

**CHAPTER 1224**

**APPROPRIATIONS — AGRICULTURE AND NATURAL RESOURCES**

*S.F. 2430*

**AN ACT** relating to and making appropriations involving state government, including provisions affecting 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 DEPARTMENT 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, 2000, and ending June 30, 2001, 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:

.....	\$	2,301,660
.....	FTEs	47.88

(1) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", \$282,975 and 6.00 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 1.00 FTE on contract basis for six part-time staff to perform functions related to livestock market news reporting.

(8) Of the amount appropriated in this paragraph "a", \$22,883 shall be used to support 1.00 FTE to operate the switchboard and perform receptionist duties for the department.

b. For deposit in the international relations fund created in section 159.21 of this Act to carry out the purposes of that fund:

.....	\$	20,151
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c. For the purpose of performing commercial feed audits:

.....	\$	70,774
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d. For the purpose of performing fertilizer audits:  
 ..... \$ 70,775

2. REGULATORY DIVISION

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

..... \$ 4,454,450  
 ..... FTEs 126.00

(1) 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.

(2) If Senate File 2312<sup>1</sup> or House File 2490<sup>2</sup> is not enacted by the Seventy-eighth General Assembly, 2000 Session, the amount appropriated from the general fund pursuant to this paragraph "a" shall be decreased by \$200,000 and the number of full-time equivalent positions authorized pursuant to this paragraph "a" shall be decreased by 4.00 FTEs.

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

..... \$ 708,859

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:

..... \$ 951,666  
 ..... FTEs 82.00

(1) 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 allocation to administer a program relating to the detection, surveillance, and eradication of the gypsy moth. The department shall use the allocation made in this subparagraph before other moneys appropriated under this paragraph "a".

(2) If Senate File 466<sup>3</sup> is enacted by the Seventy-eighth General Assembly, 2000 Session, the number of full-time equivalent positions authorized pursuant to this paragraph "a" shall be increased by 2.00 FTEs.

b. For the operations of the commercial feed programs:

..... \$ 785,637

c. For the operations of the pesticide programs:

..... \$ 1,285,638

(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", \$13,247 shall be used to support 1.00 FTE in a temporary employment position to assist with the administration of pesticide certification examinations.

d. For the operations of the fertilizer programs:

..... \$ 679,406

4. SOIL CONSERVATION DIVISION

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

..... \$ 6,985,526  
 ..... FTEs 195.11

(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.

<sup>1</sup> Chapter 1110 herein  
<sup>2</sup> Not enacted  
<sup>3</sup> Chapter 1184 herein

(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 from appropriations to the department from the Iowa resources enhancement and protection fund.

(3) Of the number of full-time equivalent positions authorized pursuant to this paragraph "a", 2.00 FTEs shall be used to support the conservation reserve enhancement program.

b. To provide financial incentives for soil conservation practices under chapter 161A:

..... \$ 5,500,850

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 by the department 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 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, 2003.

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, 2000, and ending June 30, 2001, 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  
GENERAL APPROPRIATIONS

Sec. 3. GENERAL DEPARTMENT APPROPRIATION. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2000, and ending June 30, 2001, 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, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,156,396

..... FTEs 118.25

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", 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, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	6,316,603
.....	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:

.....	\$	1,764,696
.....	FTEs	53.71

4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

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

.....	\$	1,963,515
.....	FTEs	59.00

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:

.....	\$	5,053,110
.....	FTEs	246.50

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; and to study the merits and advisability of the air quality bureau assisting Iowa industry in implementing the enlible air quality model.

c. 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.

d. 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 3.00 FTEs and moneys used to support those full-time equivalent positions not be available after June 30, 2002.

e. 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.

f. 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
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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 7,000 or less. At least 2.00 FTEs shall be allocated by the department to provide assistance to systems serving a population of 7,000 or less.

7. FISH AND WILDLIFE DIVISION

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

..... FTEs 354.18

a. Of the number of full-time equivalent positions authorized in this subsection, not more than 2.00 FTEs shall be filled by full-time, year-round employees with fringe benefits. Not more than 5.00 FTEs shall be filled by part-time employees who do not receive fringe benefits. The full-time equivalent positions shall be dedicated to carrying out conservation buffer initiatives which shall include buffer strip sign-ups, shelter belts, the restoration of wetlands, and the development of private landowners natural resource protection plans.

b. Of the number of full-time equivalent positions authorized in this subsection, at least 3.00 FTEs shall be dedicated to supporting prairie seed harvest initiatives.

8. WASTE MANAGEMENT ASSISTANCE DIVISION

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

..... FTEs 17.75

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, 2000, and ending June 30, 2001, 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:

..... \$ 25,429,883

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.

c. Of the amount appropriated in paragraph "a", \$700,000 shall be used for conservation buffer initiatives which shall include buffer strip sign-ups, shelter belts, the restoration of wetlands, and the development of private landowners natural resource protection plans. In carrying out conservation buffer initiatives, the department shall collaborate with the department of agriculture and land stewardship.

d. Of the amount appropriated in paragraph "a", \$600,000 shall be used to support prairie seed harvest initiatives.

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.

TRANSFERS

Sec. 5. SNOWMOBILE FEES — TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 2000, 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, 2000, and ending June 30, 2001, 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, 2000, 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, 2000, and ending June 30, 2001, 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:

..... \$ 1,400,000

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. 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.

SICK LEAVE PAYOUT

Sec. 7. 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, 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 value of sick leave payout that needs to be paid out due to retirement of personnel in the parks and preserves division:

..... \$ 200,000

SPECIAL APPROPRIATIONS

Sec. 8. 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, 2000, and ending June 30, 2001, 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

Sec. 9. 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, 2000, and ending June 30, 2001, 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. 10. ORGANIC NUTRIENT MANAGEMENT FUND — AGRICHEMICAL REMEDIATION. Notwithstanding section 161C.5, the unencumbered and unobligated balance of the organic nutrient management fund, as of July 1, 2000, is appropriated to the department of agriculture and land stewardship for deposit by the department into the agrichemical remediation fund established in chapter 161, if enacted in 2000 Iowa Acts, Senate File 466.<sup>4</sup>

Sec. 11. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any provision of state law, for the fiscal year beginning July 1, 2000, and ending June 30, 2001, 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 floodplain permit backlog:

..... FTEs 2.00

Sec. 12. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2000, and ending June 30, 2001, 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

DIVISION III  
RELATED APPROPRIATIONS  
ANIMAL HEALTH AND INDUSTRY

Sec. 13. 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, 2000, and ending June 30, 2001, 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:

..... \$ 271,307

Sec. 14. 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, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For support of the pseudorabies eradication program:

..... \$ 900,700

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. 15. JOHNE'S DISEASE. 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, 2000, and ending June 30, 2001, 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 Johnes disease:

..... \$ 100,000

1. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to the general fund of the state but shall remain available for expenditure for the purpose designated in this section until the close of the fiscal year that begins July 1, 2002.

<sup>4</sup> Chapter 1184 herein

2. Moneys appropriated in this section shall only be used as provided in this section. No portion of the appropriation shall be used to support administrative costs incurred by Iowa state university of science and technology or the livestock health advisory council.

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.

OTHER APPROPRIATIONS

Sec. 16. 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, 1999, and ending June 30, 2000, the following amount, or so much thereof as may be necessary, to be used for the purpose 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.

Sec. 17. STATE FIRE MARSHAL’S OFFICE. In addition to any allocation of full-time equivalent positions authorized by the Seventy-eighth General Assembly during the 2000 Session for the state fire marshal’s office, for the fiscal year beginning July 1, 2000, and ending June 30, 2001, 1.00 additional FTE position is authorized for the office for inspections of aboveground petroleum storage tanks.

DIVISION IV  
MISCELLANEOUS

Sec. 18. PILOT PROJECT FOR REFUND OF APPLICATION FEES BY THE DEPARTMENT OF NATURAL RESOURCES.

1. The department of natural resources may establish a pilot project for the refund of all or a portion of fees required to be paid to the department for issuing a stormwater discharge permit pursuant to section 455B.103A, if the department fails to issue the permit in a manner and within a period of time customary for issuing such permits. However, the department is not required to refund any amount of a fee if the failure to issue the permit is primarily caused by the applicant, including the applicant’s failure to comply with legal requirements, furnish a completed application or document, or cooperate with the department as required of applicants by the department.

2. The department of natural resources shall adopt rules as necessary in order to establish and administer this section.

3. The department may consider a decision not to issue a refund under this section as a final agency action which is not subject to a contested case proceeding or further agency review under chapter 17A.

Sec. 19. 1999 Iowa Acts, chapter 204, section 15, subsection 4, paragraph a, is amended by striking the paragraph.

Sec. 20. 1999 Iowa Acts, chapter 206, section 3, subsection 6, paragraph d, is amended to read as follows:

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 depart-



ment shall submit interim reports to the general assembly on January ~~10 8, 2000~~ 2001, and January ~~8 14, 2001~~ 2002. The department shall submit a final report to the general assembly regarding the results of its study not later than January ~~14 13, 2002~~ 2003. Unobligated and unencumbered moneys from this allocation remaining on June 30, 2001, shall revert to the water quality protection fund.

Sec. 21. NEW SECTION. 8.39A 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 by law, or any permanent position added to or deleted from either department's table of organization.

Sec. 22. Section 8.60, subsection 4, Code 1999, is amended by striking the subsection.

Sec. 23. Section 101.22, subsection 4, Code 1999, is amended to read as follows:

4. The registration notice of the owner or operator to the state fire marshal under subsections 1 through 3 shall be accompanied by a fee of ten dollars for each tank included in the notice. All moneys collected shall be ~~deposited in the general fund retained by the department of public safety and are appropriated for the use of the state fire marshal.~~ The annual renewal fee applies to all owners or operators who filed a registration notice with the state fire marshal pursuant to subsections 1 through 3.

Sec. 24. Section 101.24, subsection 1, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Inspect and investigate the facilities and records of owners and operators of aboveground petroleum storage tanks with a capacity of fifteen thousand or more gallons, as necessary to determine compliance with this division and the rules adopted pursuant to this division. An inspection or investigation shall be conducted subject to subsection 4. For purposes of developing a rule, maintaining an accurate inventory, or enforcing this division, the department may:

Sec. 25. NEW SECTION. 159.18 PUBLICIZING 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. 26. NEW SECTION. 159.21 INTERNATIONAL RELATIONS FUND.

1. An international relations fund is created in the state treasury under the control of the department. The fund is composed of moneys appropriated by the general assembly, and moneys available to and obtained or accepted by 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 department.

3. Moneys in the fund are appropriated exclusively to support costs incurred by the department related to promoting the sale of Iowa agricultural commodities and agricultural products to government officials and business leaders of other nations. The department may use moneys in the fund to support travel, including international travel, for the secretary of agriculture or the secretary's designee, and hosting or attending trade missions, functions, or events.

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

Sec. 27. Section 214A.1, Code 1999, is amended by adding the following new subsections:  
NEW SUBSECTION. 2A. "Motor vehicle fuel storage tank" means an aboveground or belowground container that is a fixture, used to keep an accumulation of motor vehicle fuel.  
NEW SUBSECTION. 2B. "MTBE" means methyl tertiary butyl ether.  
NEW SUBSECTION. 4A. "Sell" means to sell or to offer for sale.

Sec. 28. Section 214A.2, subsection 4, Code Supplement 1999, is amended to read as follows:

4. Gasoline Motor vehicle fuel shall not contain ~~methanol without an equal amount of eosolvent, and shall not contain more than five percent methanol~~ more than trace amounts of MTBE, as provided in section 214A.18.

Sec. 29. Section 214A.16, Code 1999, is amended to read as follows:

214A.16 NOTICE OF BLENDED FUEL — DECAL.

~~All If motor vehicle fuel kept, offered, or exposed for sale, or sold at retail containing over one percent ethanol, methanol, or any combination of oxygenate octane enhancers shall be identified as "with" either "ethanol", "methanol", "ethanol/methanol", or similar wording on containing a renewable fuel is sold from a motor vehicle fuel pump, the pump shall have affixed a decal identifying the name of the renewable fuel. All diesel fuel kept, offered, or exposed for sale, or sold at retail containing over one percent soybean oil by volume shall be identified as "with soydiesel" or similar wording on a decal. The decal may be different based on the type of renewable fuel used. The design and location of the decals decal shall be prescribed by rules adopted by the department. The department shall adopt the rules to be effective by January 1, 1995. A decal identifying a renewable fuel shall be consistent with standards adopted pursuant to section 159A.6. Until the department establishes standards for decals, the wording shall be on a white adhesive decal with black letters at least one half inch high and at least one quarter inch wide placed between thirty and forty inches above the driveway level on the front sides of any container or pump from which the motor fuel is sold. The department may approve an application to place a decal in a special location on a pump or container or use a decal with special lettering or colors, if the decal appears clear and conspicuous to the consumer. The application shall be made in writing pursuant to procedures adopted by the department. Designs for a decal identifying a renewable fuel shall be consistent with standards adopted pursuant to section 159A.6.~~

Sec. 30. NEW SECTION. 214A.18 MTBE PROHIBITION.

1. A person shall not do any of the following:
  - a. Sell motor vehicle fuel containing more than trace amounts of MTBE in this state.
  - b. Store motor vehicle fuel containing more than trace amounts of MTBE in a motor vehicle fuel storage tank located in this state.
2. As used in this section, "trace amounts" means not more than one-half of one percent by volume.

DIVISION V  
EFFECTIVE DATE

Sec. 31. EFFECTIVE DATE. The following provisions of this Act, being deemed of immediate importance, take effect upon enactment:

- 1. Section 7, relating to department of natural resources general fund sick leave payout.
- 2. Section 16, relating to supporting Iowa state university of science and technology, cooperative extension service in agriculture and home economics, in providing assistance to farm families.
- 3. Section 20, relating to a study conducted by the department of natural resources relating to water contamination in this state.

Sec. 32. CONTINGENT EFFECTIVE DATE. Section 22 of this Act, amending section 8.60, subsection 4, takes effect only if chapter 192A is repealed by the Seventy-eighth General Assembly during its 2000 regular session.<sup>5</sup>

Approved May 11, 2000

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**CHAPTER 1225**  
**APPROPRIATIONS — INFRASTRUCTURE AND CAPITAL PROJECTS**  
*S.F. 2453*

**AN ACT** relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates.

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

DIVISION I  
REBUILD IOWA INFRASTRUCTURE FUND  
DEPARTMENT FOR THE BLIND

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the department for the blind for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For improvements to the facility for the blind:	\$	122,000
.....		

DEPARTMENT OF CORRECTIONS

Sec. 2. There is appropriated from the rebuild Iowa infrastructure fund to the department of corrections for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

<sup>5</sup> See chapter 1091 herein