

CHAPTER 206

APPROPRIATIONS — AGRICULTURE AND NATURAL RESOURCES

H.F. 746

AN ACT relating to and making appropriations for agriculture and natural resources and providing effective dates.

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

DIVISION I
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Section 1. GENERAL APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE DIVISION

a. For salaries, support, maintenance, the support of the state 4-H foundation, support of the statistics bureau, and miscellaneous purposes, and for the salaries and support of not more than the following full-time equivalent positions:

Table with 2 columns: Description, Amount. Row 1: \$ 2,175,536. Row 2: FTEs 48.88

(1) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", \$322,329 and 7.00 FTEs shall be used to support horticulture.

(2) Of the amount appropriated in this paragraph "a", \$55,000 shall be allocated to the state 4-H foundation to foster the development of Iowa's youth and to encourage them to study the subject of agriculture.

(3) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", \$227,489 and 7.00 FTEs shall be allocated to the statistics bureau to provide county-by-county information on land in farms, production by crop, acres by crop, and county prices by crop. This information shall be made available to the department of revenue and finance for use in the productivity formula for valuing and equalizing the values of agricultural land.

(4) Of the amount appropriated in this paragraph "a", \$12,000 shall be used by the agricultural statistics bureau for purposes of collecting, summarizing, and publishing marketing information on a monthly basis, regarding finished cattle in cooperation with the Iowa cattlemen's association, including unfinished cattle for market, cattle placed on feed, and cattle on hand under marketing arrangements.

(5) Of the amount appropriated in this paragraph "a", \$24,000 shall be used by the domestic marketing bureau through an existing federal and state cooperative agreement to develop accurate, reliable market information regarding segregated early-weaned pigs and alternate feeder pigs marketing systems.

(6) Of the amount appropriated and the number of full-time equivalent positions authorized in this paragraph "a", at least \$61,500 shall be used for livestock market news reporting.

(7) Of the amount appropriated in this paragraph "a", \$24,939 shall be used to support one full-time equivalent position on contract basis for six part-time staff to perform functions related to livestock market news reporting.

b. For the operations of the dairy trade practices bureau:

Table with 2 columns: Description, Amount. Row 1: \$ 72,507

c. For the purpose of performing commercial feed audits:

Table with 2 columns: Description, Amount. Row 1: \$ 70,055

d. For the purpose of performing fertilizer audits:

Table with 2 columns: Description, Amount. Row 1: \$ 70,055

2. REGULATORY DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	4,152,418
.....	FTEs	123.00

Of the amount appropriated in this paragraph "a", \$10,000 shall be used by the regulatory division for purposes of inspecting livestock exhibited at the Iowa state fair, with particular attention to the inspection of livestock for club-lamb fungus.

b. For the costs of inspection, sampling, analysis, and other expenses necessary for the administration of chapters 192, 194, and 195:

.....	\$	687,716
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3. LABORATORY DIVISION

a. For salaries, support, maintenance, and miscellaneous purposes, including the administration of the gypsy moth program, and for not more than the following full-time equivalent positions:

.....	\$	926,703
.....	FTEs	83.00

Of the amount appropriated and the number of full-time equivalent positions authorized in this paragraph "a", \$150,000 shall be allocated and 4.93 FTEs shall be supported from the allocations to administer a program relating to the detection, surveillance, and eradication of the gypsy moth. The department shall allocate and use the appropriation made in this paragraph before moneys other than those appropriated in this paragraph are used to support the program.

b. For the operations of the commercial feed programs:

.....	\$	806,666
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Of the amount appropriated in this paragraph "b", \$13,247 shall be used to support one full-time equivalent position to operate the switchboard and perform other clerical duties within the feed bureau.

c. For the operations of the pesticide programs:

.....	\$	1,248,514
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(1) Of the amount appropriated in this paragraph "c", \$200,000 shall be allocated to Iowa state university of science and technology for purposes of training commercial pesticide applicators.

(2) Of the amount appropriated in this paragraph "c", \$21,757 shall be used to support one full-time equivalent position who is a temporary employee to assist with the administration of pesticide certification examinations.

d. For the operations of the fertilizer programs:

.....	\$	673,123
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4. SOIL CONSERVATION DIVISION

a. For salaries, support, maintenance, assistance to soil conservation districts, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	6,789,882
.....	FTEs	190.98

(1) Of the amount appropriated in this paragraph "a", \$418,376 shall be used to reimburse commissioners of soil and water conservation districts for administrative expenses, including but not limited to, travel expenses and technical training. Moneys used for the payment of meeting dues by counties shall be matched on a dollar-for-dollar basis by the soil conservation division.

(2) Of the number of full-time equivalent positions authorized in this paragraph "a", 20.00 FTEs shall be supported from allocations made pursuant to § 319 of the federal Water Quality Act of 1987, as codified in 33 U.S.C. § 1329, and appropriations to the department from the Iowa resources enhancement and protection fund.

(3) The number of full-time equivalent positions provided in paragraph "a" shall be increased by 2.00 FTEs if the general assembly appropriates moneys for the fiscal year

beginning July 1, 1999, and ending June 30, 2000, to accelerate watershed protection efforts to reduce soil erosion, protect water quality, and provide flood control in priority watersheds in the state, during the 1999 Session of the Seventy-eighth General Assembly.

b. To provide financial incentives for soil conservation practices under chapter 161A:
..... \$ 6,500,850

c. The following requirements apply to the moneys appropriated in paragraph "b":

(1) Not more than 5 percent of the moneys appropriated in paragraph "b" may be allocated for cost-sharing to abate complaints filed under section 161A.47.

(2) Of the moneys appropriated in paragraph "b", 5 percent shall be allocated for financial incentives to establish practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in section 161A.73.

(3) Not more than 30 percent of a district's allocation of moneys as financial incentives may be provided for the purpose of establishing management practices to control soil erosion on land that is row-cropped, including but not limited to no-till planting, ridge-till planting, contouring, and contour strip-cropping as provided in section 161A.73.

(4) The state soil conservation committee created in section 161A.4 may allocate moneys appropriated in paragraph "b" to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

(5) The financial incentive payments may be used in combination with department of natural resources moneys.

d. Notwithstanding section 8.33, moneys appropriated in paragraph "b" that remain unencumbered or unobligated moneys at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2002.

Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, to be used by the department to continue and expand the farmers' market coupon program by providing federal special supplemental food program recipients with coupons redeemable at farmers' markets, and for not more than the following full-time equivalent positions:

.....	\$	301,373
.....	FTEs	2.00

DIVISION II
DEPARTMENT OF NATURAL RESOURCES

Sec. 3. GENERAL APPROPRIATION. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE AND SUPPORT SERVICES

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,046,623
.....	FTEs	120.25

b. Of the amount appropriated in paragraph "a", \$12,000 shall be allocated to pay dues for membership in the upper Mississippi, Illinois, and Missouri river basin commission.

c. Of the amount appropriated and the number of full-time equivalent positions authorized in paragraph "a", at least \$150,000 and 3.00 FTEs shall be used by administrative and support services to support a compliance and permit assistance team to facilitate cooperation between the department and persons regulated by the department in order to ensure efficient compliance with applicable legal requirements.

d. Of the amount appropriated and the number of full-time equivalent positions authorized in paragraph "a", not less than \$34,000 and 1.00 FTE shall be used by administrative and support services to support the inspection and oversight of manure management plans associated with confinement feeding operations regulated by the department.

2. PARKS AND PRESERVES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	6,157,037
.....	FTEs	195.73

Of the amount appropriated in this subsection 2, at least \$50,000 shall be allocated for the replacement of maintenance equipment used by the division.

3. FORESTS AND FORESTRY DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,707,347
.....	FTEs	48.71

4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,898,002
.....	FTEs	54.00

b. Of the amount appropriated and the number of full-time equivalent positions authorized in paragraph "a", not less than \$76,000 and 2.00 FTEs shall be used by the energy and geological resources division to review soil and hydrology data for construction permits and manure management plans associated with confinement feeding operations regulated by the department.

5. ENVIRONMENTAL PROTECTION DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	4,906,116
.....	FTEs	243.50

b. Of the amount appropriated in paragraph "a", at least \$1,350,000 shall be used by the department to carry out the provisions of the federal Clean Air Act, including amendments to the Act, and regulations adopted pursuant to the Act by the United States environmental protection agency.

c. The number of full-time equivalent positions provided in paragraph "a" shall be increased by 7.00 FTEs if the general assembly appropriates moneys for the fiscal year beginning July 1, 1999, and ending June 30, 2000, to establish and operate water quality monitoring stations during the 1999 Session of the Seventy-eighth General Assembly.

d. Of the amount appropriated and the number of full-time equivalent positions authorized in paragraph "a", at least \$424,600 and 9.00 FTEs shall be primarily used to support the regulation of animal feeding operations.

e. Of the amount appropriated and the number of full-time equivalent positions authorized in paragraph "a", at least \$370,000 and 9.00 FTEs shall be used to support on-site inspections and the oversight of manure management plans associated with confinement feeding operations regulated by the department. It is the intent of the general assembly that 3 FTEs and moneys used to support those full-time equivalent positions not be available after June 30, 2002.

f. Of the amount appropriated in paragraph "a", \$105,564 shall be used to contract with persons to process manure management plans as required by the department.

g. Of the amount appropriated and the number of full-time equivalent positions authorized in paragraph "a", at least \$700,467 and 10.00 FTEs shall be used to support the regulation of wastewater treatment systems, including issuing permits and conducting inspections.

6. WATER QUALITY PROTECTION FUND

a. For deposit in the administration account of the water quality protection fund administered by the department, to carry out the purpose of that account:

..... \$ 729,000

b. Of the number of full-time equivalent positions authorized for the environmental protection division in subsection 5, paragraph "a", 32.50 FTEs shall be dedicated to carrying out relevant Code provisions relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act and to support the program to assist water supply systems. However, the limitation on full-time equivalent positions provided in subsection 5, paragraph "a", shall not limit the number of additional full-time equivalent positions supported by moneys deposited in the water quality protection fund in order to carry out Code provisions relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act, and the administration of the program to assist water supply systems.

c. In providing assistance to water supply systems, the department shall give priority to water supply systems serving a population of seven thousand or less. At least 2.00 FTEs shall be allocated to provide assistance to systems serving a population of seven thousand or less.

d. Of the amount appropriated in paragraph "a", \$300,000 shall be allocated to the department of natural resources for purposes of conducting a study of groundwater and surface water contamination in this state originating from municipal lagoons. The department shall not collect any fee for administering moneys appropriated in this section. The department shall submit interim reports to the general assembly on January 10, 2000, and January 8, 2001. The department shall submit a final report to the general assembly regarding the results of its study not later than January 14, 2002.

7. FISH AND WILDLIFE DIVISION

For not more than the following full-time equivalent positions:

..... FTEs 344.18

8. WASTE MANAGEMENT ASSISTANCE DIVISION

For not more than the following full-time equivalent positions:

..... FTEs 16.75

Sec. 4. STATE FISH AND GAME PROTECTION FUND — APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

1. a. There is appropriated from the state fish and game protection fund to the division of fish and wildlife of the department of natural resources for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For administrative support, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ 23,574,548

b. Of the amount appropriated in paragraph "a", \$250,000 may be used for purposes of providing compensation to conservation peace officers employed in a protection occupation who retire, pursuant to section 97B.49B.

2. The department shall not expend more moneys from the fish and game protection fund than provided in this section, unless the expenditure derives from contributions made by a private entity, or a grant or moneys received from the federal government, and is approved by the natural resource commission. The department of natural resources shall promptly notify the legislative fiscal bureau and the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources concerning the commission's approval.

Sec. 5. SNOWMOBILE FEES — TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1999, from the fees deposited under section 321G.7 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal

year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For enforcing snowmobile laws as part of the state snowmobile program administered by the department of natural resources:

..... \$ 100,000

Sec. 6. VESSEL FEES — TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 1999, from the fees deposited under section 462A.52 to the fish and game protection fund and appropriated to the natural resource commission for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the administration and enforcement of navigation laws and water safety:

..... \$ 1,475,000

1. Of the amount appropriated in this section and the full-time equivalent positions authorized in this Act for the fish and wildlife division, not more than \$100,000 and 1.00 FTE may be used for purposes of controlling and eradicating eurasian milfoil.

2. Of the amount appropriated in this section, not more than \$75,000 shall be used by the department to carry out the provisions of 1999 Iowa Acts, Senate File 187, if enacted by the Seventy-eighth General Assembly, 1999 Session.* However, if Senate File 187 is not enacted,* the amount appropriated from the state fish and game protection fund under section 4 and the amount transferred under this section for the administration and enforcement of navigation laws and water safety shall both be reduced by \$75,000.

3. Notwithstanding section 8.33, moneys transferred and appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to the credit of the fish and game protection fund but shall be credited to the special conservation fund established by section 462A.52 to be used as provided in that section.

Sec. 7. MARINE FUEL TAX RECEIPTS — BOATING FACILITIES. There is appropriated from the marine fuel tax receipts deposited in the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of maintaining and developing boating facilities and access to public waters by the parks and preserves division:

..... \$ 411,311

DIVISION III
ANIMAL HEALTH AND INDUSTRY

Sec. 8. HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the regulatory division of the department of agriculture and land stewardship for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for the administration of section 99D.22:

..... \$ 281,606

Sec. 9. PSEUDORABIES ERADICATION PROGRAM.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For support of the pseudorabies eradication program:

..... \$ 900,600

* Senate File 187 not enacted

2. Persons, including organizations interested in swine production in this state and in the promotion of Iowa pork products who contribute support to the program, are encouraged to increase financial support for purposes of ensuring the program's effective continuation.

Sec. 10. JOHNE'S DISEASE.

1. a. There is appropriated from the general fund of the state to the livestock disease research fund created in section 267.8 for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the purpose of supporting research and to evaluate procedures and tests by Iowa state university of science and technology to accurately diagnose Johnne's disease:

..... \$ 5,330

b. There is appropriated from the state federal animal health laboratory fund within the laboratory division of the department of agriculture and land stewardship to the livestock disease research fund created in section 267.8 for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the purpose of supporting research and to evaluate procedures and tests by Iowa state university of science and technology to accurately diagnose Johnne's disease:

..... \$ 44,670

Notwithstanding section 8.33, moneys appropriated in this paragraph "b" that remain unencumbered or unobligated at the close of the fiscal year shall be deposited in the general fund of the state.

2. As a condition of the appropriation made in this section, each dollar from the appropriation expended under this section must be matched by one dollar contributed by a nonstate source.

3. Moneys appropriated in this section shall be expended in accordance with the direction of the livestock health advisory council established pursuant to section 267.2.

DIVISION IV
RELATED APPROPRIATIONS

Sec. 11. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board, to the department of natural resources for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For administration expenses of the underground storage tank section of the department of natural resources:

..... \$ 75,000

Sec. 12. WILD ANIMAL CONTROL. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For allocation to the United States department of agriculture, animal and plant health inspection service, to be used for wild animal damage control in this state:

..... \$ 50,000

The department's wild animal depredation unit shall cooperate with the United States department of agriculture animal and plant health inspection service in carrying out this section. A landowner cooperating with the animal and plant health inspection service is not required to pay a fee in order to obtain a depredation permit. The department shall not collect any fee for administering moneys appropriated in this section.

Sec. 13. APPROPRIATION — AGRICULTURAL MANAGEMENT ACCOUNT. There is appropriated from those unexpended moneys designated for use by county conservation boards in the agriculture management account of the groundwater protection fund, as provided in section 455E.11, subsection 2, paragraph “b”, to the following designated departments for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amounts for use as provided in this section:

1. a. To the department of agriculture and land stewardship to allocate to the Iowa junior angus association for purposes related to shows:

..... \$ 5,000

b. The department shall not collect any fee for administering moneys appropriated in this subsection.

2. a. To the department of natural resources to be used to contract with persons to process manure management plans as required by the department:

..... \$ 10,109

b. The department shall not collect any fee for administering moneys appropriated in this subsection.

Sec. 14. BROWNFIELDS. There is appropriated from the hazardous substance remedial fund to the department of natural resources for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For deposit in the land recycling fund for purposes of carrying out the purposes of the fund, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 100,000
..... FTEs 2.00

Sec. 15. AGRICULTURAL CHEMICALS — RESPONSE TRAINING. Notwithstanding section 455E.11, subsection 2, paragraph “b”, prior to any other appropriation from the agriculture management account of the groundwater protection fund, as provided in section 455E.11, subsection 2, paragraph “b”, there is appropriated from the agriculture management account to the department of public safety for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For allocation to the state fire marshal for purposes of training volunteer fire fighters and persons providing emergency medical services to respond to emergencies involving agricultural chemicals including but not limited to fertilizers:

..... \$ 50,000

Sec. 16. DEPARTMENT OF NATURAL RESOURCES — GENERAL FUND SICK LEAVE PAYOUT. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the value of sick leave payout that needs to be paid out due to retirement of personnel in the parks and preserves division:

..... \$ 200,000

Sec. 17. DEPARTMENT OF NATURAL RESOURCES — FISH AND GAME PROTECTION FUND SICK LEAVE PAYOUT. There is appropriated from the state fish and game protection fund created in section 456A.17 to the department of natural resources for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the value of sick leave pay that needs to be paid out due to retirement of personnel in the fish and wildlife division:

..... \$ 150,000

Sec. 18. REGENTS — COOPERATIVE EXTENSION. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

To Iowa state university of science and technology, cooperative extension service in agriculture and home economics, to support the Iowa concern hotline in providing stress counseling, information, and referral to farm families facing financial distress:

..... \$ 150,000

Notwithstanding section 8.33, moneys appropriated in this section which remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated in the succeeding fiscal year.

DIVISION V
MISCELLANEOUS

Sec. 19. TRANSFER OF MONEYS OR POSITIONS — CHANGES IN TABLES OF ORGANIZATION — NOTIFICATION. In addition to the requirements of section 8.39, in each fiscal quarter, the department of agriculture and land stewardship and the department of natural resources shall notify the chairpersons, vice chairpersons, and ranking members of the joint appropriations subcommittee on agriculture and natural resources for the previous fiscal quarter of any transfer of moneys or full-time equivalent positions made by either department which is not authorized in this Act, or any permanent position added to or deleted from either department’s table of organization.

Sec. 20. WATER CONTAMINATION STUDIES — REVERSION. Notwithstanding section 8.33, moneys allocated to Iowa state university of science and technology for purposes of conducting studies regarding groundwater and surface water contamination in this state as provided in 1998 Iowa Acts, chapter 1220, section 3, subsection 6, paragraph “b”, that remain at the close of the fiscal year shall not revert to the water quality protection fund but shall remain available for expenditure for the purpose designated until January 1, 2000. The university shall make its report as provided in that Act on or before January 10, 2000.

Sec. 21. FLOOD PLAIN PERMIT BACKLOG. Notwithstanding any provision of state law, for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the department of natural resources may use additional funds available to the department from stormwater discharge permit fees for the staffing of the following additional full-time staff members to reduce the department’s flood plain permit backlog:

..... FTEs 2.00

Sec. 22. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding any provision of state law, for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the department of natural resources may use additional funds available to the department from stormwater discharge permit fees, for the staffing of the following additional full-time equivalent positions for implementation of the federal total maximum daily load program:

..... FTEs 2.00

Sec. 23. PUBLICATION OF FARM PROGRAMS.

1. As used in this section, “farm programs” includes, but is not limited to, financial incentive programs established within the division of soil conservation of the department of agriculture and land stewardship as provided in section 161A.70 and the beginning farmer loan program administered by the agricultural development authority as provided in section 175.12.

2. The department shall publicize the availability of farm programs to women and minority persons. The department shall disseminate the information electronically or by publishing

printed brochures for distribution to locations and institutions serving farmers, including departmental offices, financial institutions participating in farm programs, and soil and water conservation district offices.

3. The department shall cooperate with private institutions and public agencies in order to carry out this section, including the department of economic development and the United States department of agriculture.

Sec. 24. FINDINGS. The general assembly finds that due to an inadequate number of department of natural resources' forestry staff, an extensive backlog of requests for forester assistance exists; that a substantial number of unfunded timber management cost share project requests have been made; that an inadequate amount of timber stand improvement has been completed; that current and future woodland owners exhibit a general lack of timber management education; that turnover of woodland owners will significantly increase in the next twenty years; that managed timberland in Iowa could produce three times more volume in half the time with improved information and education; and that due to the long time frame for timber development, many landowners are unable to invest abundant personal finances in timber development.

DIVISION VI CODE CHANGES

Sec. 25. Section 456A.20, Code 1999, is amended to read as follows:

456A.20 LIMITATION ON NURSERY STOCK — EXCEPTION.

1. ~~All funds~~ Moneys appropriated to the department which are used in growing or handling nursery stock shall be used for growing or handling of the nursery stock for distribution only on state-owned lands. However, the department may ~~produce~~ do any of the following:

a. ~~Produce~~ and sell at ~~private sale~~ game cover packets and trees for erosion control, ~~may produce at private sale.~~

b. Produce trees for a demonstration windbreak in each township in the state, ~~and may dispose.~~

c. Dispose of growing trees under a departmental plan of distribution.

2. The department shall deposit a portion of the moneys that it receives from selling trees and shrubs as provided in this section to the forestry management and enhancement fund as created in section 456A.21A. The amount deposited in the fund shall equal five cents for each coniferous tree and ten cents for each hardwood tree and shrub received from the sales.

Sec. 26. NEW SECTION. 456A.21A FORESTRY MANAGEMENT AND ENHANCEMENT FUND.

1. A forestry management and enhancement fund is created in the state treasury under the control of the department's forests and forestry division created in section 455A.7. The fund is composed of moneys deposited into the fund pursuant to section 456A.20, moneys appropriated by the general assembly, and moneys available to and obtained or accepted by the division or the department from the United States or private sources for placement in the fund.

2. Moneys in the fund are subject to an annual audit by the auditor of state. The fund is subject to warrants written by the director of revenue and finance, drawn upon the written requisition of the division.

3. The fund shall be used exclusively to support the management and enhancement of forests, including woodlands or timber stands in this state, on private lands in cooperation with the owners of those lands. The department shall use moneys in the fund to support the following full-time equivalent positions in addition to those supported from the general fund of the state:

a. Four forestry technicians who shall serve regions of the state as designated by the division.

b. One professional forester who shall serve the southwest region of the state.

4. The commission may adopt rules pursuant to chapter 17A to administer this section.

5. Section 8.33 shall not apply to moneys in the fund. Notwithstanding section 12C.7, moneys earned as income, including as interest, from the fund shall remain in the fund until expended as provided in this section.

Sec. 27. NEW SECTION. 461A.31A SALE OF TIMBER.

If the estimated quantity of timber grown in a state park or a preserve to be sold by the department in a sixty-day period is ten thousand board feet or more or if the estimated value of the timber grown in a state park or a preserve to be sold by the department during the same period of time is five thousand dollars or more, the department shall conduct a public hearing on the proposed sale. Notice of the hearing shall be published as provided in section 331.305. After the public hearing, the department may proceed with the sale of the timber.

Sec. 28. NEW SECTION. 461A.35A ENTRANCE FEE.

The department shall not impose a fee upon a person for entering into a state park or preserve.

**DIVISION VII
EFFECTIVE DATE**

Sec. 29. EFFECTIVE DATE. The following provisions of this Act, being deemed of immediate importance, take effect upon enactment:

1. Section 16, relating to department of natural resources general fund sick leave payout.
2. Section 17, relating to department of natural resources fish and game protection fund sick leave payout.
3. Section 18, relating to educational assistance to farm families provided by Iowa state university of science and technology.
4. Section 20, relating to water contamination studies authorized in 1998 Iowa Acts, chapter 1220, section 3.
5. Section 461A.35A, as enacted by this Act, relating to a fee to enter parks and preserves charged by the department of natural resources.

Approved May 26, 1999

CHAPTER 207

APPROPRIATIONS — STATE GOVERNMENT TECHNOLOGY AND OPERATIONS

H.F. 762

AN ACT relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, providing for electronic access to public information by creating an IowaAccess network, authorizing fees, and providing an effective date.

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

DIVISION I

Section 1. TREASURER OF STATE. There is appropriated from the general fund of the state to the treasurer of state for the fiscal year beginning July 1, 1999, and ending June 30,