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Agriculture

HOUSE FILE 435
BY PAULSEN and MERTZ

(COMPANION TO LSB 1990SS BY
LUNDBY)

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

A BILL FOR

1 An Act providing for the regulation of commercial canine
2 operations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 435

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1 Section 1. NEW SECTION. 331.304B LIMITATIONS ON COUNTY
2 LEGISLATION -- COMMERCIAL CANINE OPERATIONS.

3 County legislation as defined in section 331.304A does not
4 apply to a commercial canine operation if the commercial
5 canine operation was established on or before January 1, 2000,
6 and the person who owns the commercial canine operation is
7 licensed or certified as a commercial breeder by the
8 department of agriculture and land stewardship pursuant to
9 section 162.8.

10 Sec. 2. NEW SECTION. 335.2A COMMERCIAL CANINE OPERATIONS
11 EXEMPT.

12 Except to the extent required to implement section 335.27,
13 an ordinance adopted under this chapter does not apply to
14 land, residences, or other buildings or structures which are
15 primarily adopted, by reason of nature and area, for use as a
16 commercial canine operation if the person who owns the
17 commercial canine operation is licensed or certified as a
18 commercial breeder by the department of agriculture and land
19 stewardship pursuant to section 162.8.

20 Sec. 3. COMMERCIAL CANINE OPERATIONS ADVISORY COMMITTEE.

21 1. A commercial canine operations advisory committee is
22 established. The committee shall be composed of nine voting
23 members.

24 a. The governor shall appoint five members from a list of
25 nominations submitted by the Iowa pet breeders association.
26 The governor shall appoint two additional members who are
27 knowledgeable about keeping and caring for canines. The
28 appointments shall comply with the bipartisan and gender
29 balance provisions of sections 69.16 and 69.16A.

30 b. The director of the department of natural resources
31 shall appoint two employees of the department who shall be
32 knowledgeable about animal waste management.

33 2. The advisory committee shall elect a chairperson and
34 meet according to rules adopted by the committee. A majority
35 of the members constitutes a quorum and an affirmative vote of

1 a majority of members is necessary for substantive action
2 taken by the committee. A vacancy in the membership does not
3 impair the right of a quorum to exercise all rights and
4 perform all duties of the committee.

5 3. A member appointed by the governor is entitled to
6 receive compensation for actual expenses incurred in the
7 discharge of the member's duties on the advisory committee. A
8 member is not entitled to receive compensation as otherwise
9 provided in section 7E.6.

10 4. The advisory committee shall advise the department of
11 natural resources regarding the adoption of rules which
12 regulate commercial canine operations and are necessary for
13 the best management of animal excreta or other commonly
14 associated wastes of animals, including, but not limited to,
15 bedding, litter, or feed losses.

16 5. The advisory committee is abolished on March 1, 2006.

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EXPLANATION

18 This bill provides for the regulation of commercial canine
19 operations. It provides that county legislation does not
20 apply to a commercial canine operation which was established
21 on or before January 1, 2000, if the operation's owner is
22 licensed by the department of agriculture and land stewardship
23 as a commercial breeder. The bill also provides that any
24 commercial canine establishment is exempt from county zoning,
25 regardless of the date of the operation's establishment.

26 The bill establishes a commercial canine operations
27 advisory committee. Members of the committee include persons
28 appointed by the governor from a list of nominations submitted
29 by the Iowa pet breeders association. The governor must
30 appoint two additional public members and the director of the
31 department of natural resources must also appoint two members.
32 The committee is charged to advise the department about
33 adopting rules which regulate the management of waste from the
34 establishments. The committee is abolished March 1, 2006.

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