

CHAPTER 176**PROTECTED GAME, FUR-BEARING ANIMALS, AND FISH***H.F. 464*

AN ACT relating to the receipt and sale of protected game, fur-bearing animal, or fish by a nonprofit corporation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 109.55, Code 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Section 109.50 and this section do not apply to a game species, fur-bearing animal species, or variety of fish protected under this chapter which is sold by a nonprofit corporation as a part of a meal. The number of game of a game species or fur-bearing animal species, or a variety of fish protected by this chapter which are donated by a person to a nonprofit corporation plus any additional game of the same species or same variety of fish in the person's possession must not exceed the person's legal possession limit.

Approved June 2, 1987

CHAPTER 177**PESTICIDES***S.F. 479*

AN ACT relating to the use and application of pesticides and making penalties applicable.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 206.2, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 29. "Chlordane" means 1,2,4,5,6,7,8,8-octachloro-4,7-methano-3a,4,7,7a-tetrahydroindane; Octa klor: 1068; Velsicol 1068; Dowklor.

Sec. 2. Section 206.19, subsection 2, Code 1987, is amended to read as follows:

2. a. Determine the proper use of pesticides including but not limited to their formulations, times and methods of application, and other conditions of use.

b. With regard to the use of chlordane, the rules shall prohibit the use of chlordane injected into the ground around a home for any of the following:

- (1) Homes built on concrete slabs with ventilation ducts in or below the slabs.
- (2) Homes that have a gap between the bottom of the house and the ground.
- (3) Homes with unfinished half-basements and crawl spaces.
- (4) Homes which provide foundation drainage directly into sanitary sewers.

However, the rules may allow the use of chlordane in homes included in subparagraphs (1) through (3) if the homes have a termite infestation and the applicator informs the home's residents of the potential hazards of the chlordane's use and explains methods of abating chlordane contamination.

Sec. 3. Section 206.20, Code 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Chlordane is classified as a restricted use pesticide.

Sec. 4. **NEW SECTION. 206.24 APPLICATION OF PESTICIDES IN AND ABOUT THE HOME.**

1. **DEFINITIONS.** Notwithstanding section 206.2, as used in this chapter with regard to the application of pesticides used inside the home or injected into the ground around the home:

a. "Commercial applicator" means a person, or employee of a person, who enters into a contract or an agreement for the sake of monetary payment and agrees to perform a service by applying a pesticide or servicing a device but shall not include a farmer trading work with another.

b. "Public applicator" means an individual who applies pesticides as an employee of a state agency, county, municipal corporation, or other governmental agency.

2. ADDITIONAL CERTIFICATION REQUIREMENTS. A person shall not apply a restricted use pesticide inside a home or injected into the ground around a home without first complying with the certification requirements of this chapter and other restrictions as determined by the secretary.

The secretary shall require applicants for certification as commercial or public applicators of pesticides applied inside a home or injected into the ground around a home to take and pass a written test.

3. EXAMINATION FOR COMMERCIAL APPLICATOR LICENSE. The secretary of agriculture shall not issue a commercial applicator license for applying pesticides inside homes or injecting pesticides into ground surrounding homes until the individual engaged in or managing the pesticide application business or employed by the business is certified by passing an examination to demonstrate to the secretary the individual's knowledge of how to apply pesticides under the classifications the individual has applied for, and the individual's knowledge of the nature and effect of pesticides the individual may apply under such classifications.

4. RENEWAL OF APPLICANT'S LICENSE. The secretary of agriculture shall renew an applicant's license for applying pesticides inside homes or injecting pesticides into ground surrounding homes under the classifications for which the applicant is licensed, provided that all of the applicant's personnel who apply pesticides inside homes or inject pesticides into ground surrounding homes have also been certified.

5. CERTIFICATION OF HOME CHLORDANE APPLICATOR. An individual may be certified by the secretary as a home chlordane applicator for authorization to use chlordane inside the individual's home or injected into the ground around the individual's home pursuant to the requirements of this chapter. The applicant for such certification shall be required to attend an approved informational course providing instruction on the correct use of chlordane and its hazards. The course shall be approved by the secretary and shall be at least three hours in length. In addition, the applicant shall be required to take and pass a written test on the uses and hazards of chlordane and pay a fee for the certification.

The secretary shall adopt by rule, pursuant to chapter 17A, requirements for the examination and certification of the applicants and set a fee of not more than five dollars for certification.

The secretary may adopt rules for the training of home chlordane applicators in cooperation with the cooperative extension service at Iowa State University of science and technology.

Sec. 5. CHLORDANE ADVISORY COMMITTEE CREATED.

1. A chlordane advisory committee is created. The advisory committee shall consist of the chief administrator of each of the following organizations or the administrator's designee:

- a. The department of agriculture and land stewardship.
- b. The environmental protection division of the department of natural resources.
- c. The State University of Iowa department of preventative medicine and environmental health.
- d. The Iowa department of public health.
- e. The state hygienic laboratory.

2. The advisory committee shall study the effects of chlordane application and shall, by January 1, 1988, report to the environmental protection and energy committees of the general assembly its recommendations for the safe use and regulation of chlordane.

3. This section is repealed January 1, 1988.

Approved June 2, 1987

CHAPTER 178
WELCOME CENTERS
H.F. 540

AN ACT relating to the planning, acquisition, development, and operation of welcome centers in proximity to highways and at other locations throughout the state.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 15.261 STATEMENT OF PURPOSE – INTENT.**

1. The general assembly finds that:
 - a. Highway travelers have special needs for information and travel services.
 - b. Highway travelers have a significant positive influence on the state's economy.
 - c. A principal goal of economic development in this state is to increase the influence which travel and hospitality services, tourism, and recreation opportunities have on the state's economic expansion.
 - d. Facilities and programs are needed where travelers can obtain information about travel and hospitality services, tourism attractions, parks and recreation opportunities, cultural and natural resources, and the state in general.
 - e. A program shall be established to plan, acquire, develop, promote, operate, and maintain a variety of welcome centers at strategic locations to meet the needs of travelers in the state. The program is intended to be accomplished by 1992.

2. The primary goals of a statewide program for welcome centers is to provide to travelers the following:

- a. High quality, accurate, and interesting information about travel in the state; national, statewide, and local attractions of all types; lodging, medical service, food service, vehicle service, and other kinds of necessities; and general information about the state.
- b. Needed and convenient services, including but not limited to, restrooms; lodging information and event reservation services; vehicle services; and others. Services shall also include the distribution and sale of souvenirs, crafts, arts, and food products originating in the state; food and beverages; fishing, hunting, and other permits and licenses needed for recreation activities; and other products normally desired by travelers.
- c. Settings that will convey a sense of being welcomed to the state through hospitable attitudes of personnel; high quality of site landscape architecture, architectural theme, and interior design of the buildings; special events that occur at the centers; and high levels of maintenance.

Sec. 2. **NEW SECTION. 15.262 STATEWIDE WELCOME CENTER PROGRAM – OBJECTIVES AND AGENCY RESPONSIBILITIES – PILOT PROJECTS.**

The state agencies, as indicated in this section, shall undertake certain specific functions to implement the goals of a statewide program, including the pilot projects, for welcome centers.

1. The department and the state department of transportation shall jointly establish a statewide long-range plan for developing and operating welcome centers throughout the state. The plan shall be submitted to the general assembly by January 15, 1988. The plan shall address, but not be limited to, the following:

- a. Integrating state, regional, and local tourism and recreation marketing and promotion plans.
- b. Recommending a wide range of centers, including state-developed and state-operated to privately managed facilities.
- c. Establishing design, service, and maintenance quality standards which all welcome centers will maintain. Included in the standards shall be a provision requiring that space or facilities be available for purposes of displaying and offering for sale Iowa-made products, crafts, and arts. The space or facilities may be operated by the department or leased to and operated by other persons.