

# House Study Bill 192

## Bill Text

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1 1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
1 2 Section 1. GENERAL APPROPRIATION. There is appropriated  
1 3 from the general fund of the state to the department of  
1 4 agriculture and land stewardship for the fiscal year beginning  
1 5 July 1, 1997, and ending June 30, 1998, the following amounts,  
1 6 or so much thereof as is necessary, to be used for the  
1 7 purposes designated:  
1 8 1. ADMINISTRATIVE DIVISION  
1 9 a. For salaries, support, maintenance, the support of the  
1 10 state 4-H foundation, support of the statistics bureau, and  
1 11 miscellaneous purposes, and for the salaries and support of  
1 12 not more than the following full-time equivalent positions:  
1 13 ..... \$ 1,780,278  
1 14 ..... FTEs 41.45  
1 15 (1) Of the amount appropriated and full-time equivalent  
1 16 positions authorized in this paragraph "a", \$322,329 and 7.00  
1 17 FTEs shall be used to support horticulture.  
1 18 (2) Of the amount appropriated in this paragraph "a",  
1 19 \$55,500 shall be allocated to the state 4-H foundation to  
1 20 foster the development of Iowa's youth and to encourage them  
1 21 to study the subject of agriculture.  
1 22 (3) Of the amount appropriated and full-time equivalent  
1 23 positions authorized in this paragraph "a", \$129,167 and 4.00  
1 24 FTEs shall be allocated to the statistics bureau to provide  
1 25 county-by-county information on land in farms, production by  
1 26 crop, acres by crop, and county prices by crop. This  
1 27 information shall be made available to the department of  
1 28 revenue and finance for use in the productivity formula for  
1 29 valuing and equalizing the values of agricultural land.  
1 30 (4) Of the amount appropriated and full-time equivalent  
1 31 positions authorized in this paragraph "a", \$73,304 and 1.00  
1 32 FTE shall be allocated to support the administrative assistant  
1 33 VI position created pursuant to 1996 Iowa Acts, chapter 1214,  
1 34 section 26, as amended by this Act.  
1 35 (5) Of the amount appropriated and the number of full-time  
2 1 equivalent positions authorized in this paragraph "a", at  
2 2 least \$38,000 shall be used to contract for part-time  
2 3 livestock market news specialist positions.  
2 4 b. For the operations of the dairy trade practices bureau:  
2 5 ..... \$ 66,969  
2 6 c. For the purpose of performing commercial feed audits:  
2 7 ..... \$ 64,945  
2 8 d. For the purpose of performing fertilizer audits:  
2 9 ..... \$ 64,945  
2 10 2. REGULATORY DIVISION  
2 11 a. For salaries, support, maintenance, miscellaneous  
2 12 purposes, and for not more than the following full-time  
2 13 equivalent positions:  
2 14 ..... \$ 3,938,176  
2 15 ..... FTEs 123.50  
2 16 Of the amount appropriated in this paragraph "a", not more  
2 17 than \$21,009 and 1.00 FTE shall be used to support the hiring  
2 18 and training of a meat and poultry inspector.  
2 19 b. For the costs of inspection, sampling, analysis, and  
2 20 other expenses necessary for the administration of chapters  
2 21 192, 194, and 195:

2 22 ..... \$ 656,801  
 2 23 3. LABORATORY DIVISION  
 2 24 a. For salaries, support, maintenance, and miscellaneous  
 2 25 purposes, including the administration of the gypsy moth  
 2 26 program, and for not more than the following full-time  
 2 27 equivalent positions:  
 2 28 ..... \$ 824,833  
 2 29 ..... FTEs 84.10  
 2 30 (1) Of the amount appropriated in this paragraph "a",  
 2 31 \$110,000 shall be used to administer a program relating to the  
 2 32 detection, surveillance, and eradication of the gypsy moth.  
 2 33 The department shall allocate and use the appropriation made  
 2 34 in this paragraph before moneys other than those appropriated  
 2 35 in this paragraph are used to support the program.  
 3 1 (2) Of the number of full-time equivalent positions  
 3 2 authorized in this paragraph "a" and funded in paragraph "c",  
 3 3 1.00 FTE shall be used to support an organics program  
 3 4 coordinator who shall assure compliance of organic foods sold  
 3 5 commercially within the state with federal and state  
 3 6 regulations relating to organic foods.  
 3 7 b. For the operations of the commercial feed programs:  
 3 8 ..... \$ 760,236  
 3 9 c. For the operations of the pesticide programs:  
 3 10 ..... \$ 1,307,865  
 3 11 Of the amount appropriated in this paragraph "c", \$200,000  
 3 12 shall be allocated to Iowa state university for purposes of  
 3 13 training commercial pesticide applicators.  
 3 14 d. For the operations of the fertilizer programs:  
 3 15 ..... \$ 647,203  
 3 16 4. SOIL CONSERVATION DIVISION  
 3 17 a. For salaries, support, maintenance, assistance to soil  
 3 18 conservation districts, miscellaneous purposes, and for not  
 3 19 more than the following full-time equivalent positions:  
 3 20 ..... \$ 6,058,717  
 3 21 ..... FTEs 171.28  
 3 22 Of the amount appropriated in this paragraph "a", \$347,376  
 3 23 shall be used to reimburse commissioners of soil and water  
 3 24 conservation districts for administrative expenses, including  
 3 25 but not limited to, travel expenses and technical training.  
 3 26 Moneys used for the payment of meeting dues by counties shall  
 3 27 be matched on a dollar-for-dollar basis by the soil  
 3 28 conservation division.  
 3 29 b. To provide financial incentives for soil conservation  
 3 30 practices under chapter 161A:  
 3 31 ..... \$ 6,461,850  
 3 32 c. The following requirements apply to the moneys  
 3 33 appropriated in paragraph "b":  
 3 34 (1) Not more than 5 percent of the moneys appropriated in  
 3 35 paragraph "b" may be allocated for cost sharing to abate  
 4 1 complaints filed under section 161A.47.  
 4 2 (2) Of the moneys appropriated in paragraph "b", 5 percent  
 4 3 shall be allocated for financial incentives to establish  
 4 4 practices to protect watersheds above publicly owned lakes of  
 4 5 the state from soil erosion and sediment as provided in  
 4 6 section 161A.73.  
 4 7 (3) Not more than 30 percent of a district's allocation of  
 4 8 moneys as financial incentives may be provided for the purpose  
 4 9 of establishing management practices to control soil erosion  
 4 10 on land that is row cropped, including but not limited to no-  
 4 11 till planting, ridge-till planting, contouring, and contour  
 4 12 strip-cropping as provided in section 161A.73.  
 4 13 (4) The state soil conservation committee created in  
 4 14 section 161A.4 may allocate moneys to conduct research and  
 4 15 demonstration projects to promote conservation tillage and  
 4 16 nonpoint source pollution control practices.  
 4 17 (5) The financial incentive payments may be used in  
 4 18 combination with department of natural resources moneys.

4 19 d. The provisions of section 8.33 shall not apply to the  
4 20 moneys appropriated in paragraph "b". Unencumbered or  
4 21 unobligated moneys remaining on June 30, 2001, from moneys  
4 22 appropriated in paragraph "b" for the fiscal year beginning  
4 23 July 1, 1997, shall revert to the general fund on August 31,  
4 24 2001.

4 25 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is  
4 26 appropriated from the general fund of the state to the  
4 27 department of agriculture and land stewardship for the fiscal  
4 28 year beginning July 1, 1997, and ending June 30, 1998, the  
4 29 following amount, or so much thereof as is necessary, to be  
4 30 used for the purposes designated:

4 31 For salaries, support, maintenance, and miscellaneous  
4 32 purposes, to be used by the department to continue and expand  
4 33 the farmers' market coupon program by providing federal  
4 34 special supplemental food program recipients with coupons  
4 35 redeemable at farmers' markets, and for not more than the  
5 1 following full-time equivalent positions:  
5 2 ..... \$ 216,113  
5 3 ..... FTEs 1.00

5 4 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.  
5 5 1. There is appropriated from the general fund of the  
5 6 state to the department of agriculture and land stewardship  
5 7 for the fiscal year beginning July 1, 1997, and ending June  
5 8 30, 1998, the following amount, or so much thereof as is  
5 9 necessary, to be used for the purpose designated:

5 10 For support of the pseudorabies eradication program:  
5 11 ..... \$ 900,400

5 12 2. Persons, including organizations interested in swine  
5 13 production in this state and in the promotion of Iowa pork  
5 14 products who contribute support to the program, are encouraged  
5 15 to increase financial support for purposes of ensuring the  
5 16 program's effective continuation.

5 17 Sec. 4. HORSE AND DOG RACING. There is appropriated from  
5 18 the moneys available under section 99D.13 to the regulatory  
5 19 division of the department of agriculture and land stewardship  
5 20 for the fiscal year beginning July 1, 1997, and ending June  
5 21 30, 1998, the following amount, or so much thereof as is  
5 22 necessary, to be used for the purpose designated:

5 23 For salaries, support, maintenance, and miscellaneous  
5 24 purposes for the administration of section 99D.22:  
5 25 ..... \$ 202,146

5 26 DEPARTMENT OF NATURAL RESOURCES

5 27 Sec. 5. GENERAL APPROPRIATION. There is appropriated from  
5 28 the general fund of the state to the department of natural  
5 29 resources for the fiscal year beginning July 1, 1997, and  
5 30 ending June 30, 1998, the following amounts, or so much  
5 31 thereof as is necessary, to be used for the purposes  
5 32 designated:

5 33 1. ADMINISTRATIVE AND SUPPORT SERVICES

5 34 For salaries, support, maintenance, miscellaneous purposes,  
5 35 and for not more than the following full-time equivalent  
6 1 positions:

6 2 ..... \$ 2,105,343  
6 3 ..... FTEs 118.25

6 4 Of the amount appropriated and the number of full-time  
6 5 equivalent positions authorized in this subsection 1, at least  
6 6 \$150,000 and 3.00 FTEs shall be used by administration and  
6 7 support services to support a compliance and permit assistance  
6 8 team to facilitate cooperation between the department and  
6 9 persons regulated by the department in order to ensure  
6 10 efficient compliance with applicable legal requirements.

6 11 2. PARKS AND PRESERVES DIVISION

6 12 For salaries, support, maintenance, miscellaneous purposes,  
6 13 and for not more than the following full-time equivalent  
6 14 positions:

6 15 ..... \$ 5,728,615

6 16 ..... FTEs 195.73  
6 17 Of the amount appropriated in this subsection 2, at least  
6 18 \$50,000 shall be allocated for the replacement of maintenance  
6 19 equipment used by the division.  
6 20 3. FORESTS AND FORESTRY DIVISION  
6 21 For salaries, support, maintenance, miscellaneous purposes,  
6 22 and for not more than the following full-time equivalent  
6 23 positions:  
6 24 ..... \$ 1,539,416  
6 25 ..... FTEs 48.71  
6 26 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION  
6 27 For salaries, support, maintenance, miscellaneous purposes,  
6 28 and for not more than the following full-time equivalent  
6 29 positions:  
6 30 ..... \$ 1,723,286  
6 31 ..... FTEs 52.00  
6 32 5. a. ENVIRONMENTAL PROTECTION DIVISION  
6 33 (1) For salaries, support, maintenance, miscellaneous  
6 34 purposes, and for not more than the following full-time  
6 35 equivalent positions:  
7 1 ..... \$ 2,798,698  
7 2 ..... FTEs 228.50  
7 3 (2) Of the amount appropriated and the number of full-time  
7 4 equivalent positions authorized in subparagraph (1), at least  
7 5 \$424,600 and 9.00 FTEs shall be used to support the regulation  
7 6 of animal feeding operations.  
7 7 (3) Of the amount appropriated and the number of full-time  
7 8 equivalent positions authorized in subparagraph (1), at least  
7 9 \$768,620 and 10.00 FTEs shall be used to support the  
7 10 regulation of wastewater treatment systems, including issuing  
7 11 permits and conducting inspections.  
7 12 b. WATER QUALITY PROTECTION FUND  
7 13 For allocation to the administrative account of the water  
7 14 quality protection fund established pursuant to section  
7 15 455B.183A, to carry out the purpose of that account:  
7 16 ..... \$ 729,000  
7 17 (1) Of the number of full-time equivalent positions  
7 18 authorized in paragraph "a", 32.50 FTEs shall be dedicated to  
7 19 carrying out the provisions of chapter 455B relating to the  
7 20 administration, regulation, and enforcement of the federal  
7 21 Safe Drinking Water Act and to support the program to assist  
7 22 water supply systems as provided in section 455B.183B.  
7 23 However, the limitation on full-time equivalent positions  
7 24 provided in paragraph "a", shall not limit the number of  
7 25 additional full-time equivalent positions supported by moneys  
7 26 deposited in the water quality protection fund as provided in  
7 27 section 455B.183A, in order to carry out the provisions of  
7 28 division III of chapter 455B relating to the administration,  
7 29 regulation, and enforcement of the federal Safe Drinking Water  
7 30 Act, and the administration of the program to assist water  
7 31 supply systems pursuant to section 455B.183B.  
7 32 (2) In providing assistance to water supply systems, the  
7 33 department shall provide priority to water supply systems  
7 34 serving a population of seven thousand or less. At least 2.00  
7 35 FTEs shall be allocated to provide assistance to systems  
8 1 serving a population of seven thousand or less.  
8 2 6. FISH AND WILDLIFE DIVISION  
8 3 For not more than the following full-time equivalent  
8 4 positions:  
8 5 ..... FTEs 342.18  
8 6 7. WASTE MANAGEMENT ASSISTANCE DIVISION  
8 7 For not more than the following full-time equivalent  
8 8 positions:  
8 9 ..... FTEs 17.75  
8 10 Sec. 6. STATE FISH AND GAME PROTECTION FUND -  
8 11 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.  
8 12 1. a. There is appropriated from the state fish and game

8 13 protection fund to the division of fish and wildlife of the  
8 14 department of natural resources for the fiscal year beginning  
8 15 July 1, 1997, and ending June 30, 1998, the following amount,  
8 16 or so much thereof as is necessary, to be used for the  
8 17 purposes designated:

8 18 For administrative support, and for salaries, support,  
8 19 maintenance, equipment, and miscellaneous purposes:  
8 20 ..... \$ 21,951,394

8 21 b. Of the amount appropriated in paragraph "a", \$105,000  
8 22 may be used for purposes of providing compensation to  
8 23 conservation peace officers employed in a protection  
8 24 occupation who retire pursuant to section 97B.49.

8 25 2. The department shall not expend more moneys from the  
8 26 fish and game protection fund than provided in this section,  
8 27 unless the expenditure derives from contributions made by a  
8 28 private entity, or a grant or moneys received from the federal  
8 29 government, and is approved by the natural resource  
8 30 commission. The department of natural resources shall  
8 31 promptly notify the legislative fiscal bureau and the  
8 32 chairpersons and ranking members of the joint appropriations  
8 33 subcommittee on agriculture and natural resources concerning  
8 34 the commission's approval.

8 35 Sec. 7. MARINE FUEL TAX RECEIPTS - BOATING FACILITIES AND  
9 1 ACCESS. There is appropriated from the marine fuel tax  
9 2 receipts deposited in the general fund of the state to the  
9 3 department of natural resources for the fiscal year beginning  
9 4 July 1, 1997, and ending June 30, 1998, the following amount,  
9 5 or so much thereof as is necessary, to be used for the purpose  
9 6 designated:

9 7 For maintaining and developing boating facilities and  
9 8 access to public waters by the parks and preserves division:  
9 9 ..... \$ 411,311

9 10 Sec. 8. SNOWMOBILE FEES - TRANSFER FOR ENFORCEMENT  
9 11 PURPOSES. There is transferred on July 1, 1997, from the fees  
9 12 deposited under section 321G.7 to the fish and game protection  
9 13 fund and appropriated to the department of natural resources  
9 14 for the fiscal year beginning July 1, 1997, and ending June  
9 15 30, 1998, the following amount, or so much thereof as is  
9 16 necessary, to be used for the purpose designated:

9 17 For enforcing snowmobile laws as part of the state  
9 18 snowmobile program administered by the department of natural  
9 19 resources:  
9 20 ..... \$ 100,000

9 21 Sec. 9. VESSEL FEES - TRANSFER FOR ENFORCEMENT PURPOSES.  
9 22 There is transferred on July 1, 1997, from the fees deposited  
9 23 under section 462A.52 to the fish and game protection fund and  
9 24 appropriated to the natural resource commission for the fiscal  
9 25 year beginning July 1, 1997, and ending June 30, 1998, the  
9 26 following amount, or so much thereof as is necessary, to be  
9 27 used for the purpose designated:

9 28 For the administration and enforcement of navigation laws  
9 29 and water safety:  
9 30 ..... \$ 1,300,000

9 31 1. Of the amount appropriated in this section and the  
9 32 full-time equivalent positions authorized for the fish and  
9 33 wildlife division in section 5, subsection 6, of this Act, not  
9 34 more than \$100,000 and 1.00 FTE may be used for purposes of  
9 35 controlling and eradicating eurasian milfoil.

10 1 2. Notwithstanding section 8.33, moneys transferred  
10 2 pursuant to this section which are unencumbered or unobligated  
10 3 on June 30, 1998, shall be transferred on July 1, 1998, to the  
10 4 special conservation fund established by section 462A.52 to be  
10 5 used as provided in that section, and shall not revert as  
10 6 provided in section 8.33.

10 7 RESOURCES ENHANCEMENT AND PROTECTION

10 8 Sec. 10. GENERAL APPROPRIATION. Notwithstanding the  
10 9 amount of the standing appropriation from the general fund of

10 10 the state under section 455A.18, subsection 3, there is  
10 11 appropriated from the general fund of the state to the Iowa  
10 12 resources enhancement and protection fund, in lieu of the  
10 13 appropriation made in section 455A.18, for the fiscal year  
10 14 beginning July 1, 1997, and ending June 30, 1998, the sum of  
10 15 \$9,000,000, of which all moneys shall be allocated as provided  
10 16 in section 455A.19.

10 17 RELATED APPROPRIATIONS

10 18 Sec. 11. ANIMAL FEEDING OPERATIONS. Notwithstanding  
10 19 section 455E.11, subsection 2, paragraph "b", prior to any  
10 20 appropriation from the agriculture management account of the  
10 21 groundwater protection fund, as provided in section 455E.11,  
10 22 subsection 2, paragraph "b", the following amount is  
10 23 appropriated to the state board of regents for Iowa state  
10 24 university for the fiscal year beginning July 1, 1997, and  
10 25 ending June 30, 1998, to be used for the purpose designated:

10 26 For purposes of supporting Iowa state university in  
10 27 conducting a study of anaerobic lagoons and earthen manure  
10 28 storage basins which are part of animal feeding operations:  
10 29 ..... \$ 150,000

10 30 1. The moneys appropriated in this section shall be used  
10 31 to determine the extent to which manure stored in the  
10 32 structures contribute to point and nonpoint pollution in this  
10 33 state. Iowa state university shall submit a report, including  
10 34 standards, criteria, and protocols used to conduct the testing  
10 35 of anaerobic lagoons and earthen manure storage basins, to the  
11 1 general assembly regarding the findings of the study not later  
11 2 than January 1, 1999.

11 3 2. Notwithstanding section 8.33, the moneys appropriated  
11 4 pursuant to this section shall revert to the account from  
11 5 which appropriated on January 1, 1999.

11 6 Sec. 12. TRANSFER FROM ORGANIC NUTRIENT MANAGEMENT FUND.

11 7 There is transferred from the organic nutrient management  
11 8 fund, as created in section 161C.5, for the fiscal year  
11 9 beginning July 1, 1997, and ending June 30, 1998, the  
11 10 following amounts, or so much thereof as is necessary, to be  
11 11 used for the purposes designated:

11 12 1. To Iowa state university for supporting odor control  
11 13 applications for animal feeding operations, including  
11 14 confinement feeding operations, regulated by the department of  
11 15 natural resources pursuant to chapter 455B:  
11 16 ..... \$ 400,000

11 17 2. To the state board of regents for Iowa state university  
11 18 for the fiscal year beginning July 1, 1997, and ending June  
11 19 30, 1998, to be used for the purpose designated:

11 20 For purposes of supporting the Iowa state university  
11 21 cooperative extension service in agriculture and home  
11 22 economics in providing for a program to assist counties in  
11 23 testing private wells and waters of the state for pollution  
11 24 caused by animal production:  
11 25 ..... \$ 50,000

11 26 Moneys appropriated in subsection shall support testing  
11 27 programs administered by counties which may submit an  
11 28 application to the extension service to participate in the  
11 29 state assistance program, as provided by the extension  
11 30 service. The county shall perform testing within a test area.  
11 31 As used in this section, "test area" means an area within a  
11 32 two-mile radius of any structure used to store manure which is  
11 33 part of a confinement feeding operation. Iowa state  
11 34 university of science and technology shall adopt necessary  
11 35 standards, protocols, and criteria for the establishment of  
12 1 baselines for testing by counties. The program shall be  
12 2 administered within each participating county by the county  
12 3 agricultural extension district serving that county in  
12 4 collaboration with the local board of health. The testing may  
12 5 be performed with volunteer assistance. However, all testing  
12 6 shall be performed under the supervision of a county

12 7 sanitarian. The samples of the testing shall be analyzed by  
12 8 the state hygienic laboratory at the state university of Iowa  
12 9 and evaluated in accordance with standards established by the  
12 10 department of agricultural biosystems engineering within the  
12 11 college of agriculture and the college of engineering at Iowa  
12 12 state university. All moneys available under this subsection  
12 13 shall only be used for the following purposes:

12 14 a. Analyzing test samples by the state hygienic  
12 15 laboratory.

12 16 b. Performing tests in counties. However, not more than  
12 17 \$50 of the moneys available under this section shall be used  
12 18 to pay for administering testing within any test area,  
12 19 including labor and equipment costs, regardless of the number  
12 20 of tests performed within the test area.

12 21 3. To the soil conservation division of the department of  
12 22 agriculture and land stewardship for purposes of supporting  
12 23 technical training and administrative expenses of  
12 24 commissioners of soil and water conservation districts:

12 25 ..... \$ 99,000

12 26 Sec. 13. NONREVERSION OF MONEYS ALLOCATED TO IOWA GRAIN  
12 27 QUALITY INITIATIVE. Notwithstanding 1995 Iowa Acts, chapter  
12 28 216, section 19, subsection 2, moneys allocated pursuant to  
12 29 1995 Iowa Acts, chapter 216, section 19, subsection 1,  
12 30 paragraph "f", subparagraph (1), which remain unencumbered or  
12 31 unobligated on June 30, 1997, shall not revert pursuant to  
12 32 section 8.33, but shall remain available to Iowa state  
12 33 university for purposes of supporting the Iowa cooperative  
12 34 extension service in agriculture and home economics in  
12 35 establishing and administering an Iowa grain quality  
13 1 initiative in subsequent fiscal years.

13 2 Sec. 14. TRANSFERS OF MONEYS REQUIRED TO BE DEPOSITED IN  
13 3 THE WATER PROTECTION FUND. Notwithstanding section 161C.4 and  
13 4 the reversion and allocation provisions in section 455A.19,  
13 5 subsection 1, paragraph "c", of the unencumbered and  
13 6 unobligated moneys remaining, which are required to be  
13 7 deposited in the water protection fund created in section  
13 8 161C.4, as provided in section 455A.19, subsection 1,  
13 9 paragraph "c", the following amount shall be transferred first  
13 10 from moneys required to be deposited in the water protection  
13 11 practices account, and if necessary from moneys required to be  
13 12 deposited in the water quality protection projects account,  
13 13 which shall be used for the following purposes:

13 14 To the Loess Hills development and conservation authority,  
13 15 for deposit in the Loess Hills development and conservation  
13 16 fund created in section 161D.2 for the purposes specified in  
13 17 section 161D.1:

13 18 ..... \$ 400,000

13 19 Sec. 15. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE  
13 20 UNDERGROUND STORAGE TANK FUND BOARD - TRANSFER. There is  
13 21 appropriated from the unassigned revenue fund administered by  
13 22 the Iowa comprehensive underground storage tank fund board, to  
13 23 the department of natural resources for the fiscal year  
13 24 beginning July 1, 1997, and ending June 30, 1998, the  
13 25 following amount, or so much thereof as is necessary, to be  
13 26 used for the purpose designated:

13 27 For administration expenses of the underground storage tank  
13 28 section of the department of natural resources:

13 29 ..... \$ 75,000

13 30 Sec. 16. TRANSFER - AIR QUALITY. For the fiscal year  
13 31 beginning July 1, 1997, and ending June 30, 1998, the  
13 32 department of natural resources may transfer up to \$430,000  
13 33 from the hazardous substance remedial fund created pursuant to  
13 34 section 455B.423, to support purposes related to carrying out  
13 35 the duties of the commission under section 455B.133, or the  
14 1 director under section 455B.134, or for carrying out the  
14 2 provisions of chapter 455B, division II.

14 3 Sec. 17. LEWIS AND CLARK RURAL WATER SYSTEM. There is

14 4 appropriated from the general fund of the state to the  
14 5 department of natural resources for a grant to local sponsors  
14 6 of the Lewis and Clark rural water system for the fiscal year  
14 7 beginning July 1, 1997, and ending June 30, 1998, the  
14 8 following amount, or so much thereof as is necessary, to be  
14 9 used for the purpose designated:

14 10 For a grant for the purpose of providing safe and adequate  
14 11 municipal and rural water supplies for residential,  
14 12 agricultural, and industrial uses, to preserve wetlands, and  
14 13 to mitigate water conservation efforts:  
14 14 ..... \$ 15,000

14 15 MISCELLANEOUS

14 16 Sec. 18. TRANSFER OF MONEYS OR POSITIONS - CHANGES IN  
14 17 TABLES OF ORGANIZATION - NOTIFICATION. In addition to the  
14 18 requirements of section 8.39, in each fiscal quarter, the  
14 19 department of agriculture and land stewardship and the  
14 20 department of natural resources shall notify the chairpersons,  
14 21 vice chairpersons, and ranking members of the joint  
14 22 appropriations subcommittee on agriculture and natural  
14 23 resources for the previous fiscal quarter of any transfer of  
14 24 moneys or full-time equivalent positions made by either  
14 25 department which is not authorized in this Act, or any  
14 26 permanent position added to or deleted from either  
14 27 department's table of organization.

14 28 Sec. 19. GENERAL ASSEMBLY - DECLARATION OF INTENTION NOT  
14 29 TO SUPPORT CERTAIN PROJECTS IN SUBSEQUENT FISCAL YEARS FROM  
14 30 THE GENERAL FUND.

14 31 The general assembly declares its intention that for the  
14 32 fiscal year beginning July 1, 1998, and ending June 30, 1999,  
14 33 and for subsequent fiscal years, all of the following shall  
14 34 apply:

14 35 1. Moneys appropriated from the general fund of the state  
15 1 shall not be used to support the administration of the organic  
15 2 food program by the department of agriculture and land  
15 3 stewardship, including the position of a program coordinator  
15 4 within the department's laboratory division. The general  
15 5 assembly intends that the program shall be supported by  
15 6 revenues from fees imposed upon organic producers as may be  
15 7 established or required by the general assembly, upon  
15 8 finalization of organic production guidelines by the federal  
15 9 government.

15 10 2. Moneys appropriated from the water protection fund as  
15 11 created in section 161C.4 shall not be used to support the  
15 12 Loess Hills development and conservation fund created in  
15 13 section 161D.1. The general assembly intends that alternative  
15 14 funding sources shall be substituted in lieu of state moneys  
15 15 appropriated for use by the Loess Hills development and  
15 16 conservation authority to carry out the purposes specified in  
15 17 section 161D.1.

15 18 Sec. 20. AIR QUALITY PROGRAM - NONGENERAL FUND SUPPORT.

15 19 The department of natural resources for the fiscal year  
15 20 beginning July 1, 1997, and ending June 30, 1998, shall not  
15 21 use moneys appropriated from the general fund of the state  
15 22 pursuant to this Act, to support any purpose related to  
15 23 carrying out the duties of the commission under section  
15 24 455B.133 or the director under section 455B.134, or for  
15 25 carrying out the provisions of chapter 455B, division II.

15 26 Notwithstanding section 455B.133B, the department may use  
15 27 moneys deposited in the air contaminant source fund created in  
15 28 section 455B.133B during the fiscal year beginning July 1,  
15 29 1997, and ending June 30, 1998, for any purpose related to  
15 30 carrying out the duties of the commission under section  
15 31 455B.133 or the director under section 455B.134, or for  
15 32 carrying out the provisions of chapter 455B, division II.

15 33 Sec. 21. ELIMINATION OF POSITIONS. The following  
15 34 positions are eliminated from the administrative division of  
15 35 the department of agriculture and land stewardship:

16 1 1. One position in the information bureau of the  
16 2 administrative division.  
16 3 2. The position of interim assistant secretary of  
16 4 agriculture as created in 1996 Iowa Acts, chapter 1214,  
16 5 section 27.  
16 6 3. The position of deputy secretary of agriculture as  
16 7 provided in 1996 Iowa Acts, chapter 1214, sections 25 and 33.  
16 8 Sec. 22. APPROPRIATIONS CONDITIONAL UPON IMPLEMENTATION OF  
16 9 ADMINISTRATIVE FUNCTIONS. As a condition of the  
16 10 appropriations made to the department of agriculture and land  
16 11 stewardship in sections 1 through 4 of this Act, all of the  
16 12 following shall apply:  
16 13 1. The office from which the position of deputy secretary  
16 14 of agriculture performed duties on January 1, 1996, shall  
16 15 remain vacated until the position of deputy secretary of  
16 16 agriculture is filled.  
16 17 2. The position of administrative assistant VI shall not  
16 18 perform duties relating to personnel, administration, or  
16 19 budgeting for the department, or have jurisdiction over the  
16 20 heads of the department's administrative units, as provided by  
16 21 1996 Iowa Acts, chapter 1214, section 26, as amended by this  
16 22 Act.  
16 23 Sec. 23. APPROPRIATIONS CONDITIONAL UPON EXECUTION OF A  
16 24 MEMORANDUM OF UNDERSTANDING FOR ANIMAL CONTROL.  
16 25 1. As a condition of the appropriations made to the  
16 26 department of natural resources in section 5 of this Act, the  
16 27 department shall, not later than June 1, 1997, execute a  
16 28 memorandum of understanding with the United States department  
16 29 of agriculture, animal and plant health inspection service,  
16 30 animal damage control, for purposes of supporting measures by  
16 31 the federal agency for the fiscal year beginning July 1, 1997,  
16 32 to prevent or minimize damage to agricultural production  
16 33 caused by wild animals.  
16 34 2. If the department of natural resources denies the  
16 35 federal agency a depredation permit the department shall  
17 1 notify the chairpersons, vice-chairpersons, and the minority  
17 2 party ranking members of the general assembly's standing  
17 3 committee on natural resources, environment, and energy and  
17 4 the standing committee on natural resources within ten days  
17 5 from the date that denial occurred.  
17 6 Sec. 24. 1996 Iowa Acts, chapter 1214, section 26, is  
17 7 amended to read as follows:  
17 8 SEC. 26. ADMINISTRATIVE ASSISTANT VI POSITION.

~~An~~

~~-~~  
17 9

~~additional~~

~~- The position of administrative assistant VI~~

~~is~~

~~-~~  
17 10

~~created~~

~~- shall be maintained~~ within the department of  
17 11 agriculture and land stewardship. The duties of the position  
17 12 shall not include any matter relating to personnel

~~, including~~

~~-~~  
17 13

~~the appointment of an interim assistant secretary of~~

~~-~~  
17 14

~~agriculture as provided in section 27 of this Act;~~

~~or the~~

17 15 administration of or budgeting for the department or its  
17 16 administrative units, including divisions within the  
17 17 department. The position shall not have jurisdiction over the  
17 18 heads of the department's administrative units, including  
17 19 division directors. Notwithstanding chapter 19A, the person  
17 20 appointed to fill the position shall serve at the pleasure of  
17 21 the secretary of agriculture.

~~The secretary of agriculture~~

~~17 22~~

~~shall prepare and submit a written report to the chairpersons~~

~~17 23~~

~~and ranking members of the house and senate standing~~

~~17 24~~

~~committees on appropriations and to the legislative fiscal~~

~~17 25~~

~~bureau director not later than August 31, 1996, describing the~~

~~17 26~~

~~duties and responsibilities of the position.~~

17 27 CODIFIED CHANGES

17 28 Sec. 25. NEW SECTION. 455A.12 GIFT CERTIFICATES FOR  
17 29 SPECIAL PRIVILEGE FEES ON STATE PARKS AND RECREATION AREAS.

17 30 The department of natural resources shall publish and make  
17 31 available for purchase by the general public, gift  
17 32 certificates entitling the bearer of the certificate to free  
17 33 camping and other special privileges at state parks and  
17 34 recreation areas. The department shall establish prices for  
17 35 the certificates based on amounts required to be paid in fees  
18 1 for camping and special privileges pursuant to section  
18 2 461A.47.

18 3 Sec. 26. NEW SECTION. 455A.13 STATE NURSERIES.

18 4 Notwithstanding section 17A.2, subsection 10, paragraph  
18 5 "g", the department of natural resources shall adopt  
18 6 administrative rules establishing a range of prices of plant  
18 7 material grown at the state forest nurseries to cover all  
18 8 expenses related to the growing of the plants.

18 9 1. The department shall develop programs to encourage the  
18 10 wise management and preservation of existing woodlands and  
18 11 shall continue its efforts to encourage forestation and  
18 12 reforestation on private and public lands in the state.

18 13 2. The department shall encourage a cooperative  
18 14 relationship between the state forest nurseries and private  
18 15 nurseries in the state in order to achieve these goals.

18 16 REPEALS

18 17 Sec. 27. 1996 Iowa Acts, chapter 1214, section 33, is  
18 18 amended to read as follows:

18 19 SEC. 33. FUTURE REPEAL. Sections 25

~~through 27~~

~~and 26 of~~

18 20 this Act are repealed on December 31, 1998.

18 21 Sec. 28. 1995 Iowa Acts, section 13, subsection 3, is  
18 22 amended by striking the subsection.

18 23 Sec. 29. 1995 Iowa Acts, chapter 195, section 41, is  
18 24 repealed.

18 25 Sec. 30. 1996 Iowa Acts, chapter 1214, section 27, is  
18 26 repealed.

18 27 EFFECTIVE DATE

18 28 Sec. 31. EFFECTIVE DATE. Section 23 of this Act, being  
18 29 deemed of immediate importance, takes effect upon enactment.

18 30 EXPLANATION

18 31 This bill relates to agriculture and natural resources by  
18 32 appropriating moneys and providing for full-time equivalent  
18 33 positions to the department of agriculture and land  
18 34 stewardship and the department of natural resources. The bill  
18 35 provides appropriations from the state fish and game  
19 1 protection fund and provides for the transfer of moneys from  
19 2 other funds administered by the department of natural  
19 3 resources. It appropriates moneys from the resources  
19 4 enhancement and protection fund. It also provides for moneys  
19 5 to support the Iowa grain quality initiative, odor control  
19 6 applications for animal feeding operations, the Loess Hills  
19 7 development and conservation fund, water quality testing, a  
19 8 study of the impact of manure storage structures on water  
19 9 quality, the Lewis and Clark rural water system, the Iowa  
19 10 comprehensive underground storage tank fund board, and the  
19 11 environmental protection division of the department of natural  
19 12 resources. The bill requires that the department of natural  
19 13 resources execute a letter of understanding with the United  
19 14 States department of agriculture and land stewardship for the  
19 15 control of wild animals. The bill includes other provisions  
19 16 which provide for prices charged by state forest nurseries,  
19 17 information required to be submitted to the joint  
19 18 appropriations subcommittee on agriculture and natural  
19 19 resources, and the elimination of positions within the  
19 20 department of agriculture and land stewardship.

19 21 The bill codifies a provision allowing the department of  
19 22 natural resources to provide general public gift certificates  
19 23 for free camping and other special privileges at state parks  
19 24 and recreation areas. The bill codifies a provision requiring  
19 25 the department of natural resources to adopt rules  
19 26 establishing prices of plant material grown at the state  
19 27 forest nurseries.

19 28 The bill eliminates provisions enacted in prior years which  
19 29 refers to the interim assistant secretary of agriculture, and  
19 30 an appropriation of moneys to study animal feeding operations  
19 31 and their structures.

19 32 LSB 1761JA 77

19 33 da/jw/5.2