

Senate Study Bill 1085

Bill Text

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1 1 Section 1. Section [7A.3](#), subsection 3, Code 2001, is
1 2 amended by striking the subsection.
1 3 Sec. 2. Section [99D.22](#), subsection 1, Code 2001, is
1 4 amended to read as follows:
1 5 1. A licensee shall hold at least one race on each racing
1 6 day limited to Iowa-foaled horses or Iowa-whelped dogs as
1 7 defined by the department of agriculture and land stewardship
1 8 using standards consistent with this section. However, if
1 9 sufficient competition cannot be had among that class of
1 10 horses or dogs on any day, another race for the day may be
1 11 substituted. A sum equal to twelve percent of the purse won
1 12 by an Iowa-foaled horse or Iowa-whelped dog shall be used to
1 13 promote the horse and dog breeding industries. The twelve
1 14 percent shall be withheld by the licensee from the breakage
1 15 and shall be paid at the end of the race meeting to the state
1 16 department of agriculture and land stewardship which in turn
1 17 shall deposit it in a special fund to be known as the Iowa
1 18 horse and dog breeders fund and pay it by

~~December~~

- March 31 of

1 19 each calendar year to the breeder of the winning Iowa-foaled
1 20 horse or Iowa-whelped dog. For the purposes of this section,
1 21 the breeder of a thoroughbred horse shall be considered to be
1 22 the owner of the brood mare at the time the foal is dropped.
1 23 The breeder of a quarter horse or standardbred horse shall be
1 24 considered to be the owner of the mare at the time of
1 25 breeding.

1 26 Sec. 3. Section [159.5](#), subsections 12 and 15, Code 2001,
1 27 are amended by striking the subsections.

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

1 30 As used in this chapter, all terms shall have the same
1 31 meaning as defined in the "Grade 'A' Pasteurized Milk
1 32 Ordinance,

~~1995~~

- 1999 Revision". However, notwithstanding the

1 33 ordinance, the following definitions shall apply:

1 34 Sec. 5. Section [192.102](#), Code 2001, is amended to read as
1 35 follows:

2 1 192.102 GRADE "A" PASTEURIZED MILK ORDINANCE.

2 2 The department shall adopt, by rule, the "Grade 'A'
2 3 Pasteurized Milk Ordinance,

~~1995~~

- 1999 Revision", including a

2 4 subsequent revision of the ordinance. If the ordinance
2 5 specifies that compliance with a provision of the ordinance's
2 6 appendices is mandatory, the department shall also adopt that
2 7 provision. The department shall not amend the ordinance,
2 8 unless the department explains each amendment and reasons for
2 9 the amendment in the Iowa administrative bulletin when the
2 10 rules are required to be published pursuant to chapter 17A.
2 11 The department shall administer this chapter consistent with
2 12 the provisions of the ordinance.

2 13 Sec. 6. Section [192.110](#), subsection 1, Code 2001, is
2 14 amended to read as follows:
2 15 1. The person has a pasteurized milk and milk products
2 16 sanitation compliance rating of ninety percent or more as
2 17 calculated according to the rating system as contained in the
2 18 federal public health service publications, "Procedures
2 19 Governing the Cooperative State-Public Health Service/Food and
2 20 Drug Administration Program for Certification of Interstate
2 21 Milk Shippers

~~1995~~

- 1999" and "Method of Making Sanitation
2 22 Ratings of Milk Supplies,

~~1995~~

- 1999 Revision". The applicable
2 23 provisions of these publications are incorporated into this
2 24 section by this reference. A copy of each publication shall
2 25 be on file with the department or in the office of the person
2 26 subject to an inspection contract as provided in section
2 27 192.108.

2 28 Sec. 7. Section [455E.11](#), subsection 1, unnumbered
2 29 paragraph 3, Code 2001, is amended to read as follows:

2 30 The secretary of agriculture shall submit with the report
2 31

~~prepared pursuant to~~

- ~~on a biennial basis to the governor in~~

2 32 ~~the same manner as provided in section 7A.3. The report shall~~
2 33 ~~include~~ a proposal for the use of groundwater protection fund
2 34 moneys, and

~~a report of the~~

- uses of the groundwater protection

2 35 fund moneys appropriated in the previous fiscal year.

3 1 Sec. 8. Sections 159.10, 159.15, 159.30, and 159.37, Code
3 2 2001, are repealed.

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

3 11 EXPLANATION

3 12 This bill amends and eliminates a number of provisions
3 13 related to the powers and duties of the department of
3 14 agriculture and land stewardship.

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

3 21 Code section 99D.22 provides for a special day of pari-
3 22 mutuel racing limited to Iowa-foaled horses or Iowa-whelped
3 23 dogs in which a percentage of the purse is used to promote the
3 24 horse and dog breeding industries. The amount is required to
3 25 be paid to the department which in turn must pay it by
3 26 December 31 to the breeder of the winning Iowa-foaled horse or
3 27 Iowa-whelped dog. This bill changes the December 31 date to
3 28 March 31.

3 29 Code section 159.5 provides for general powers and duties
3 30 of the department, including the requirements for the
3 31 establishment and maintenance of a sheep promotion division.
3 32 The section also provides for the inspection and regulation of

3 33 drinking water sold in sealed containers. Both of these
3 34 provisions are eliminated.

3 35 Code chapter 192 is amended to change the dates of
4 1 publications used in regulating milk production, including
4 2 those entitled "Grade 'A' Pasteurized Milk Ordinance, 1995
4 3 Revision"; "Procedures Governing the Cooperative State-Public
4 4 Health Service/Food and Drug Administration Program for
4 5 Certification of Interstate Milk Shippers 1995"; and "Method
4 6 of Making Sanitation Ratings of Milk Supplies, 1995 Revision".
4 7 This bill amends Code sections 192.101A, 192.102, and 192.110
4 8 to refer to the 1999 updated editions of those publications.
4 9 The bill authorizes the Code editor to eliminate a number of
4 10 references appearing at the beginning of the chapter which
4 11 have been repealed or transferred to other sections in order
4 12 to enhance the chapter's readability.

4 13 The bill repeals a number of Code sections contained in
4 14 Code chapter 159, which generally provides for the powers and
4 15 duties of the department. The bill repeals Code section
4 16 159.10, which requires the department to publish "the Iowa
4 17 book of agriculture"; Code section 159.15, which requires the
4 18 department to make a biennial report to the governor regarding
4 19 the finances and administration of the department; Code
4 20 section 159.30, which requires the department to designate,
4 21 promote, and market packaging products which are degradable;
4 22 and Code section 159.37, which requires the department to
4 23 establish a special quality grains electronic bulletin board
4 24 system.

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