

Greiner  
Black  
Sexton

SSB-1085  
Agriculture

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
AGRICULTURE AND LAND  
STEWARDSHIP BILL)

Succeeded By

SF/HF 211

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the powers and duties of the department of  
2 agriculture and land stewardship.

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

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1 Section 1. Section 7A.3, subsection 3, Code 2001, is  
2 amended by striking the subsection.

3 Sec. 2. Section 99D.22, subsection 1, Code 2001, is  
4 amended to read as follows:

5 1. A licensee shall hold at least one race on each racing  
6 day limited to Iowa-foaled horses or Iowa-whelped dogs as  
7 defined by the department of agriculture and land stewardship  
8 using standards consistent with this section. However, if  
9 sufficient competition cannot be had among that class of  
10 horses or dogs on any day, another race for the day may be  
11 substituted. A sum equal to twelve percent of the purse won  
12 by an Iowa-foaled horse or Iowa-whelped dog shall be used to  
13 promote the horse and dog breeding industries. The twelve  
14 percent shall be withheld by the licensee from the breakage  
15 and shall be paid at the end of the race meeting to the state  
16 department of agriculture and land stewardship which in turn  
17 shall deposit it in a special fund to be known as the Iowa  
18 horse and dog breeders fund and pay it by ~~December~~ March 31 of  
19 each calendar year to the breeder of the winning Iowa-foaled  
20 horse or Iowa-whelped dog. For the purposes of this section,  
21 the breeder of a thoroughbred horse shall be considered to be  
22 the owner of the brood mare at the time the foal is dropped.  
23 The breeder of a quarter horse or standardbred horse shall be  
24 considered to be the owner of the mare at the time of  
25 breeding.

26 Sec. 3. Section 159.5, subsections 12 and 15, Code 2001,  
27 are amended by striking the subsections.

28 Sec. 4. Section 192.101A, unnumbered paragraph 1, Code  
29 2001, is amended to read as follows:

30 As used in this chapter, all terms shall have the same  
31 meaning as defined in the "Grade 'A' Pasteurized Milk  
32 Ordinance, ~~1995~~ 1999 Revision". However, notwithstanding the  
33 ordinance, the following definitions shall apply:

34 Sec. 5. Section 192.102, Code 2001, is amended to read as  
35 follows:

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1 192.102 GRADE "A" PASTEURIZED MILK ORDINANCE.  
 2 The department shall adopt, by rule, the "Grade 'A'  
 3 Pasteurized Milk Ordinance, †995 1999 Revision", including a  
 4 subsequent revision of the ordinance. If the ordinance  
 5 specifies that compliance with a provision of the ordinance's  
 6 appendices is mandatory, the department shall also adopt that  
 7 provision. The department shall not amend the ordinance,  
 8 unless the department explains each amendment and reasons for  
 9 the amendment in the Iowa administrative bulletin when the  
 10 rules are required to be published pursuant to chapter 17A.  
 11 The department shall administer this chapter consistent with  
 12 the provisions of the ordinance.

13 Sec. 6. Section 192.110, subsection 1, Code 2001, is  
 14 amended to read as follows:

15 1. The person has a pasteurized milk and milk products  
 16 sanitation compliance rating of ninety percent or more as  
 17 calculated according to the rating system as contained in the  
 18 federal public health service publications, "Procedures  
 19 Governing the Cooperative State-Public Health Service/Food and  
 20 Drug Administration Program for Certification of Interstate  
 21 Milk Shippers †995 1999" and "Method of Making Sanitation  
 22 Ratings of Milk Supplies, †995 1999 Revision". The applicable  
 23 provisions of these publications are incorporated into this  
 24 section by this reference. A copy of each publication shall  
 25 be on file with the department or in the office of the person  
 26 subject to an inspection contract as provided in section  
 27 192.108.

28 Sec. 7. Section 455E.11, subsection 1, unnumbered  
 29 paragraph 3, Code 2001, is amended to read as follows:

30 The secretary of agriculture shall submit with the report  
 31 prepared-pursuant-to on a biennial basis to the governor in  
 32 the same manner as provided in section 7A.3. The report shall  
 33 include a proposal for the use of groundwater protection fund  
 34 moneys, and a-report-of-the uses of the groundwater protection  
 35 fund moneys appropriated in the previous fiscal year.

1 Sec. 8. Sections 159.10, 159.15, 159.30, and 159.37, Code  
2 2001, are repealed.

3 Sec. 9. DIRECTIONS TO THE CODE EDITOR. The Code editor  
4 shall consolidate or eliminate the repeal, reserve, and  
5 transfer entries for 2001 Iowa Code sections 192.1 through  
6 192.100, in order to enhance the readability of chapter 192.  
7 As part of consolidating or eliminating the entries, the Code  
8 editor shall provide directions to the reader that explain  
9 where historical information pertaining to the repeal,  
10 transfer, or reserving of those entries may be obtained.

11

EXPLANATION

12 This bill amends and eliminates a number of provisions  
13 related to the powers and duties of the department of  
14 agriculture and land stewardship.

15 Code section 7A.3 requires a number of agencies, including  
16 the department to file financial and operational reports on a  
17 biennial basis with the governor and general assembly. This  
18 bill strikes the requirement for the department and provides  
19 conforming changes to Code section 455E.11 relating to the  
20 expenditure of moneys from the groundwater protection fund.

21 Code section 99D.22 provides for a special day of pari-  
22 mutuel racing limited to Iowa-foaled horses or Iowa-whelped  
23 dogs in which a percentage of the purse is used to promote the  
24 horse and dog breeding industries. The amount is required to  
25 be paid to the department which in turn must pay it by  
26 December 31 to the breeder of the winning Iowa-foaled horse or  
27 Iowa-whelped dog. This bill changes the December 31 date to  
28 March 31.

29 Code section 159.5 provides for general powers and duties  
30 of the department, including the requirements for the  
31 establishment and maintenance of a sheep promotion division.  
32 The section also provides for the inspection and regulation of  
33 drinking water sold in sealed containers. Both of these  
34 provisions are eliminated.

35 Code chapter 192 is amended to change the dates of

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1 publications used in regulating milk production, including  
 2 those entitled "Grade 'A' Pasteurized Milk Ordinance, 1995  
 3 Revision"; "Procedures Governing the Cooperative State-Public  
 4 Health Service/Food and Drug Administration Program for  
 5 Certification of Interstate Milk Shippers 1995"; and "Method  
 6 of Making Sanitation Ratings of Milk Supplies, 1995 Revision".  
 7 This bill amends Code sections 192.101A, 192.102, and 192.110  
 8 to refer to the 1999 updated editions of those publications.  
 9 The bill authorizes the Code editor to eliminate a number of  
 10 references appearing at the beginning of the chapter which  
 11 have been repealed or transferred to other sections in order  
 12 to enhance the chapter's readability.

13 The bill repeals a number of Code sections contained in  
 14 Code chapter 159, which generally provides for the powers and  
 15 duties of the department. The bill repeals Code section  
 16 159.10, which requires the department to publish "the Iowa  
 17 book of agriculture"; Code section 159.15, which requires the  
 18 department to make a biennial report to the governor regarding  
 19 the finances and administration of the department; Code  
 20 section 159.30, which requires the department to designate,  
 21 promote, and market packaging products which are degradable;  
 22 and Code section 159.37, which requires the department to  
 23 establish a special quality grains electronic bulletin board  
 24 system.

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IOWA DEPARTMENT OF AGRICULTURE  
AND LAND STEWARDSHIP



# MEMO

TO: Members of the Iowa General Assembly

FROM: Jamie Cashman, Legislative Liaison *jc*

SUBJECT: Code Language Legislation

DATE: January 23, 2001

Attached you will find a copy of our list of code deletions and additions. Many of those that listed are requirements in the code that are duplicated by other areas in the Department or that has not been the appropriation to meet these requirements. The problem of this is that the Department is written up by the State Auditor for not fulfilling these requirements. This legislation eliminates the redundant language and clarifies other areas that are needed.

The attached document will provide you with some additional details behind the requested changes. Please feel free to contact me, Jamie Cashman, the legislative liaison, should you have any questions or concerns. Thanks.

## Listing of Code Chapters/Sections To Be Recommended For Deletion During the 2001 Legislative Session

1. Chapters 159.15 and 7A.3: Requiring the Department to submit a biennial report to the Governor in each even numbered year. (Financial and operational information is available to the Governor at any time through our Department, the Iowa Department of Revenue, the Legislative Fiscal Bureau and the Department of Management. Immediate and more current information retrieval is now available at any time. Removal of this requirement would eliminate redundancy. Financial information from the previous and this requirement is no longer necessary.)
2. Chapter 159.5(15): The requirement of Chapter 159.5(15) for the IDALS to inspect and regulate water sold in sealed containers for human consumption. (If a funding request is not granted during the current session this code requirement should be removed prior to the end of the Legislative session. The Department has repeatedly requested funding and code deletion.)
3. Chapter 159.37: Requiring the Department to establish a grains electronic bulletin board and promote the use of such. (The Department currently provides the public market information on the Internet home page, which is easily and readily obtained by the public.)
4. Chapter 159.5 (12): Requiring the Department to establish a sheep promotion division. (There have been no funds no FTE's appropriated for this function since June 30, 1993. Numerous attempts have been made for this deletion.)
5. Chapter 99D.22.1: Requiring the Department to pay the breeder of the winning Iowa foaled horse or Iowa whelped dog by December 31, of each year. (Funds are received through February of each year and the date needs to be changed to March 31 for payment to the breeders.)
6. Chapter 159.10: Requiring the Department to publish the Iowa Book of Agriculture containing agricultural information at the discretion of the Secretary. (This type of information is available from various sources including the Ag. Statistics Bureau, the Iowa State Fair, ISU, and a wide variety of commodity groups. The IDALS Internet is also a source for much of this information and will continue to grow.)
7. Chapter 159.30: Requiring the Department to designate, promote and market packaging products which are degradable. (This section should be deleted as no resources have been allocated for research to make the biodegradable designation.)
8. Chapter 192.101A, 192.102 and 191.110(1): Need to have a reference change for years from 1995 to 1999 on both the "Methods" and the "Procedures" documents.

REPRINTED

FILED FEB 15 '01

SENATE FILE 211  
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 1085)

Passed Senate, Date <sup>(P. 446)</sup> 2/27/01 Passed House, Date <sup>(P. 1440)</sup> 4-24-01  
Vote: Ayes 48 Nays 0 Vote: Ayes 89 Nays 8  
Approved May 16, 2001

A BILL FOR

1 An Act relating to the powers and duties of the department of  
2 agriculture and land stewardship.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SF 211

SENATE FILE 211

S-3071

- 1 Amend Senate File 211 as follows:
- 2 1. Page 1, line 27, by striking the word
- 3 "thoroughbred" and inserting the following:
- 4 "~~thoroughbred~~".

By SANDRA GREINER

S-3071 FILED FEBRUARY 19, 2001

Adopted  
2-27-01 (P. 445)



1 Section 1. Section 7A.3, subsection 3, Code 2001, is  
2 amended by striking the subsection.

3 Sec. 2. Section 99D.22, subsection 1, Code 2001, is  
4 amended to read as follows:

5 1. A licensee shall hold at least one race on each racing  
6 day limited to Iowa-foaled horses or Iowa-whelped dogs as  
7 defined by the department of agriculture and land stewardship  
8 using standards consistent with this section. However, if  
9 sufficient competition cannot be had among that class of  
10 horses or dogs on any day, another race for the day may be  
11 substituted. A sum equal to twelve percent of the purse won  
12 by an Iowa-foaled horse or Iowa-whelped dog shall be used to  
13 promote the horse and dog breeding industries. The twelve  
14 percent shall be withheld by the licensee from the breakage  
15 and shall be paid at the end of the race meeting to the state  
16 department of agriculture and land stewardship which in turn  
17 shall deposit it in a special fund to be known as the Iowa  
18 horse and dog breeders fund ~~and pay it.~~ The department shall  
19 pay the amount deposited in the fund that is withheld from the  
20 purse won by an Iowa-foaled horse to the breeder of the  
21 winning Iowa-foaled horse by December 31 of each calendar year  
22 ~~to the breeder of the winning Iowa-foaled horse or Iowa-~~  
23 ~~whelped dog.~~ The department shall pay the amount deposited in  
24 the fund that is withheld from the purse won by an Iowa-  
25 whelped dog to the breeder of the winning Iowa-whelped dog by  
26 March 31 of each calendar year. For the purposes of this  
27 section, the breeder of a thoroughbred horse shall be  
28 considered to be the owner of the brood mare at the time the  
29 foal is dropped. ~~The breeder of a quarter horse or~~  
30 ~~standardbred horse shall be considered to be the owner of the~~  
31 ~~mare at the time of breeding.~~

32 Sec. 3. Section 192.101A, unnumbered paragraph 1, Code  
33 2001, is amended to read as follows:

34 As used in this chapter, all terms shall have the same  
35 meaning as defined in the "Grade 'A' Pasteurized Milk

1 Ordinance, ~~1995~~ 1999 Revision". However, notwithstanding the  
2 ordinance, the following definitions shall apply:

3 Sec. 4. Section 192.102, Code 2001, is amended to read as  
4 follows:

5 192.102 GRADE "A" PASTEURIZED MILK ORDINANCE.

6 The department shall adopt, by rule, the "Grade 'A'  
7 Pasteurized Milk Ordinance, ~~1995~~ 1999 Revision", including a  
8 subsequent revision of the ordinance. If the ordinance  
9 specifies that compliance with a provision of the ordinance's  
10 appendices is mandatory, the department shall also adopt that  
11 provision. The department shall not amend the ordinance,  
12 unless the department explains each amendment and reasons for  
13 the amendment in the Iowa administrative bulletin when the  
14 rules are required to be published pursuant to chapter 17A.  
15 The department shall administer this chapter consistent with  
16 the provisions of the ordinance.

17 Sec. 5. Section 192.110, subsection 1, Code 2001, is  
18 amended to read as follows:

19 1. The person has a pasteurized milk and milk products  
20 sanitation compliance rating of ninety percent or more as  
21 calculated according to the rating system as contained in the  
22 federal public health service publications, "Procedures  
23 Governing the Cooperative State-Public Health Service/Food and  
24 Drug Administration Program for Certification of Interstate  
25 Milk Shippers ~~1995~~ 1999" and "Method of Making Sanitation  
26 Ratings of Milk Supplies, ~~1995~~ 1999 Revision". The applicable  
27 provisions of these publications are incorporated into this  
28 section by this reference. A copy of each publication shall  
29 be on file with the department or in the office of the person  
30 subject to an inspection contract as provided in section  
31 192.108.

32 Sec. 6. Section 455E.11, subsection 1, unnumbered  
33 paragraph 3, Code 2001, is amended to read as follows:

34 The secretary of agriculture shall submit with the report  
35 prepared-pursuant-to on a biennial basis to the governor in

1 the same manner as provided in section 7A.3. The report shall  
2 include a proposal for the use of groundwater protection fund  
3 moneys, and ~~a report of the~~ uses of the groundwater protection  
4 fund moneys appropriated in the previous fiscal year.

5 Sec. 7. Sections 159.10, 159.15, 159.30, and 159.37, Code  
6 2001, are repealed.

7 Sec. 8. DIRECTIONS TO THE CODE EDITOR. The Code editor  
8 shall consolidate or eliminate the repeal, reserve, and  
9 transfer entries for 2001 Iowa Code sections 192.1 through  
10 192.100, in order to enhance the readability of chapter 192.  
11 As part of consolidating or eliminating the entries, the Code  
12 editor shall provide directions to the reader that explain  
13 where historical information pertaining to the repeal,  
14 transfer, or reserving of those entries may be obtained.

15 EXPLANATION

16 This bill amends and eliminates a number of provisions  
17 related to the powers and duties of the department of  
18 agriculture and land stewardship.

19 Code section 7A.3 requires a number of agencies, including  
20 the department to file financial and operational reports on a  
21 biennial basis with the governor and general assembly. This  
22 bill strikes the requirement for the department and provides  
23 conforming changes to Code section 455E.11 relating to the  
24 expenditure of moneys from the groundwater protection fund.

25 Code section 99D.22 provides for a special day of pari-  
26 mutuel racing limited to Iowa-foaled horses or Iowa-whelped  
27 dogs in which a percentage of the purse is used to promote the  
28 horse and dog breeding industries. The amount is required to  
29 be paid to the department which in turn must pay it by  
30 December 31 to the breeder of the winning Iowa-foaled horse or  
31 Iowa-whelped dog. This bill changes the December 31 payout  
32 date to March 31 for breeders of Iowa-whelped dogs. It also  
33 changes requirements for when a breeder of a quarter horse or  
34 standardbred horse is considered to be the owner of a mare.

35 Code chapter 192 is amended to change the dates of

1 publications used in regulating milk production, including  
2 those entitled "Grade 'A' Pasteurized Milk Ordinance, 1995  
3 Revision"; "Procedures Governing the Cooperative State-Public  
4 Health Service/Food and Drug Administration Program for  
5 Certification of Interstate Milk Shippers 1995"; and "Method  
6 of Making Sanitation Ratings of Milk Supplies, 1995 Revision".  
7 This bill amends Code sections 192.101A, 192.102, and 192.110  
8 to refer to the 1999 updated editions of those publications.  
9 The bill authorizes the Code editor to eliminate a number of  
10 references appearing at the beginning of the chapter which  
11 have been repealed or transferred to other sections in order  
12 to enhance the chapter's readability.

13 The bill repeals a number of Code sections contained in  
14 Code chapter 159, which generally provides for the powers and  
15 duties of the department. The bill repeals Code section  
16 159.10, which requires the department to publish "the Iowa  
17 book of agriculture"; Code section 159.15, which requires the  
18 department to make a biennial report to the governor regarding  
19 the finances and administration of the department; Code  
20 section 159.30, which requires the department to designate,  
21 promote, and market packaging products which are degradable;  
22 and Code section 159.37, which requires the department to  
23 establish a special quality grains electronic bulletin board  
24 system.

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H 2/28/01 Agriculture  
 H 4/3/01 Amend. Before  
 with H-1422

H-4/12/01 UNFINISHED BUSINESS CALENDAR

SENATE FILE 211  
 BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 1085)

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 27, 2001)

\_\_\_\_\_ - New Language by the Senate

Passed Senate, (P. 1569) Date <u>5/8/01</u>	Passed House, (P. 1440) Date <u>4-24-01</u>
Vote: Ayes <u>45</u> Nays <u>0</u>	Vote: Ayes <u>89</u> Nays <u>8</u>
Approved <u>May 16, 2001</u>	MTR 4-24-01 (P. 1472) w/d 5-03-01 (P. 1816)

**A BILL FOR**

1 An Act relating to the powers and duties of the department of  
 2 agriculture and land stewardship.  
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. 211

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1 Section 1. Section 7A.3, subsection 3, Code 2001, is  
2 amended by striking the subsection.

3 Sec. 2. Section 99D.22, subsection 1, Code 2001, is  
4 amended to read as follows:

5 1. A licensee shall hold at least one race on each racing  
6 day limited to Iowa-foaled horses or Iowa-whelped dogs as  
7 defined by the department of agriculture and land stewardship  
8 using standards consistent with this section. However, if  
9 sufficient competition cannot be had among that class of  
10 horses or dogs on any day, another race for the day may be  
11 substituted. A sum equal to twelve percent of the purse won  
12 by an Iowa-foaled horse or Iowa-whelped dog shall be used to  
13 promote the horse and dog breeding industries. The twelve  
14 percent shall be withheld by the licensee from the breakage  
15 and shall be paid at the end of the race meeting to the state  
16 department of agriculture and land stewardship which in turn  
17 shall deposit it in a special fund to be known as the Iowa  
18 horse and dog breeders fund ~~and pay it.~~ The department shall  
19 pay the amount deposited in the fund that is withheld from the  
20 purse won by an Iowa-foaled horse to the breeder of the  
21 winning Iowa-foaled horse by December 31 of each calendar year  
22 ~~to the breeder of the winning Iowa-foaled horse or Iowa-~~  
23 ~~whelped dog.~~ The department shall pay the amount deposited in  
24 the fund that is withheld from the purse won by an Iowa-  
25 whelped dog to the breeder of the winning Iowa-whelped dog by  
26 March 31 of each calendar year. For the purposes of this  
27 section, the breeder of a thoroughbred horse shall be  
28 considered to be the owner of the brood mare at the time the  
29 foal is dropped. ~~The breeder of a quarter horse or~~  
30 ~~standardbred horse shall be considered to be the owner of the~~  
31 ~~mare at the time of breeding.~~

32 Sec. 3. Section 192.101A, unnumbered paragraph 1, Code  
33 2001, is amended to read as follows:

34 As used in this chapter, all terms shall have the same  
35 meaning as defined in the "Grade 'A' Pasteurized Milk

1 Ordinance, ~~1995~~ 1999 Revision". However, notwithstanding the  
2 ordinance, the following definitions shall apply:

3 Sec. 4. Section 192.102, Code 2001, is amended to read as  
4 follows:

5 192.102 GRADE "A" PASTEURIZED MILK ORDINANCE.

6 The department shall adopt, by rule, the "Grade 'A'  
7 Pasteurized Milk Ordinance, ~~1995~~ 1999 Revision", including a  
8 subsequent revision of the ordinance. If the ordinance  
9 specifies that compliance with a provision of the ordinance's  
10 appendices is mandatory, the department shall also adopt that  
11 provision. The department shall not amend the ordinance,  
12 unless the department explains each amendment and reasons for  
13 the amendment in the Iowa administrative bulletin when the  
14 rules are required to be published pursuant to chapter 17A.  
15 The department shall administer this chapter consistent with  
16 the provisions of the ordinance.

17 Sec. 5. Section 192.110, subsection 1, Code 2001, is  
18 amended to read as follows:

19 1. The person has a pasteurized milk and milk products  
20 sanitation compliance rating of ninety percent or more as  
21 calculated according to the rating system as contained in the  
22 federal public health service publications, "Procedures  
23 Governing the Cooperative State-Public Health Service/Food and  
24 Drug Administration Program for Certification of Interstate  
25 Milk Shippers ~~1995~~ 1999" and "Method of Making Sanitation  
26 Ratings of Milk Supplies, ~~1995~~ 1999 Revision". The applicable  
27 provisions of these publications are incorporated into this  
28 section by this reference. A copy of each publication shall  
29 be on file with the department or in the office of the person  
30 subject to an inspection contract as provided in section  
31 192.108.

32 Sec. 6. Section 455E.11, subsection 1, unnumbered  
33 paragraph 3, Code 2001, is amended to read as follows:

34 The secretary of agriculture shall submit with the report  
35 ~~prepared-pursuant-to~~ on a biennial basis to the governor in

1 the same manner as provided in section 7A.3. The report shall  
2 include a proposal for the use of groundwater protection fund  
3 moneys, and ~~a report of the~~ uses of the groundwater protection  
4 fund moneys appropriated in the previous fiscal year.

5 Sec. 7. Sections 159.10, 159.15, 159.30, and 159.37, Code  
6 2001, are repealed.

7 Sec. 8. DIRECTIONS TO THE CODE EDITOR. The Code editor  
8 shall consolidate or eliminate the repeal, reserve, and  
9 transfer entries for 2001 Iowa Code sections 192.1 through  
10 192.100, in order to enhance the readability of chapter 192.  
11 As part of consolidating or eliminating the entries, the Code  
12 editor shall provide directions to the reader that explain  
13 where historical information pertaining to the repeal,  
14 transfer, or reserving of those entries may be obtained.

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**SENATE FILE 211**

**H-1422**

1 Amend Senate File 211, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 3, line 4, by striking the words  
4 "previous fiscal year" and inserting the following:  
5 "two previous fiscal year years".

By COMMITTEE ON AGRICULTURE  
KLEMME of Plymouth, Chairperson

**H-1422 FILED APRIL 3, 2001**

*Adopted*

*4/24/01 (P. 1439)*

**SENATE FILE 211**

**H-1427**

1 Amend Senate File 211, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by striking lines 19 through 21, and  
4 inserting the following: "pay an equal amount from  
5 moneys deposited into the fund that are withheld from  
6 the purses won by Iowa-foaled horses to the breeders  
7 of the winning Iowa-foaled horses by December 31 of  
8 each calendar year".  
9 2. Page 1, line 23, by inserting after the word  
10 "~~dog~~." the following: "The amount shall be paid to  
11 breeders of horses that have won purses at races  
12 limited to Iowa-foaled horses that are held by the  
13 licensee and breeders of standardbred horses that have  
14 won races limited to Iowa-foaled horses that are held  
15 by societies of county or district fairs as provided  
16 in chapter 174."

By FREVERT of Palo Alto

**H-1427 FILED APRIL 3, 2001**

*Lost*

*4/24/01*

*(P. 1439)*

**HOUSE AMENDMENT TO  
SENATE FILE 211**

**S-3634**

1 Amend Senate File 211, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 3, line 4, by striking the words  
4 "previous fiscal year" and inserting the following:  
5 "two previous fiscal year years".

RECEIVED FROM THE HOUSE (P. 1568)

**S-3634 FILED MAY 3, 2001**

*Senate Concurred 5/7/01*

SENATE FILE 211

AN ACT

RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF  
AGRICULTURE AND LAND STEWARDSHIP.

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

Section 1. Section 7A.3, subsection 3, Code 2001, is amended by striking the subsection.

Sec. 2. Section 99D.22, subsection 1, Code 2001, is amended to read as follows:

1. A licensee shall hold at least one race on each racing day limited to Iowa-foaled horses or Iowa-whelped dogs as defined by the department of agriculture and land stewardship using standards consistent with this section. However, if sufficient competition cannot be had among that class of horses or dogs on any day, another race for the day may be substituted. A sum equal to twelve percent of the purse won by an Iowa-foaled horse or Iowa-whelped dog shall be used to promote the horse and dog breeding industries. The twelve

percent shall be withheld by the licensee from the breakage and shall be paid at the end of the race meeting to the state department of agriculture and land stewardship which in turn shall deposit it in a special fund to be known as the Iowa horse and dog breeders fund and pay it. The department shall pay the amount deposited in the fund that is withheld from the purse won by an Iowa-foaled horse to the breeder of the winning Iowa-foaled horse by December 31 of each calendar year to the breeder of the winning Iowa-foaled horse or Iowa-whelped dog. The department shall pay the amount deposited in the fund that is withheld from the purse won by an Iowa-whelped dog to the breeder of the winning Iowa-whelped dog by March 31 of each calendar year. For the purposes of this section, the breeder of a thoroughbred horse shall be considered to be the owner of the brood mare at the time the foal is dropped. ~~The breeder of a quarter horse or standardbred horse shall be considered to be the owner of the mare at the time of breeding.~~

Sec. 3. Section 192.101A, unnumbered paragraph 1, Code 2001, is amended to read as follows:

As used in this chapter, all terms shall have the same meaning as defined in the "Grade 'A' Pasteurized Milk Ordinance, 1995 1999 Revision". However, notwithstanding the ordinance, the following definitions shall apply:

Sec. 4. Section 192.102, Code 2001, is amended to read as follows:

192.102 GRADE "A" PASTEURIZED MILK ORDINANCE.

The department shall adopt, by rule, the "Grade 'A' Pasteurized Milk Ordinance, 1995 1999 Revision", including a subsequent revision of the ordinance. If the ordinance specifies that compliance with a provision of the ordinance's appendices is mandatory, the department shall also adopt that provision. The department shall not amend the ordinance, unless the department explains each amendment and reasons for the amendment in the Iowa administrative bulletin when the

rules are required to be published pursuant to chapter 17A. The department shall administer this chapter consistent with the provisions of the ordinance.

Sec. 5. Section 192.110, subsection 1, Code 2001, is amended to read as follows:

1. The person has a pasteurized milk and milk products sanitation compliance rating of ninety percent or more as calculated according to the rating system as contained in the federal public health service publications, "Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers 1995 1999" and "Method of Making Sanitation Ratings of Milk Supplies, 1995 1999 Revision". The applicable provisions of these publications are incorporated into this section by this reference. A copy of each publication shall be on file with the department or in the office of the person subject to an inspection contract as provided in section 192.108.

Sec. 6. Section 455E.11, subsection 1, unnumbered paragraph 3, Code 2001, is amended to read as follows:

The secretary of agriculture shall submit with the report prepared-pursuant-to on a biennial basis to the governor in the same manner as provided in section 7A.3. The report shall include a proposal for the use of groundwater protection fund moneys, and a-report-of-the uses of the groundwater protection fund moneys appropriated in the two previous fiscal year years.

Sec. 7. Sections 159.10, 159.15, 159.30, and 159.37, Code 2001, are repealed.

Sec. 8. DIRECTIONS TO THE CODE EDITOR. The Code editor shall consolidate or eliminate the repeal, reserve, and transfer entries for 2001 Iowa Code sections 192.1 through 192.100, in order to enhance the readability of chapter 192. As part of consolidating or eliminating the entries, the Code editor shall provide directions to the reader that explain

where historical information pertaining to the repeal, transfer, or reserving of those entries may be obtained.

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MARY E. KRAMER  
President of the Senate

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BRENT SIEGRIST  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 211, Seventy-ninth General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved May 16, 2001

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THOMAS J. VILSACK  
Governor