

# House Study Bill 82

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
NATURAL RESOURCES BILL)

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

## A BILL FOR

1 An Act relating to the waste tire management fund and making  
2 appropriations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1400DP 82  
5 tm/sh/8

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1 1 Section 1. Section 321.52A, subsection 2, Code 2007, is  
1 2 amended to read as follows:  
1 3 2. For the fiscal ~~year~~ year period beginning July 1, ~~2002~~ 2007,  
1 4 ~~through the fiscal year beginning July 1, 2006 and ending June~~  
1 5 ~~30, 2016~~, the treasurer of state shall deposit each fiscal  
1 6 year twenty percent of the moneys received under subsection 1  
1 7 in the waste tire management fund created in section 455D.11C  
1 8 and deposit the remainder in the road use tax fund. For the  
1 9 fiscal year beginning July 1, ~~2007~~ 2016, and each subsequent  
1 10 fiscal year, the treasurer of state shall deposit the entire  
1 11 amount of moneys received under subsection 1 in the road use  
1 12 tax fund.  
1 13 Sec. 2. Section 455D.11C, subsection 2, Code 2007, is  
1 14 amended to read as follows:  
1 15 2. Moneys in the waste tire management fund are  
1 16 appropriated and shall be used for the following purposes:  
1 17 a. ~~Thirty~~ Forty=five percent of the moneys shall be used  
1 18 for all of the following positions:  
1 19 (1) ~~One Two and one=quarter~~ full=time equivalent ~~position~~  
1 20 positions for the administration of permits and registrations  
1 21 for tire processing, storage, stockpile abatement, and hauling  
1 22 activities, and ~~tire program initiatives for administering~~  
1 23 programs and initiatives related to automotive switches  
1 24 containing mercury, automotive=related wastes, and illegal  
1 25 disposal of solid waste.  
1 26 (2) ~~One and one=half Two~~ Two full=time equivalent positions  
1 27 for waste tire=related, other automotive=related waste, and  
1 28 illegal disposal of solid waste compliance checks and  
1 29 inspections. The full=time equivalent positions shall be  
1 30 divided equally between the field offices in the state.  
1 31 b. ~~Ten~~ Five percent of the moneys shall be used for a  
1 32 public education and awareness initiative related to the  
1 33 proper tire disposal options and environmental and health  
1 34 hazards posed by improper tire storage and disposal of other  
1 35 automotive=related wastes including automotive switches  
2 1 containing mercury, and to establish an outreach and  
2 2 compliance assistance effort that promotes best management  
2 3 practices for automotive salvage operations.  
2 4 c. ~~Thirty~~ Twenty percent of the moneys shall be used for  
2 5 market development initiatives for waste tires implementing a  
2 6 public education and awareness initiative related to  
2 7 preventing littering and illegal dumping, and an outreach  
2 8 program directed at local governments to assist in  
2 9 establishing individual or joint illegal dumping prevention  
2 10 and enforcement programs.  
2 11 d. Thirty percent of the moneys shall be used for waste  
2 12 tire stockpile abatement initiatives which would require a  
2 13 cost=share agreement with the landowner.  
2 14 Sec. 3. UNENCUMBERED OR UNOBLIGATED MONEYS ==  
2 15 APPROPRIATION. On July 1, 2007, any unencumbered or  
2 16 unobligated moneys distributed from the waste tire management  
2 17 fund pursuant to section 455D.11C, subsection 2, Code 2005,  
2 18 during the previous fiscal year shall revert to the waste tire  
2 19 management fund and shall be reallocated and appropriated

2 20 pursuant to section 455D.11C, subsection 2, paragraph "a", as  
2 21 amended in this Act. At the end of each fiscal year during  
2 22 the fiscal period beginning July 1, 2007, and ending June 30,  
2 23 2016, any unencumbered or unobligated moneys remaining in the  
2 24 waste tire management fund shall remain in the waste tire  
2 25 management fund and shall be available for expenditure during  
2 26 the succeeding fiscal year pursuant to section 455D.11C,  
2 27 subsection 2, as amended in this Act.

2 28 EXPLANATION

2 29 This bill relates to the waste tire management fund.  
2 30 Currently, for the fiscal period beginning July 1, 2002,  
2 31 and ending June 30, 2007, 20 percent of all \$5 surcharges on  
2 32 motor vehicle certificates of title are deposited in the waste  
2 33 tire management fund with the remaining amount deposited in  
2 34 the road use tax fund. On and after July 1, 2007, all  
2 35 surcharge proceeds will be deposited in the road use tax fund.

3 1 The bill extends the period of time that 20 percent of the  
3 2 surcharge is deposited in the waste tire management fund to  
3 3 June 30, 2016.

3 4 The bill changes the allocations of moneys appropriated  
3 5 from the waste tire management fund.

3 6 The bill provides that 45 percent of the moneys shall be  
3 7 used for two and one-quarter full-time equivalent positions  
3 8 for the administration of permits and registrations for tire  
3 9 processing, storage, stockpile abatement, and hauling  
3 10 activities, and, for administering programs and initiatives  
3 11 related to automotive switches containing mercury,  
3 12 automotive-related wastes, and illegal disposal of solid  
3 13 waste. The 45 percent is also used for two full-time  
3 14 equivalent positions for waste tire-related, other  
3 15 automotive-related waste, and illegal disposal of solid waste  
3 16 compliance checks and inspections.

3 17 The bill provides that 5 percent of the moneys shall be  
3 18 used for a public education and awareness initiative related  
3 19 to the proper tire disposal options and environmental and  
3 20 health hazards posed by improper tire storage and disposal of  
3 21 other automotive-related wastes including automotive switches  
3 22 containing mercury, and to establish an outreach and  
3 23 compliance assistance effort that promotes best management  
3 24 practices for automotive salvage operations.

3 25 The bill provides that 20 percent of the moneys shall be  
3 26 used for implementing a public education and awareness  
3 27 initiative related to preventing littering and illegal  
3 28 dumping, and an outreach program directed at local governments  
3 29 to assist in establishing individual or joint illegal dumping  
3 30 prevention and enforcement programs.

3 31 The bill provides that 30 percent of the moneys shall be  
3 32 used for waste tire stockpile abatement initiatives which  
3 33 would require a cost-share agreement with the landowner.

3 34 The bill provides that on July 1, 2007, any unencumbered or  
3 35 unobligated moneys distributed from the waste tire management  
4 1 fund during the previous fiscal year shall revert to the waste  
4 2 tire management fund and shall be reallocated pursuant to the  
4 3 allocations provided in the bill. The bill provides that at  
4 4 the end of each fiscal year during the fiscal period beginning  
4 5 July 1, 2007, and ending June 30, 2016, any unencumbered or  
4 6 unobligated moneys remaining in the waste tire management fund  
4 7 shall remain in the waste tire management fund and shall be  
4 8 available for expenditure during the succeeding fiscal year.

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4 10 tm:rj/sh/8.1