10 the start of the fiscal year, and to the department's actual
11 expenditures by cost center and funding source after the
12 accounting system has been closed for that fiscal year.
13 3. The department of agriculture and land stewardship
14 shall provide the legislative fiscal bureau information and
15 financial data on at least a monthly basis, relating to the
16 internal budget system used by the department. The
17 information shall include but is not limited to financial data
18 covering the department's budget prior to the start of the
19 fiscal year, and to the department's actual expenditures after
20 the accounting system has been closed for that fiscal year.
21 Sec. 25. NEW SECTION. 8.60A TRUST FUND INFORMATION.
22 The department of revenue and finance in cooperation with
23 each appropriate agency shall track receipts to the general
24 fund of the state which under law were previously collected to
25 be 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 The department of revenue and finance and each appropriate
29 agency shall prepare reports detailing revenue from receipts
30 previously deposited into each of the funds. A report shall
31 be submitted to the legislative fiscal bureau at least once
32 for each three-month period as designated by the legislative
33 fiscal bureau.
34 Sec. 26. Section 186.5, Code 1995, is amended to read as
35 follows:

1 186.5 APPROPRIATIONS.
2 All money appropriated by the state for the use of the
3 state horticultural society shall be paid on the warrant of
4 the director of revenue and finance, upon the order of the
5 president and secretary of said society, in such sums and at
6 such times as may be for the interests of said society. All
7 expenditures from state funds for the use of the state
8 horticultural society are to be approved by the state
9 horticultural society in conjunction with the secretary of
10 agriculture.
11 Sec. 27. NEW SECTION. 455A.21 PREFERENCE PROVIDED --
12 PERSONS MEETING ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB
13 PROGRAM.
14 In its employment of persons in temporary positions in
15 conservation and outdoor recreation, the department of natural
16 resources shall give preference to persons meeting eligibility
17 requirements for the green thumb program under section 15.227
18 and to persons working toward an advanced education in natural
19 resources and conservation.
20 Sec. 28. EFFECTIVE DATES. Section 13, subsection 2, and
21 section 14 of this Act, being deemed of immediate importance,
22 take effect upon enactment.
23 EXPLANATION
24 This bill appropriates moneys to the department of
25 agriculture and land stewardship and the department of natural
26 resources, including moneys for administration of those
27 agencies. The bill provides appropriations to support several
28 programs, including the pseudorabies eradication program, and
29 provides support for horse and dog racing.
30 The bill appropriates moneys from the state fish and game
31 protection fund and from marine fuel tax receipts. The bill
32 transfers moneys to the fish and game protection fund to
33 support the enforcement of snowmobile and navigation laws.
34 The bill provides an appropriation from fees on vessels to the
35 department of natural resources for purposes of controlling

1 and eradicating harmful exotic species and eurasian milfoil.
2 The bill reduces the standing appropriation to the
3 resources enhancement and protection fund. The bill provides
4 an appropriation to Iowa state university to support
5 multiflora rose eradication research and projects, provides
6 for a transfer of moneys appropriated for this purpose in
7 fiscal year 1995-1996, and provides that the section of the
8 bill relating to multiflora rose is effective upon enactment.
9 The bill provides for the transfer of moneys from the water
10 protection fund to the Loess Hills development and
11 conservation fund. The bill provides an appropriation from
12 the organic nutrient management fund to Iowa state university
13 for odor control applications of animal feeding operations.
14 The bill provides an appropriation to the department of
15 natural resources for establishing a pilot project program for
16 odor control using emergent plant or vegetative growth.
17 The bill appropriates moneys to the department of
18 agriculture and land stewardship to support Iowa state
19 university in establishing an Iowa agriculture 2000
20 conference.
21 The bill provides that the department of natural resources
22 must adopt rules establishing prices of plant material grown
23 at the state forest nurseries. The bill codifies the
24 requirement that agencies track receipts which were previously
25 collected to be used for specific purposes, or to be credited
26 to or be deposited to a particular account or fund. The bill
27 codifies the requirement that the department of agriculture
28 and land stewardship or the department of natural resources
29 provide the legislative fiscal bureau with budget and
30 personnel information.
31 The bill provides that the environmental protection
32 commission shall adopt all rules required to establish
33 criteria for the classification and prioritization of sites
34 upon which pesticide or fertilizer contamination has been
35 discovered.

OFFICE OF THE GOVERNOR
STATE CAPITOL
DES MOINES, IOWA 50319
515 281-5211

TERRY E. BRANSTAD
GOVERNOR

May 29, 1996

RECEIVED
MAY 31 1996
LEGISLATIVE SERVICE
BUREAU

The Honorable Paul Pate
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 2446, an act relating to agriculture and natural resources, by providing for appropriations, providing related statutory changes, and providing effective dates.

Senate File 2446 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve Section 1, subsection 3, paragraph a, subparagraph 2, and Section 1, subsection 4, paragraph a, subparagraph 2, in their entirety. These items would fund two new positions in the Department of Agriculture and Land Stewardship which were not included in my budget recommendations.

I am unable to approve Section 11, subsections 2, 3, and 4, subsection 5, paragraph a, and subsections 6 and 7, in their entirety. These items make appropriations from the Organic Nutrient Management Fund for variety of purposes. The Organic Nutrient Management Fund was established to provide financial incentives to establish livestock manure management systems, to facilitate the proper utilization of livestock manure as a nutrient source, and to protect water resources from livestock runoff. The vetoed items fall outside the intended purposes of the fund.

For the above reasons, I respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2446 are hereby approved as of this date.

Sincerely,

Terry E. Branstad

Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House

Item Veto

SENATE FILE 2446

AN ACT

RELATING TO AGRICULTURE AND NATURAL RESOURCES, BY PROVIDING FOR APPROPRIATIONS, 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, 1996, and ending June 30, 1997, 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:

..... $ 1,836,111

..... FTEs 43.45

(1) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", $322,406 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 and full-time equivalent positions authorized in this paragraph "a", $130,519 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 limousin cattle junior association in connection with the 1996 national junior limousin cattle show.

(5) Of the amount appropriated in this paragraph "a", $500 shall be allocated as state aid to support the north Iowa poultry expo.

(6) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", $71,486 and 1.00 FTE shall be allocated to support the administrative assistant VI position created in section 26 of this Act.

b. For the operations of the dairy trade practices bureau:

..... $ 66,846

c. For the purpose of performing commercial feed audits:

..... $ 64,698

d. For the purpose of performing fertilizer audits:

..... $ 64,697

2. REGULATORY DIVISION

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

..... $ 3,858,960

..... FTEs 122.50

Of the amount appropriated pursuant to this paragraph "a", not more than $10,000 shall be used to support the hiring and training of a meat and poultry inspector in west-central Iowa.

b. For the costs of inspection, sampling, analysis, and other expenses necessary for the administration of chapters 192, 194, and 195:

..... $ 651,220

3. LABORATORY DIVISION

SF 2446

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:

..... $ 852,475

..... FTEs 85.10

(1) 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.

(2) Of the amount appropriated and the number of full-time equivalent positions authorized in this paragraph "a", $49,850 and 1.00 FTE shall be used to support an additional regional entomologist for purposes of conducting laboratory and field inspection activities.

(3) Of the number of full-time equivalent positions authorized in this paragraph "a" and funded in paragraph "c", 1.00 FTE shall be used to support an organics program coordinator who shall assure compliance of organic foods sold commercially within the state with federal regulations relating to organic foods.

b. For the operations of the commercial feed programs:

..... $ 742,499

c. For the operations of the pesticide programs:

..... $ 1,291,781

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:

..... $ 633,832

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:

..... $ 5,951,591

..... FTEs 172.28

(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 authorized in this paragraph "a", $56,000 and 1.00 FTE shall be used to support a position for oversight of financial incentive programs.

b. To provide financial incentives for soil conservation practices under chapter 161A:

..... $ 6,461,850

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, 2000, from moneys appropriated in paragraph "b" for the fiscal year beginning July 1, 1996, shall revert to the general fund on August 31, 2000.

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, 1996, and ending June 30, 1997, 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:

..... $ 215,807

..... 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, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For support of the pseudorabies eradication program:

..... $ 900,300

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, 1996, and ending June 30, 1997, 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:

..... $ 192,560

DEPARTMENT OF NATURAL RESOURCES

Sec. 5. 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, 1996, and ending June 30, 1997, 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:

..... $ 2,002,389

..... FTEs 119.25

Of the amount appropriated and the number of full-time equivalent positions authorized in this subsection 1, at least $150,000 and 4.00 FTEs shall be used by administration and support services to support a compliance and permit assistance team to facilitate cooperation between the department and persons regulated by the department in order to ensure efficient compliance with applicable legal requirements.

2. PARKS AND PRESERVES DIVISION

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

..... $ 5,546,988

..... 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:

..... $ 1,494,908
..... 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:

..... $ 1,681,228
..... 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:

..... $ 1,920,509
..... FTEs 214.50

(2) Of the amount appropriated and the number of full-time equivalent positions authorized in subparagraph (1) at least $374,600 and 9.00 FTEs shall be used to support the regulation of animal feeding operations.

(3) Of the number of full-time equivalent positions authorized in subparagraph (1), 1.00 FTE shall be used to support the administration of the waste tire management fund, as provided in section 455D.11C, as enacted in 1996 Iowa Acts, House File 2433.

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:

..... $ 729,000

(1) Of the number of full-time equivalent positions authorized in paragraph "a", 32.50 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 2.00 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 342.18

7. WASTE MANAGEMENT ASSISTANCE DIVISION

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

..... FTEs 16.75

Sec. 6. 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, 1996, and ending June 30, 1997, 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:

..... $ 21,340,891

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. 7. MARINE FUEL TAX RECEIPTS -- 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, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintaining and developing boating facilities and access to public waters by the parks and preserves division:

..... $ 411,311

Sec. 8. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1996, 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, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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

..... $ 100,000

Sec. 9. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1996, 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, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the administration and enforcement of navigation laws and water safety:

..... $ 1,300,000

Of the amount appropriated in this section and the full-time equivalent positions authorized by section 5, subsection 6, of this Act, not more than $100,000 and 1.00 FTE may be used for purposes of controlling and eradicating eurasian milfoil.

Notwithstanding section 8.33, moneys transferred pursuant to this section which are unencumbered or unobligated on June 30, 1997, shall be transferred on July 1, 1997, to the special conservation fund established by section 462A.52 to be used as provided in that section, and shall not revert as provided in section 8.33.

RESOURCES ENHANCEMENT AND PROTECTION

Sec. 10. 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, 1996, and ending June 30, 1997, the sum of $9,000,000, of which all moneys shall be allocated as provided in section 455A.19.

RELATED APPROPRIATIONS

Sec. 11. APPROPRIATION AND TRANSFER FROM ORGANIC NUTRIENT MANAGEMENT FUND. There is appropriated and transferred from the organic nutrient management fund, as created in section 161C.5, to the following entities in the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To Iowa state university for supporting odor control applications of animal feeding operations, including confinement feeding operations, regulated by the department of natural resources pursuant to chapter 455B:
..... $ 400,000

a. Moneys provided under this subsection for odor control applications of animal feeding operations shall be provided on a dollar-for-dollar match with an individual owner or operator and shall not exceed the amount actually spent by or on behalf of the owner or operator for odor control.

b. Notwithstanding section 8.33, moneys provided under this subsection for odor control applications of animal feeding operations shall not revert to the organic nutrient management fund but shall remain available for use as provided in this subsection during the fiscal year beginning July 1, 1997, and ending June 30, 1998. The moneys provided in this subsection which remain unexpended or unobligated on June 30, 1998, shall revert to the organic nutrient management fund on August 31, 1998.

2. To Iowa state university for supporting a person connected with the United States department of agriculture who engages in animal control, for purposes of contributing to the control of animals, and especially predators, which pose a threat to this state's agriculture:
..... $ 50,000

3. To the soil conservation division of the department of agriculture and land stewardship for supporting soil and water conservation district development, including the training of soil and water conservation district staff:
..... $ 42,000

4. To the interstate agricultural grain marketing commission 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

Veto

5. a. To Iowa state university for supporting multiflora rose eradication research and projects:
..... $ 25,000

b. Notwithstanding 1995 Iowa Acts, chapter 216, section 19, subsection 2, moneys allocated pursuant to 1995 Iowa Acts, chapter 216, section 19, subsection 1, paragraph "d", which remain unencumbered or unobligated on June 30, 1996, shall not revert pursuant to section 8.33, but shall remain available to Iowa state university for purposes of supporting multiflora rose eradication research and projects, for subsequent fiscal years.

Veto

6. To the soil conservation division of the department of agriculture and land stewardship to provide financial incentives for soil conservation practices under chapter 161A:
..... $ 100,000

Veto Veto

7. To Iowa state university, in cooperation with the farm section of the attorney general's office, in sponsoring an Iowa agriculture 2000 conference, with assistance provided by the department of agriculture and land stewardship and Iowa commodity organizations, for independent agricultural producers and other persons interested in the future of Iowa agriculture:
..... $ 80,000

Moneys provided by this subsection shall be used to defray expenses incurred by Iowa state university and the farm section of the attorney general's office in planning and sponsoring the conference. Iowa state university shall prepare a report which accounts for moneys expended by the university in sponsoring the conference. The report shall be submitted to the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources on or before January 15, 1997.

Sec. 12. NONREVERSION OF MONEYS ALLOCATED TO IOWA GRAIN QUALITY INITIATIVE. Notwithstanding 1995 Iowa Acts, chapter 216, section 19, subsection 2, moneys allocated pursuant to

1995 Iowa Acts, chapter 216, section 19, subsection 1, paragraph "f", subparagraph (1), which remain unencumbered or unobligated on June 30, 1996, shall not revert pursuant to section 8.33, but shall remain available 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 in subsequent fiscal years.

Sec. 13. 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, which are required to be deposited in the water protection fund created in section 161C.4, as provided in section 455A.19, subsection 1, paragraph "c", the following amount 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:

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

..... $ 400,000

Sec. 14. 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, 1996, and ending June 30, 1997, 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. 15. TRANSFER -- AIR QUALITY. For the fiscal year beginning July 1, 1996, and ending June 30, 1997, the department of natural resources shall transfer up to $430,000 from the hazardous substance remedial fund created pursuant to section 455B.423, 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.

MISCELLANEOUS

Sec. 16. STUDY OF LOCATING FIELD OFFICE IN NORTH CENTRAL DISTRICT. The department of natural resources shall conduct a study of the feasibility of locating a field office in the department's north central district. On or before January 1, 1997, the department of natural resources shall submit a report including findings and recommendations resulting from the study to the committees of the general assembly which have jurisdiction over natural resources.

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

1. 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.

2. 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. 18. TRANSFER OF MONEYS OR POSITIONS; CHANGES IN TABLES OF ORGANIZATION -- NOTIFICATION. In addition to the requirements of section 8.39, in each fiscal quarter, 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. 19. AIR QUALITY PROGRAM -- NONGENERAL FUND SUPPORT. The department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, 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, 1996, and ending June 30, 1997, 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. 20. NATIVE AMERICAN WAR MEMORIAL. The department of natural resources may purchase, with funds which become available under chapter 465A for the fiscal year beginning July 1, 1996, and ending June 30, 1997, lands on which to locate a native American war memorial.

Sec. 21. SOIL AND WATER CONSERVATION CONFERENCE.

1. The division of soil conservation of the department of agriculture and land stewardship shall sponsor a conference not later than September 1, 1996, regarding the protection of cropland soils in this state. The conference shall include discussions of the status of soil and water conservation as it relates to conservation compliance accomplishments,

agricultural production policies, water quality protection, and the state's Iowa soil 2000 goal.

2. Conferees shall include representatives of the division of soil conservation, the state soil conservation committee, soil and water conservation districts, the natural resources conservation service of the United States department of agriculture, the cooperative extension service of Iowa state university, and the department of natural resources. The division of soil conservation shall invite other interested persons to serve as conferees, including members of Iowa's congressional delegation; the chairpersons and ranking members of the standing committees on agriculture, and on natural resources, environment, and energy of the senate; the chairpersons and ranking members of the standing committees on agriculture, on natural resources, and on environmental protection of the house of representatives; the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources; representatives of the United States environmental protection agency; and members of farm and commodity organizations.

3. The division of soil conservation shall report to the general assembly not later than January 15, 1997, regarding findings and recommendations of the conferees.

Sec. 22. LAND ACQUISITION -- NATURAL RESOURCE COMMISSION. The natural resource commission, upon consultation with department of natural resources staff, shall develop and implement a land acquisition policy which shall be embodied in a strategic land acquisition plan administered by the department. The land acquisition policy and the land acquisition strategic plan shall provide for the acquisition of land in order to enhance the quality of existing state parks, state preserves, state forests, state wildlife areas, and state recreation areas. The commission shall consider all of the following factors and may consider additional factors:

1. The enhancement of the goals of an ecosystem or biodiversity management plan for a state park, state preserve, state forest, state wildlife area, or state recreation area.

2. The proximity or contiguity of the land to a state park, state preserve, state forest, state wildlife area, or state recreation area.

3. The quality of existing natural communities existing on the land.

4. The presence on the land of threatened or endangered species.

5. The potential for enhancing the natural quality or recreational potential of land owned or managed for conservation purposes by other public or nonprofit entities.

6. The risk of losing natural assets through the sale of the land to a competing interest.

7. The preservation or enhancement of unique irreplaceable archaeological, historical, or cultural features existing on land owned or managed for such purposes by other public or nonprofit entities.

Sec. 23. GIFT CERTIFICATES FOR SPECIAL PRIVILEGE FEES ON STATE PARKS AND RECREATION AREAS. The department of natural resources shall publish and make available for purchase by the general public gift certificates entitling the bearer of the certificate to free camping and other special privileges at state parks and recreation areas. The department shall establish prices for the certificates based on amounts required to be paid in fees for camping and special privileges pursuant to section 461A.47.

Sec. 24. APPROPRIATIONS CONDITIONAL UPON IMPLEMENTATION OF CERTAIN PROVISIONS. As a condition of the appropriations made to the department of agriculture and land stewardship in sections 1 through 4 of this Act, the following shall occur as provided in sections 26 and 27 of this Act by July 1, 1996:

1. The department shall complete all administrative functions necessary to transfer the powers and duties of the

deputy secretary of agriculture to the interim assistant secretary of agriculture.

2. The office from which the position of deputy secretary of agriculture performed duties on January 1, 1996, shall be vacated until the position of interim assistant secretary of agriculture is filled.

Sec. 25. DEPUTY SECRETARY OF AGRICULTURE -- POSITION ELIMINATED. Notwithstanding contrary provisions in sections 14A.1 and 159.14, the position of deputy secretary of agriculture is eliminated.

Sec. 26. ADMINISTRATIVE ASSISTANT VI POSITION. An additional position of administrative assistant VI is created within the department of agriculture and land stewardship. The duties of the position shall not include any matter relating to personnel, including the appointment of an interim assistant secretary of agriculture as provided in section 27 of this Act; or the administration of or budgeting for the department or its administrative units, including divisions within the department. The position shall not have jurisdiction over the heads of the department's administrative units, including division directors. Notwithstanding chapter 19A, the person appointed to fill the position shall serve at the pleasure of the secretary of agriculture. The secretary of agriculture shall prepare and submit a written report to the chairpersons and ranking members of the house and senate standing committees on appropriations and to the legislative fiscal bureau director not later than August 31, 1996, describing the duties and responsibilities of the position.

Sec. 27. INTERIM ASSISTANT SECRETARY OF AGRICULTURE. The position of interim assistant secretary of agriculture is created within the department of agriculture and land stewardship. The secretary of agriculture shall appoint a person to serve as the interim assistant secretary of agriculture, at any time after the effective date of this section of this Act. However, the person appointed as interim

assistant secretary of agriculture shall not fill that position before January 15, 1997. Notwithstanding chapter 19A, the person appointed as interim assistant secretary of agriculture shall serve at the pleasure of the secretary of agriculture. The interim assistant secretary of agriculture shall have the same powers and duties performed by the position of the deputy secretary of agriculture, as that position existed on January 1, 1996. Until the appointment of the interim assistant secretary of agriculture is made, the interim assistant secretary of agriculture's duties shall be performed by the administrative division director of the department of agriculture and land stewardship who shall be acting interim assistant secretary of agriculture. Upon appointment, the interim assistant secretary of agriculture shall receive compensation at the same pay grade at which the position of deputy secretary of agriculture was compensated immediately prior to the effective date of this section of this Act. No position shall be housed in the office from which the position of deputy secretary of agriculture performed duties on January 1, 1996, until the appointment of the interim assistant secretary of agriculture, who shall be housed in that office.

CODIFIED CHANGES

Sec. 28. NEW SECTION. 2.55A DEPARTMENTAL INFORMATION REQUIRED.

1. 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. 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. 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. 29. NEW SECTION. 8.60A TRUST FUND INFORMATION.

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. 30. Section 166D.10, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 4. In addition to other applicable requirements of this section, feeder swine shall not be moved into this state from another state except to slaughter, unless the feeder swine are vaccinated by a differentiable vaccine within forty-five days of arrival in this state.

Sec. 31. Section 455A.18, subsection 3, unnumbered paragraph 1, Code 1995, is amended to read as follows:

For each fiscal year of the fiscal period beginning July 1, ~~1990~~ 1997, and ending June 30, ~~2001~~ 2021, there is appropriated from the general fund, to the Iowa resources enhancement and protection fund, the amount of ~~thirty~~ twenty million dollars, ~~except that for the fiscal year beginning July 1, 1990, the amount is twenty million dollars,~~ to be used as provided in this chapter. However, in any fiscal year of the fiscal period, if moneys from the lottery are appropriated by the state to the fund, the amount appropriated under this subsection shall be reduced by the amount appropriated from the lottery.

Sec. 32. NEW SECTION. 455A.21 PREFERENCE PROVIDED -- PERSONS MEETING ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM.

In its employment of persons in temporary positions in conservation and outdoor recreation, the department of natural resources shall give preference to persons meeting eligibility requirements for the green thumb program under section 15.227 and to persons working toward an advanced education in natural resources and conservation.

Sec. 33. FUTURE REPEAL. Sections 25 through 27 of this Act are repealed on December 31, 1998.

Sec. 34. EFFECTIVE DATES.

1. This subsection, section 11, subsection 5, paragraph "b", and section 12 of this Act, being deemed of immediate importance, take effect upon enactment.

2. The amendment to section 455A.18 in this Act takes effect on July 1, 1997.

LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2446, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved Item Veto 5-29, 1996

TERRY E. BRANSTAD
Governor

SF 2446