

Withdrawn  
3/27/03

JAN 24 2003

Agriculture

HOUSE FILE 54  
BY ALONS, KLEMME, MANTERNACH,  
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MERTZ, DE BOEF, EICHORN,  
and CHAMBERS

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to certification fees charged to commercial  
2 manure applicators, and providing an effective date.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HC-54

1 Section 1. Section 459.102, subsection 11, Code 2003, is  
2 amended by striking the subsection.

3 Sec. 2. Section 459.315, subsection 1, paragraph a, Code  
4 2003, is amended to read as follows:

5 a. "Commercial manure applicator" means ~~the same as~~  
6 ~~defined in section 459.102~~ a person who engages in the  
7 business of and charges a fee for applying manure on the land  
8 of another person.

9 Sec. 3. Section 459.315, subsection 6, unnumbered  
10 paragraph 1, Code 2003, is amended to read as follows:

11 The department may charge a fee for certifying a person  
12 under this section. The fee for certification shall be based  
13 on the costs of administering and enforcing this section and  
14 paying the expenses of the department relating to  
15 certification. However, a commercial manure applicator shall  
16 not be charged a certification fee of more than one hundred  
17 dollars. A person who is certified as a confinement site  
18 manure applicator as provided in this section is exempt from  
19 paying the certification fee, if all of the following apply:

20 Sec. 4. EFFECTIVE DATE. This Act, being deemed of  
21 immediate importance, takes effect upon enactment.

22 EXPLANATION

23 BACKGROUND. In 1998, the general assembly enacted House  
24 File 2494 (1998 Iowa Acts, chapter 1209) regulating animal  
25 feeding operations by the department of natural resources.  
26 Part of the legislation required certification for commercial  
27 manure applicators (persons engaged in the business of  
28 applying manure on the land of other persons). The provisions  
29 were codified as Code section 455B.203A, which was recently  
30 transferred to new Code section 459.315 as part of Senate File  
31 2293, enacted in the 2002 session (2002 Iowa Acts, chapter  
32 1137; see also 2002 Iowa Acts, Second Extraordinary Session,  
33 chapter 1003).

34 PROVISIONS OF THE BILL. Currently, Code section 459.315  
35 provides that a person is certified as a commercial manure

1 applicator after completing an educational program that  
2 consists of an examination or continuing instructional  
3 courses. The Code section authorizes the department to charge  
4 a certification fee based on the costs of administering and  
5 enforcing the program. This bill provides that a commercial  
6 manure applicator shall not be charged a certification fee of  
7 more than \$100. The bill also moves the definition of  
8 "commercial manure applicator" from the beginning of Code  
9 chapter 459 to Code section 459.315, the only Code section in  
10 which the term is used.

11 The bill takes effect upon enactment.

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