

FEB 24 2006
APPROPRIATIONS CALENDAR

HOUSE FILE 2540
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 705)

Passed House, Date 3-6-06 Passed Senate, Date 4-26-06
Vote: Ayes 52 Nays 47 Vote: Ayes 46 Nays 2
Approved May 31, 2006

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government, including provisions affecting agriculture and
3 natural resources and providing fees.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Conference Comm. Rpt.

adopted 5-3-06
62-32

adopted 5-3-06
47-2

HF 2540

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1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
2 GENERAL APPROPRIATIONS

3 Section 1. GENERAL FUND -- DEPARTMENT. There is
4 appropriated from the general fund of the state to the
5 department of agriculture and land stewardship for the fiscal
6 year beginning July 1, 2006, and ending June 30, 2007, the
7 following amount, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 For purposes of supporting the department, including its
10 divisions, for administration, regulation, and programs, for
11 salaries, support, maintenance, miscellaneous purposes, and
12 for not more than the following full-time equivalent
13 positions:

14 \$ 17,837,900
15 FTEs 404.39

16 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
17 DESIGNATED APPROPRIATIONS -- ANIMAL HUSBANDRY

18 Sec. 2. GENERAL FUND -- CHRONIC WASTING DISEASE CONTROL
19 PROGRAM. There is appropriated from the general fund of the
20 state to the department of agriculture and land stewardship
21 for the fiscal year beginning July 1, 2006, and ending June
22 30, 2007, the following amount, or so much thereof as is
23 necessary, to be used for the purposes designated:

24 For purposes of administering a chronic wasting disease
25 control program for the control of chronic wasting disease
26 which threatens farm deer as provided in chapter 170,
27 including for salaries, support, maintenance, and
28 miscellaneous purposes:

29 \$ 100,000

30 The program may include procedures for the inspection and
31 testing of farm deer, responses to reported cases of chronic
32 wasting disease, and methods to ensure that owners of farm
33 deer may engage in the movement and sale of farm deer.

34 Sec. 3. HORSE AND DOG RACING. There is appropriated from
35 the moneys available under section 99D.13 to the department of

1 agriculture and land stewardship for the fiscal year beginning
2 July 1, 2006, and ending June 30, 2007, the following amount,
3 or so much thereof as is necessary, to be used for the
4 purposes designated:

5 For purposes of supporting the department's administration
6 and enforcement of horse and dog racing law pursuant to
7 section 99D.22, including for salaries, support, maintenance,
8 and miscellaneous purposes:

9 \$ 305,516

10 Sec. 4. GENERAL FUND -- DAIRY PRODUCTS CONTROL. There is
11 appropriated from the general fund of the state to the
12 department of agriculture and land stewardship for the fiscal
13 year beginning July 1, 2006, and ending June 30, 2007, the
14 following amount, or so much thereof as is necessary, to be
15 used for the purposes designated:

16 For purposes of supporting the operations of the dairy
17 products control bureau, including for salaries, support,
18 maintenance, and miscellaneous purposes:

19 \$ 693,166

20 Sec. 5. GENERAL FUND -- AVIAN INFLUENZA CONTROL. There is
21 appropriated from the general fund of the state to the
22 department of agriculture and land stewardship for the fiscal
23 year beginning July 1, 2006, and ending June 30, 2007, the
24 following amount, or so much thereof as is necessary, to be
25 used for the purpose designated:

26 For purposes of controlling avian influenza by conducting
27 testing and monitoring:

28 \$ 50,000

29 Notwithstanding section 8.33, moneys appropriated in this
30 section that remain unencumbered or unobligated at the close
31 of the fiscal year shall not revert but shall remain available
32 for the continued testing and monitoring of avian influenza
33 until the close of the succeeding fiscal year.

34 Sec. 6. GENERAL FUND -- APIARY LAW. There is appropriated
35 from the general fund of the state to the department of

1 agriculture and land stewardship for the fiscal year beginning
2 July 1, 2006, and ending June 30, 2007, the following amount,
3 or so much thereof as is necessary, to be used for the
4 purposes designated:

5 For purposes of administering and enforcing apiary law as
6 provided in chapter 160, including for salaries, support,
7 maintenance, and miscellaneous purposes:

8 \$ 40,000

9 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
10 DESIGNATED APPROPRIATIONS -- MISCELLANEOUS

11 Sec. 7. GENERAL FUND -- SOIL AND WATER CONSERVATION

12 DISTRICTS. There is appropriated from the general fund of the
13 state to the department of agriculture and land stewardship
14 for the fiscal year beginning July 1, 2006, and ending June
15 30, 2007, the following amount, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 For purposes of reimbursing commissioners of soil and water
18 conservation districts for administrative expenses including
19 but not limited to travel expenses, technical training, and
20 professional dues:

21 \$ 250,000

22 A soil and water conservation district receiving moneys
23 from an allocation provided pursuant to this section shall
24 submit a report to the soil conservation division of the
25 department of agriculture and land stewardship by January 1,
26 2007, accounting for moneys which have been expended or
27 unexpended or which have been obligated or encumbered. The
28 report shall state how the moneys were used.

29 Sec. 8. GENERAL FUND -- SENIOR FARMERS MARKET NUTRITION

30 PROGRAM. There is appropriated from the general fund of the
31 state to the department of agriculture and land stewardship
32 for the fiscal year beginning July 1, 2006, and ending June
33 30, 2007, the following amount, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 For purposes of administering a senior farmers market

1 nutrition program, including for salaries, support,
2 maintenance, and miscellaneous purposes:
3 \$ 77,000

4 Sec. 9. GENERAL FUND -- STATE INTERAGENCY MISSOURI RIVER
5 AUTHORITY. There is appropriated from the general fund of the
6 state to the department of agriculture and land stewardship
7 for the fiscal year beginning July 1, 2006, and ending June
8 30, 2007, the following amount, or so much thereof as is
9 necessary, to be used for the purpose designated:

10 For purposes of supporting the department's membership in
11 the state interagency Missouri river authority, created in
12 section 28L.1, in the Missouri river basin association:
13 \$ 9,535

14 DEPARTMENT OF NATURAL RESOURCES
15 GENERAL APPROPRIATIONS

16 Sec. 10. GENERAL FUND -- DEPARTMENT. There is
17 appropriated from the general fund of the state to the
18 department of natural resources for the fiscal year beginning
19 July 1, 2006, and ending June 30, 2007, the following amount,
20 or so much thereof as is necessary, to be used for the
21 purposes designated:

22 For purposes of supporting the department, including its
23 divisions, for administration, regulation, and programs, for
24 salaries, support, maintenance, miscellaneous purposes, and
25 for not more than the following full-time equivalent
26 positions:
27 \$ 17,792,579
28 FTES 1,113.63

29 Sec. 11. STATE FISH AND GAME PROTECTION FUND -- DIVISION
30 OF FISH AND WILDLIFE.

31 1. a. There is appropriated from the state fish and game
32 protection fund to the department of natural resources for the
33 fiscal year beginning July 1, 2006, and ending June 30, 2007,
34 the following amount, or so much thereof as is necessary, to
35 be used for the purposes designated:

1 For purposes of supporting the division of fish and
2 wildlife, including for administration, regulation, and
3 programs, and for salaries, support, maintenance, equipment,
4 and miscellaneous purposes:

5 \$ 34,322,525

6 b. Of the amount appropriated in paragraph "a", \$120,000
7 shall be allocated to contract with hunting clubs, nonprofit
8 organizations, or individuals that will provide training and
9 assistance to persons interested in sports activities
10 involving the use of firearms.

11 c. Notwithstanding section 455A.10, the department may use
12 the unappropriated balance remaining in the fish and game
13 protection fund to provide for the funding of health and life
14 insurance premium payments from unused sick leave balances of
15 conservation peace officers employed in a protection
16 occupation who retire, pursuant to section 97B.49B.

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

27 Sec. 12. GROUNDWATER PROTECTION FUND -- WATER QUALITY.

28 1. There is appropriated from the groundwater protection
29 fund created in section 455E.11 to the department of natural
30 resources for the fiscal year beginning July 1, 2006, and
31 ending June 30, 2007, from those moneys which are not
32 allocated pursuant to that section, the following amount, or
33 so much thereof as is necessary, to be used for the purposes
34 designated:

35 For purposes of supporting the department's protection of

1 the state's groundwater, including for administration,
2 regulation, and programs, and for salaries, support,
3 maintenance, equipment, and miscellaneous purposes:
4 \$ 3,455,832

5 2. Of the amount appropriated in subsection 1, the
6 department shall allocate \$300,000 for purposes of supporting
7 a project to recycle hardware or equipment associated with
8 personal computers.

9 a. The department shall grant the moneys to a person who
10 shall administer the project on a statewide basis.

11 b. The department shall make the award to a person who
12 applies in a manner and according to procedures required by
13 the department. In scoring applications, the department shall
14 provide the highest priority to a person who maintains at
15 least fifty locations throughout the state which may be used
16 as recycling centers and who will not charge a fee or charge a
17 minimum fee to accept the hardware or equipment.

18 DEPARTMENT OF NATURAL RESOURCES

19 RELATED TRANSFERS

20 Sec. 13. SPECIAL SNOWMOBILE FUND -- SNOWMOBILE PROGRAM.

21 There is transferred on July 1, 2006, from the fees required
22 to be deposited in the special snowmobile fund under section
23 321G.7 to the fish and game protection fund and appropriated
24 to the department of natural resources for the fiscal year
25 beginning July 1, 2006, and ending June 30, 2007, the
26 following amount, or so much thereof as is necessary, to be
27 used for the purpose designated:

28 For purposes of administering and enforcing the state
29 snowmobile program:
30 \$ 100,000

31 Sec. 14. SPECIAL CONSERVATION FUND -- NAVIGATION AND WATER

32 SAFETY LAWS. There is transferred on July 1, 2006, from the
33 fees required to be deposited in the special conservation fund
34 under section 462A.52 to the fish and game protection fund and
35 appropriated to the natural resource commission for the fiscal

1 year beginning July 1, 2006, and ending June 30, 2007, the
2 following amount, or so much thereof as is necessary, to be
3 used for the purpose designated:

4 For purposes of administering and enforcing the state's
5 navigation and water safety laws:
6 \$ 1,400,000

7 DEPARTMENT OF NATURAL RESOURCES

8 DESIGNATED APPROPRIATIONS

9 Sec. 15. UNASSIGNED REVENUE FUND -- UNDERGROUND STORAGE
10 TANK SECTION EXPENSES. There is appropriated from the
11 unassigned revenue fund administered by the Iowa comprehensive
12 underground storage tank fund board, to the department of
13 natural resources for the fiscal year beginning July 1, 2006,
14 and ending June 30, 2007, the following amount, or so much
15 thereof as is necessary, to be used for the purpose
16 designated:

17 For purposes of paying for administration expenses of the
18 department's underground storage tank section:
19 \$ 200,000

20 Sec. 16. UNASSIGNED REVENUE FUND --
21 ENVIRONMENTAL REFUELING SYSTEMS ADVOCATE. There is
22 appropriated from the unassigned revenue fund
23 administered by the Iowa comprehensive underground
24 storage tank fund board, to the department of economic
25 development for the fiscal year beginning July 1,
26 2006, and ending June 30, 2007, the following amount,
27 or so much thereof as is necessary, to be used for the
28 purposes designated:

29 For purposes of supporting an environmental
30 refueling systems advocate to provide technical
31 assistance to service stations installing motor fuel
32 tanks used to store E-85 gasoline, including salaries,
33 support, maintenance, miscellaneous purposes, and for
34 not more than the following full-time equivalent
35 position:

1 \$ 150,000
2 FTEs 1.00

3 The advocate shall be an engineer who the Iowa
4 comprehensive petroleum underground storage tank fund board
5 shall certify to install underground storage tanks and provide
6 fire safety and environmental protection guidelines for
7 removing underground storage tanks according to departmental
8 requirements.

9 Sec. 17. STORMWATER DISCHARGE PERMIT FEES -- REDUCING
10 FLOODPLAIN PERMIT BACKLOG. Notwithstanding any contrary
11 provision of state law, for the fiscal year beginning July 1,
12 2006, and ending June 30, 2007, the department of natural
13 resources may use additional moneys available to the
14 department collected from stormwater discharge permit fees for
15 the staffing of the following additional full-time equivalent
16 positions for the purposes designated:

17 For purposes of reducing the department's floodplain permit
18 backlog:

19 FTEs 2.00

20 Sec. 18. STORMWATER DISCHARGE PERMIT FEES -- IMPLEMENTING
21 THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding
22 any contrary provision of state law, for the fiscal year
23 beginning July 1, 2006, and ending June 30, 2007, the
24 department of natural resources may use additional moneys
25 available to the department from stormwater discharge permit
26 fees for the staffing of the following additional full-time
27 equivalent positions for the purposes designated:

28 For purposes of implementing the federal total maximum
29 daily load program:

30 FTEs 2.00

31 IOWA STATE UNIVERSITY
32 DESIGNATED APPROPRIATION

33 Sec. 19. AGRICULTURAL REMEDIATION FUND -- OPEN FEEDLOT
34 WATER QUALITY RESEARCH PROJECT. There is appropriated from
35 the agrichemical remediation fund created in section 161.7 to

1 the Iowa state university of science and technology for the
2 fiscal year beginning July 1, 2006, and ending June 30, 2007,
3 the following amount, or so much thereof as is necessary, to
4 be used for the purposes designated:

5 For purposes of supporting a water quality research project
6 which studies the effectiveness of alternative technologies
7 used to reduce risks to water quality from effluent
8 originating from open feedlots which house beef cattle:

9 \$ 100,000

10 In conducting the project, Iowa state university shall
11 cooperate with the Iowa cattlemen's association, the
12 department of natural resources, the department of agriculture
13 and land stewardship, and the United States department of
14 agriculture natural resource conservation service.

15 MISCELLANEOUS

16 Sec. 20. Section 455B.103A, subsection 4, Code Supplement
17 2005, is amended to read as follows:

18 4. a. An Except as provided in paragraph "b", an
19 applicant to be covered under a general permit shall pay a
20 permit fee, as established by rule of the commission, which is
21 sufficient in the aggregate to defray the costs of the permit
22 program. Moneys collected shall be remitted to the
23 department.

24 b. The commission shall adopt rules for a general permit
25 described in section 455B.197, including fees, only to the
26 extent that the rules are consistent with that section.

27 Sec. 21. Section 455B.105, subsection 11, Code Supplement
28 2005, is amended by adding the following new paragraph:

29 NEW PARAGRAPH. c. The commission shall adopt rules for
30 applications or permits related to the national pollutant
31 discharge elimination system (NPDES) coverage as described in
32 section 455B.197, including fees, only to the extent that the
33 rules are consistent with that section.

34 Sec. 22. NEW SECTION. 455B.196 NATIONAL POLLUTANT
35 DISCHARGE ELIMINATION SYSTEM PERMIT FUND.

1 1. A national pollutant discharge elimination system
2 permit fund is created as a separate fund in the state
3 treasury under the control of the department. The fund is
4 composed of moneys appropriated by the general assembly and
5 moneys available to and obtained or accepted by the department
6 from the United States or private sources for placement in the
7 fund. The fund shall include moneys deposited into the fund
8 from fees charged for the processing of applications for the
9 issuance of permits related to the national pollutant
10 discharge elimination system as provided in section 455B.197.

11 2. Moneys in the national pollutant discharge elimination
12 system permit fund are appropriated to the department
13 exclusively to expedite the department's processing of
14 national pollutant discharge elimination system applications
15 and the issuance of permits.

16 3. Section 8.33 shall not apply to moneys credited to the
17 national pollutant discharge elimination system permit fund.
18 Notwithstanding section 12C.7, moneys earned as income or
19 interest from the fund shall remain in the fund until expended
20 as provided in this section.

21 Sec. 23. NEW SECTION. 455B.197 NATIONAL POLLUTANT
22 DISCHARGE ELIMINATION SYSTEM PERMITS.

23 The department may issue a permit related to the
24 administration of the national pollutant discharge elimination
25 system permit program pursuant to the federal Water Pollution
26 Control Act, 33 U.S.C. ch. 26, as amended, and 40 C.F.R., pt.
27 124 including but not limited to storm water discharge permits
28 issued pursuant to section 455B.103A. The department may
29 provide for the receipt of applications and the issuance of
30 permits as provided by rules adopted by the department which
31 are consistent with this section. The department shall assess
32 and collect fees for the processing of applications and the
33 issuance of permits as provided in this section. The
34 department shall deposit the fees into the national pollutant
35 discharge elimination system permit fund created in section

1 455B.196. The fees shall be established as follows:

2 1. For a permit for the discharge from mining and
3 processing facilities, NPDES general permit no. 5, the
4 following fee schedule shall apply:

5 a. An annual permit, one hundred twenty-five dollars each
6 year.

7 b. For a multiyear permit, all of the following shall
8 apply:

9 (1) A three-year permit, three hundred dollars.

10 (2) A four-year permit, four hundred dollars.

11 (3) A five-year permit, five hundred dollars.

12 2. For coverage under the national pollutant discharge
13 elimination system (NPDES) individual permits for storm water,
14 for a construction permit, an application fee of one hundred
15 dollars.

16 3. For coverage under the national pollutant discharge
17 elimination system (NPDES) individual permits for nonstorm
18 water, the following annual fees apply:

19 a. For a major municipal facility, one thousand dollars.

20 b. For a minor municipal facility, one hundred fifty
21 dollars.

22 c. For a semipublic facility, two hundred dollars.

23 d. For a facility that holds an operation permit, with no
24 wastewater discharge into surface waters, one hundred dollars.

25 e. For a municipal water treatment facility, a fee shall
26 not be charged.

27 f. For a major industrial facility, two thousand dollars.

28 g. For a minor industrial facility, one hundred seventy-
29 five dollars.

30 h. For an open feedlot operation as provided in chapter
31 459A, an annual fee of two hundred fifty dollars.

32 i. For a new facility that that has not been issued a
33 current nonstorm water NPDES permit, a prorated amount which
34 shall be calculated by taking the annual fee amount multiplied
35 by the number of months remaining before the next annual fee

1 due date divided by twelve.

2 j. For a facility covered under an existing nonstorm water
3 NPDES permit, a prorated amount which shall be calculated by
4 taking the annual fee amount multiplied by the number of
5 months remaining before the next annual fee due date divided
6 by twelve.

7 k. For a nonstorm water permit as provided in this
8 subsection, a single application fee of eighty-five dollars.

9 Sec. 24. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
10 PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF NATURAL
11 RESOURCES. There is appropriated from the national pollutant
12 discharge elimination system permit fund created in section
13 455B.196 to the department of natural resources for the fiscal
14 year beginning July 1, 2006, and ending June 30, 2007, the
15 following amount, or so much thereof as is necessary, to be
16 used for the purposes designated:

17 For purposes of expediting the department's processing of
18 national pollutant discharge elimination system applications
19 and the issuance of permits, including salaries, support,
20 maintenance, miscellaneous purposes, and for not more than the
21 following full-time equivalent positions:

22	\$	400,000
23	FTEs	4.00

24 Sec. 25. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
25 PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF ECONOMIC
26 DEVELOPMENT. There is appropriated from the national
27 pollutant discharge elimination system permit fund created in
28 section 455B.196 to the department of economic development for
29 the fiscal year beginning July 1, 2006, and ending June 30,
30 2007, the following amount, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 For purposes of expediting the department of natural
33 resources processing of national pollutant discharge
34 elimination system applications and the issuance of permits,
35 including salaries, support, maintenance, miscellaneous

1 purposes, and for not more than the following full-time
2 equivalent positions:

3 \$ 100,000
4 FTEs 2.00

5 1. The department of economic development shall provide
6 one full-time equivalent position to support an environmental
7 advocate to provide technical assistance to persons engaged in
8 livestock operations who may require a national pollutant
9 discharge elimination system permit as provided in section
10 455B.197.

11 2. The department of economic development shall provide
12 one full-time equivalent position to support an environmental
13 advocate to provide technical assistance to persons who are
14 not engaged in livestock operations who may require a national
15 pollutant discharge elimination system permit as provided in
16 section 455B.197.

17 Sec. 26. TRAVEL POLICY.

18 1. For the fiscal year beginning July 1, 2006, each
19 department or independent agency receiving an appropriation in
20 this Act shall review the employee policy for daily or short-
21 term travel including but not limited to the usage of motor
22 pool vehicles under the department of administrative services,
23 employee mileage reimbursement for the use of a personal
24 vehicle, and the usage of private automobile rental companies.
25 Following the review, the department or agency shall implement
26 revisions in the employee policy for daily or short-term
27 travel as necessary to maximize cost savings.

28 2. Each department or independent agency subject to
29 subsection 1 shall report to the general assembly's standing
30 committees on government oversight regarding the policy
31 revisions implemented and the savings realized from the
32 changes. An initial report shall be submitted on or before
33 December 1, 2006, and a follow-up report shall be submitted on
34 or before December 1, 2007.

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EXPLANATION

1 GENERAL. This bill relates to agriculture and natural
2 resources by making appropriations for the 2006-2007 fiscal
3 year to support related entities, including the department of
4 agriculture and land stewardship, the department of natural
5 resources, the department of economic development, and Iowa
6 state university.

7 The bill appropriates moneys to the department of
8 agriculture and land stewardship and the department of natural
9 resources. The appropriations are made to support those
10 departments for administration, regulation, and programs. The
11 bill also provides moneys to support specific programs or
12 projects administered by those departments. The bill
13 appropriates moneys from a number of sources, including the
14 general fund of the state, the state fish and game protection
15 fund, and the groundwater protection fund.

16 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the
17 department of agriculture and land stewardship, moneys are
18 appropriated in order to support its divisions.

19 The bill appropriates moneys from the general fund to
20 support animal husbandry including for the administration of
21 the chronic wasting disease program, horse and dog racing,
22 dairy products control, avian influenza control, and apiary
23 regulation. The bill also appropriates moneys to reimburse
24 commissioners of soil and water conservation districts for
25 expenses, a senior farmers market nutrition program, and to
26 support the department's membership in a river association.

27 DEPARTMENT OF NATURAL RESOURCES. For the department of
28 natural resources, moneys are appropriated from the general
29 fund in order to support its divisions.

30 The bill makes appropriations from other funds. The bill
31 appropriates moneys to the department of natural resources
32 from the state fish and game protection fund for support
33 programs related to fish and wildlife. It requires the
34 department to contract with a person to provide training and
35 assistance to persons interested in activities involving the

1 use of firearms. The bill appropriates moneys from the
2 groundwater protection fund to support groundwater quality and
3 allocates some of those moneys to support a computer recycling
4 program.

5 The bill makes an appropriation from moneys transferred to
6 the state fish and game protection fund to support snowmobile
7 programs and enforce state navigation and water laws.

8 Two appropriations are made from the unassigned revenue
9 fund administered by the Iowa comprehensive underground
10 storage tank fund board. An appropriation is made to the
11 department of natural resources for administration and
12 expenses of the underground storage tank section. A second
13 appropriation is to support an environmental refueling systems
14 advocate to provide technical assistance to service stations
15 installing E-85 motor fuel infrastructure.

16 The bill provides that the department of natural resources
17 may use additional funds for staffing to reduce the
18 department's floodplain permit backlog. The bill provides
19 that the department may use additional funds available from
20 stormwater discharge permit fees for staffing required to
21 implement the federal maximum daily load program.

22 IOWA STATE UNIVERSITY. The bill appropriates moneys to
23 Iowa state university to continue a project to perform water
24 quality research to determine methods to reduce risks to water
25 quality associated with open feedlot runoff.

26 MISCELLANEOUS. The bill provides for a schedule of fees to
27 be paid by persons submitting applications and obtaining
28 permits from the department of natural resources relating to
29 the national pollutant discharge elimination system (NPDES)
30 program.

31 The bill includes a directive for the departments and
32 independent agencies receiving an appropriation in the bill to
33 review employee policy for daily or short-term travel and to
34 implement policy revisions to maximize cost savings. The
35 directive includes requirements for reporting to the

1 committees on government oversight.

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HOUSE FILE 2540

H-8078

- 1 Amend House File 2540 as follows:
- 2 1. By striking page 7, line 20, through page 8,
- 3 line 8.
- 4 2. By renumbering as necessary.

By REASONER of Union

H-8078 FILED MARCH 3, 2006

HOUSE FILE 2540

H-8079

- 1 Amend House File 2540 as follows:
- 2 1. Page 13, by inserting before line 17, the
- 3 following:
- 4 "Sec. ____ WATERSHED IMPROVEMENT FUND. There is
- 5 appropriated from the general fund of the state to the
- 6 watershed improvement fund created in section 466A.2
- 7 on July 1, 2006, the following amount to be used for
- 8 the purposes designated:
- 9 To carry out the purposes of the fund as provided
- 10 in section 466A.2:
- 11 \$ 5,000,000"
- 12 2. By renumbering as necessary.

By HOGG of Linn

H-8079 FILED MARCH 3, 2006

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HOUSE FILE 2540

H-8102

1 Amend the amendment, H-8072, to House File 2540, as
2 follows:

3 1. Page 1, line 5, by striking the figure
4 "\$75,000" and inserting the following: "\$50,000".

By THOMAS of Clayton

H-8102 FILED MARCH 6, 2006

ADOPTED

HOUSE FILE 2540

H-8110

1 Amend the amendment, H-8071, to House File 2540 as
2 follows:

3 1. Page 1, by inserting after line 17, the
4 following:

5 "____. Page 6, line 14, by inserting after the
6 word "person" the following: "or persons".

7 _____. Page 6, line 14, by striking the word
8 "maintains" and inserting the following: "maintain".

9 _____. Page 6, line 15, by striking the word "may"
10 and inserting the following: "shall".

11 _____. Page 6, lines 16 and 17, by striking the
12 words "or charge a minimum fee".

13 2. By renumbering as necessary.

By D. OLSON of Boone

H-8110 FILED MARCH 6, 2006

LOST

HOUSE FILE 2540

H-8070

1 Amend House File 2540 as follows:

2 1. Page 13, by inserting after line 34 the
3 following:

4 "Sec. ____ . AUTUMN OLIVE COOPERATIVE MANAGEMENT
5 PROJECT -- APPROPRIATION. There is appropriated from
6 the general fund of the state to the department of
7 natural resources for the fiscal year beginning July
8 1, 2006, and ending June 30, 2007, the following
9 amount, or so much thereof as is necessary, to be used
10 for the purposes designated:

11 For purposes of administering an autumn olive
12 cooperative management project as provided in this
13 Act:

14 \$ 60,000

15 Notwithstanding section 8.33, moneys remaining from
16 the appropriation in this section on June 30, 2007,
17 shall not revert but shall remain available for the
18 fiscal year beginning July 1, 2007, and ending June
19 30, 2008, for the same purposes.

20 Sec. ____ . AUTUMN OLIVE COOPERATIVE MANAGEMENT
21 PROJECT.

22 1. The state recognizes that autumn olive,
23 *eleagnus umbellata*, is a nonnative deciduous shrub
24 which is classified as an invasive species threatening
25 native vegetation, pasture grass, and crops.

26 2. There is established an autumn olive
27 cooperative management project to develop best
28 management practices to control autumn olive. The
29 project shall be administered by the department of
30 natural resources, principally by the forestry bureau
31 of the department's conservation and recreation
32 division.

33 3. The department shall establish a pilot autumn
34 olive cooperative management area located in
35 Independence township of Appanoose county and Wright
36 township of Wayne county.

37 a. The department shall cooperate with owners of
38 land in the area in order to implement management
39 practices to control autumn olive, including but not
40 limited to cutting and chemical treatment techniques,
41 on their land.

42 b. The department shall award moneys to the owners
43 of the land in the area under a cost-share agreement.
44 The cost-share agreement must include a written plan
45 detailing the management practices and the use of
46 private contractors approved by the department. The
47 agreement must include the owner's commitment to
48 participate in a cost-share contribution. The
49 department's cost-share contribution shall not exceed
50 ninety percent of the estimated cost of implementing

H-8070

1 the management practices, or ninety percent of the
2 actual cost of implementing the management practices,
3 whichever is less.

4 4. a. As part of the pilot project, the forestry
5 bureau and departmental biologists associated with the
6 Rathbun wildlife management area shall establish a
7 timetable to replace autumn olive with native plants.

8 b. The department shall cooperate with the
9 commissioners of the soil and water conservation
10 districts for Appanoose county and Wright county. The
11 department and the commissioners shall encourage
12 private landowners to apply for available moneys under
13 federal programs including but not limited to the
14 United States department of agriculture's natural
15 resources conservation service environmental quality
16 incentives program, 7 C.F.R. pt. 1466.

17 c. The department may enter into cooperative
18 agreements with federal agencies including but not
19 limited to the United States department of agriculture
20 to encourage private landowners to develop grazing
21 management plans necessary to minimize overgrazing and
22 site disturbance in Appanoose county and Wayne county.

23 5. The department shall prepare and deliver two
24 reports to the governor and the fiscal services
25 division of the legislative services agency as
26 follows:

27 a. Not later than January 15, 2007, an interim
28 report summarizing project activities and preliminary
29 findings.

30 b. Not later than January 15, 2008, a final report
31 which provides a detailed account of project
32 activities, findings, and recommendations."

33 2. By renumbering as necessary.

By SWAIM of Davis

HOUSE FILE 2540

H-8066

1 Amend House File 2540 as follows:
2 1. By striking page 6, line 31, through page 7,
3 line 6.
4 2. Page 10, by striking lines 11 through 13 and
5 inserting the following:
6 "____. Moneys in the national pollutant discharge
7 elimination system permit fund shall be used only as
8 provided in appropriations made from the fund by the
9 general assembly which may include for purposes
10 relating to expediting the department's processing
11 of".

By DE BOEF of Keokuk

H-8066 FILED MARCH 2, 2006

HOUSE FILE 2540

H-8068

1 Amend House File 2540 as follows:
2 1. Page 3, line 25, by striking the word
3 "January" and inserting the following: "July".
4 2. Page 5, by striking lines 6 through 10.
5 3. By striking page 6, line 31, through page 7,
6 line 6.
7 4. Page 10, by striking lines 11 through 13 and
8 inserting the following:
9 "____. Moneys in the national pollutant discharge
10 elimination system permit fund shall be used only as
11 provided in appropriations made from the fund by the
12 general assembly which may include for purposes
13 relating to expediting the department's processing
14 of".

By DE BOEF of Keokuk

H-8068 FILED MARCH 2, 2006

HOUSE FILE 2540

H-8064

1 Amend House File 2540 as follows:
2 1. By striking page 7, line 20, through page 8,
3 line 8.
4 2. By renumbering as necessary.

By S. OLSON of Clinton
DE BOEF of Keokuk

H-8064 FILED MARCH 2, 2006

HOUSE FILE 2540

H-8071

1 Amend House File 2540 as follows:
2 1. Page 6, by striking lines 5 through 8 and
3 inserting the following:
4 "____. Of the amount of moneys to be allocated from
5 the solid waste account of the groundwater protection
6 fund to develop and implement demonstration projects
7 for landfill alternatives to solid waste disposal
8 including recycling programs pursuant to section
9 455E.11, subsection 2, paragraph "a", subparagraph
10 (1), subparagraph subdivision (c), \$300,000 shall be
11 used for purposes of supporting a one-year project to
12 recycle hardware or equipment associated with personal
13 computers."
14 2. Page 6, line 9, by inserting after the word
15 "person" the following: "or persons".
16 3. Page 6, line 11, by inserting after the word
17 "person" the following: "or persons".

By GREINER of Washington

H-8071 FILED MARCH 2, 2006

HOUSE FILE 2540

H-8072

1 Amend House File 2540 as follows:
2 1. Page 1, by inserting after line 15 the
3 following:
4 "Of the amount appropriated in this section at
5 least \$75,000 shall be allocated to support a program
6 relating to the detection, surveillance, and
7 eradication of the gypsy moth."

By THOMAS of Clayton

H-8072 FILED MARCH 2, 2006

HOUSE FILE 2540

H-8073

1 Amend House File 2540 as follows:
2 1. Page 6, by striking lines 5 through 17.
3 2. By renumbering as necessary.

By D. OLSON of Boone

H-8073 FILED MARCH 2, 2006

HOUSE FILE 2540

H-8074

1 Amend House File 2540 as follows:
2 1. Page 2, line 19, by striking the figure
3 "693,166" and inserting the following: "893,166".

By D. OLSON of Boone

H-8074 FILED MARCH 2, 2006

HOUSE FILE 2540
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 705)

(As Amended and Passed by the House March 6, 2006)

Re- Passed House, Date 3-1-06 Passed Senate, Date 4-26-06
Vote: Ayes 54 Nays 40 Vote: Ayes 46 Nays 2
Approved _____

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government, including provisions affecting agriculture and
3 natural resources and providing fees.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5

6

Deleted Language *

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House Amendments _____

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1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
2 GENERAL APPROPRIATIONS

3 Section 1. GENERAL FUND -- DEPARTMENT. There is
4 appropriated from the general fund of the state to the
5 department of agriculture and land stewardship for the fiscal
6 year beginning July 1, 2006, and ending June 30, 2007, the
7 following amount, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 For purposes of supporting the department, including its
10 divisions, for administration, regulation, and programs, for
11 salaries, support, maintenance, miscellaneous purposes, and
12 for not more than the following full-time equivalent
13 positions:

14	\$ 17,837,900
15	FTEs 404.39

16 Of the amount appropriated in this section at least \$50,000
17 shall be allocated to support a program relating to the
18 detection, surveillance, and eradication of the gypsy moth.

19 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
20 DESIGNATED APPROPRIATIONS -- ANIMAL HUSBANDRY

21 Sec. 2. GENERAL FUND -- CHRONIC WASTING DISEASE CONTROL
22 PROGRAM. There is appropriated from the general fund of the
23 state to the department of agriculture and land stewardship
24 for the fiscal year beginning July 1, 2006, and ending June
25 30, 2007, the following amount, or so much thereof as is
26 necessary, to be used for the purposes designated:

27 For purposes of administering a chronic wasting disease
28 control program for the control of chronic wasting disease
29 which threatens farm deer as provided in chapter 170,
30 including for salaries, support, maintenance, and
31 miscellaneous purposes:

32	\$ 100,000
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33 The program may include procedures for the inspection and
34 testing of farm deer, responses to reported cases of chronic
35 wasting disease, and methods to ensure that owners of farm

1 deer may engage in the movement and sale of farm deer.

2 Sec. 3. HORSE AND DOG RACING. There is appropriated from
3 the moneys available under section 99D.13 to the department of
4 agriculture and land stewardship for the fiscal year beginning
5 July 1, 2006, and ending June 30, 2007, the following amount,
6 or so much thereof as is necessary, to be used for the
7 purposes designated:

8 For purposes of supporting the department's administration
9 and enforcement of horse and dog racing law pursuant to
10 section 99D.22, including for salaries, support, maintenance,
11 and miscellaneous purposes:

12 \$ 305,516

13 Sec. 4. GENERAL FUND -- DAIRY PRODUCTS CONTROL. There is
14 appropriated from the general fund of the state to the
15 department of agriculture and land stewardship for the fiscal
16 year beginning July 1, 2006, and ending June 30, 2007, the
17 following amount, or so much thereof as is necessary, to be
18 used for the purposes designated:

19 For purposes of supporting the operations of the dairy
20 products control bureau, including for salaries, support,
21 maintenance, and miscellaneous purposes:

22 \$ 693,166

23 Sec. 5. GENERAL FUND -- AVIAN INFLUENZA CONTROL. There is
24 appropriated from the general fund of the state to the
25 department of agriculture and land stewardship for the fiscal
26 year beginning July 1, 2006, and ending June 30, 2007, the
27 following amount, or so much thereof as is necessary, to be
28 used for the purpose designated:

29 For purposes of controlling avian influenza by conducting
30 testing and monitoring:

31 \$ 50,000

32 Notwithstanding section 8.33, moneys appropriated in this
33 section that remain unencumbered or unobligated at the close
34 of the fiscal year shall not revert but shall remain available
35 for the continued testing and monitoring of avian influenza

1 until the close of the succeeding fiscal year.

2 Sec. 6. GENERAL FUND -- APIARY LAW. There is appropriated
3 from the general fund of the state to the department of
4 agriculture and land stewardship for the fiscal year beginning
5 July 1, 2006, and ending June 30, 2007, the following amount,
6 or so much thereof as is necessary, to be used for the
7 purposes designated:

8 For purposes of administering and enforcing apiary law as
9 provided in chapter 160, including for salaries, support,
10 maintenance, and miscellaneous purposes:

11 \$ 40,000

12 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
13 DESIGNATED APPROPRIATIONS -- MISCELLANEOUS

14 Sec. 7. GENERAL FUND -- SOIL AND WATER CONSERVATION
15 DISTRICTS. There is appropriated from the general fund of the
16 state to the department of agriculture and land stewardship
17 for the fiscal year beginning July 1, 2006, and ending June
18 30, 2007, the following amount, or so much thereof as is
19 necessary, to be used for the purposes designated:

20 For purposes of reimbursing commissioners of soil and water
21 conservation districts for administrative expenses including
22 but not limited to travel expenses, technical training, and
23 professional dues:

24 \$ 250,000

25 A soil and water conservation district receiving moneys
26 from an allocation provided pursuant to this section shall
27 submit a report to the soil conservation division of the
28 department of agriculture and land stewardship by July 1,
29 2007, accounting for moneys which have been expended or
30 unexpended or which have been obligated or encumbered. The
31 report shall state how the moneys were used.

32 Sec. 8. GENERAL FUND -- SENIOR FARMERS MARKET NUTRITION
33 PROGRAM. There is appropriated from the general fund of the
34 state to the department of agriculture and land stewardship
35 for the fiscal year beginning July 1, 2006, and ending June

1 30, 2007, the following amount, or so much thereof as is
2 necessary, to be used for the purposes designated:

3 For purposes of administering a senior farmers market
4 nutrition program, including for salaries, support,
5 maintenance, and miscellaneous purposes:

6 \$ 77,000

7 Sec. 9. GENERAL FUND -- STATE INTERAGENCY MISSOURI RIVER
8 AUTHORITY. There is appropriated from the general fund of the
9 state to the department of agriculture and land stewardship
10 for the fiscal year beginning July 1, 2006, and ending June
11 30, 2007, the following amount, or so much thereof as is
12 necessary, to be used for the purpose designated:

13 For purposes of supporting the department's membership in
14 the state interagency Missouri river authority, created in
15 section 28L.1, in the Missouri river basin association:

16 \$ 9,535

17 DEPARTMENT OF NATURAL RESOURCES
18 GENERAL APPROPRIATIONS

19 Sec. 10. GENERAL FUND -- DEPARTMENT. There is
20 appropriated from the general fund of the state to the
21 department of natural resources for the fiscal year beginning
22 July 1, 2006, and ending June 30, 2007, the following amount,
23 or so much thereof as is necessary, to be used for the
24 purposes designated:

25 For purposes of supporting the department, including its
26 divisions, for administration, regulation, and programs, for
27 salaries, support, maintenance, miscellaneous purposes, and
28 for not more than the following full-time equivalent
29 positions:

30 \$ 17,792,579
31 FTEs 1,113.63

32 Sec. 11. STATE FISH AND GAME PROTECTION FUND -- DIVISION
33 OF FISH AND WILDLIFE.

34 1. a. There is appropriated from the state fish and game
35 protection fund to the department of natural resources for the

1 fiscal year beginning July 1, 2006, and ending June 30, 2007,
2 the following amount, or so much thereof as is necessary, to
3 be used for the purposes designated:

4 For purposes of supporting the division of fish and
5 wildlife, including for administration, regulation, and
6 programs, and for salaries, support, maintenance, equipment,
7 and miscellaneous purposes:

8 \$ 34,322,525

* b.

9 Notwithstanding section 455A.10, the department may use
10 the unappropriated balance remaining in the fish and game
11 protection fund to provide for the funding of health and life
12 insurance premium payments from unused sick leave balances of
13 conservation peace officers employed in a protection
14 occupation who retire, pursuant to section 97B.49B.

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

25 Sec. 12. GROUNDWATER PROTECTION FUND -- WATER QUALITY.

26 1. There is appropriated from the groundwater protection
27 fund created in section 455E.11 to the department of natural
28 resources for the fiscal year beginning July 1, 2006, and
29 ending June 30, 2007, from those moneys which are not
30 allocated pursuant to that section, the following amount, or
31 so much thereof as is necessary, to be used for the purposes
32 designated:

33 For purposes of supporting the department's protection of
34 the state's groundwater, including for administration,
35 regulation, and programs, and for salaries, support,

1 maintenance, equipment, and miscellaneous purposes:
2 \$ 3,455,832

3 2. Of the amount of moneys to be allocated from the solid
4 waste account of the groundwater protection fund to develop
5 and implement demonstration projects for landfill alternatives
6 to solid waste disposal including recycling programs pursuant
7 to section 455E.11, subsection 2, paragraph "a", subparagraph
8 (1), subparagraph subdivision (c), \$300,000 shall be used for
9 purposes of supporting a one-year project to recycle hardware
10 or equipment associated with personal computers.

11 a. The department shall grant the moneys to a person or
12 persons who shall administer the project on a statewide basis.

13 b. The department shall make the award to a person or
14 persons who applies in a manner and according to procedures
15 required by the department. In scoring applications, the
16 department shall provide the highest priority to a person who
17 maintains at least fifty locations throughout the state which
18 may be used as recycling centers and who will not charge a fee
19 or charge a minimum fee to accept the hardware or equipment.

20 DEPARTMENT OF NATURAL RESOURCES

21 RELATED TRANSFERS

22 Sec. 13. SPECIAL SNOWMOBILE FUND -- SNOWMOBILE PROGRAM.
23 There is transferred on July 1, 2006, from the fees required
24 to be deposited in the special snowmobile fund under section
25 321G.7 to the fish and game protection fund and appropriated
26 to the department of natural resources for the fiscal year
27 beginning July 1, 2006, and ending June 30, 2007, the
28 following amount, or so much thereof as is necessary, to be
29 used for the purpose designated:

30 For purposes of administering and enforcing the state
31 snowmobile program:

32 \$ 100,000

33 DEPARTMENT OF NATURAL RESOURCES

34 DESIGNATED APPROPRIATIONS

35 Sec. 14. UNASSIGNED REVENUE FUND -- UNDERGROUND STORAGE

1 TANK SECTION EXPENSES. There is appropriated from the
2 unassigned revenue fund administered by the Iowa comprehensive
3 underground storage tank fund board, to the department of
4 natural resources for the fiscal year beginning July 1, 2006,
5 and ending June 30, 2007, the following amount, or so much
6 thereof as is necessary, to be used for the purpose
7 designated:

8 For purposes of paying for administration expenses of the
9 department's underground storage tank section:

10 \$ 200,000



*11 Sec. 15. STORMWATER DISCHARGE PERMIT FEES -- REDUCING

12 FLOODPLAIN PERMIT BACKLOG. Notwithstanding any contrary
13 provision of state law, for the fiscal year beginning July 1,
14 2006, and ending June 30, 2007, the department of natural
15 resources may use additional moneys available to the
16 department collected from stormwater discharge permit fees for
17 the staffing of the following additional full-time equivalent
18 positions for the purposes designated:

19 For purposes of reducing the department's floodplain permit
20 backlog:

21 FTEs 2.00

22 Sec. 16. STORMWATER DISCHARGE PERMIT FEES -- IMPLEMENTING
23 THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding
24 any contrary provision of state law, for the fiscal year
25 beginning July 1, 2006, and ending June 30, 2007, the
26 department of natural resources may use additional moneys
27 available to the department from stormwater discharge permit
28 fees for the staffing of the following additional full-time
29 equivalent positions for the purposes designated:

30 For purposes of implementing the federal total maximum
31 daily load program:

32 FTEs 2.00

33 IOWA STATE UNIVERSITY
34 DESIGNATED APPROPRIATION

35 Sec. 17. AGRICULTURAL REMEDIATION FUND -- OPEN FEEDLOT

1 WATER QUALITY RESEARCH PROJECT. There is appropriated from
2 the agrichemical remediation fund created in section 161.7 to
3 the Iowa state university of science and technology for the
4 fiscal year beginning July 1, 2006, and ending June 30, 2007,
5 the following amount, or so much thereof as is necessary, to
6 be used for the purposes designated:

7 For purposes of supporting a water quality research project
8 which studies the effectiveness of alternative technologies
9 used to reduce risks to water quality from effluent
10 originating from open feedlots which house beef cattle:
11 \$ 100,000

12 In conducting the project, Iowa state university shall
13 cooperate with the Iowa cattlemen's association, the
14 department of natural resources, the department of agriculture
15 and land stewardship, and the United States department of
16 agriculture natural resource conservation service.

17 MISCELLANEOUS

18 Sec. 18. Section 455B.103A, subsection 4, Code Supplement
19 2005, is amended to read as follows:

20 4. a. An Except as provided in paragraph "b", an
21 applicant to be covered under a general permit shall pay a
22 permit fee, as established by rule of the commission, which is
23 sufficient in the aggregate to defray the costs of the permit
24 program. Moneys collected shall be remitted to the
25 department.

26 b. The commission shall adopt rules for a general permit
27 described in section 455B.197, including fees, only to the
28 extent that the rules are consistent with that section.

29 Sec. 19. Section 455B.105, subsection 11, Code Supplement
30 2005, is amended by adding the following new paragraph:

31 NEW PARAGRAPH. c. The commission shall adopt rules for
32 applications or permits related to the national pollutant
33 discharge elimination system (NPDES) coverage as described in
34 section 455B.197, including fees, only to the extent that the
35 rules are consistent with that section.

1 Sec. 20. NEW SECTION. 455B.196 NATIONAL POLLUTANT
2 DISCHARGE ELIMINATION SYSTEM PERMIT FUND.

3 1. A national pollutant discharge elimination system
4 permit fund is created as a separate fund in the state
5 treasury under the control of the department. The fund is
6 composed of moneys appropriated by the general assembly and
7 moneys available to and obtained or accepted by the department
8 from the United States or private sources for placement in the
9 fund. The fund shall include moneys deposited into the fund
10 from fees charged for the processing of applications for the
11 issuance of permits related to the national pollutant
12 discharge elimination system as provided in section 455B.197.

13 2. Moneys in the national pollutant discharge elimination
14 system permit fund shall be used only as provided in
15 appropriations made from the fund by the general assembly
16 which may include for purposes relating to expediting the
17 department's processing of national pollutant discharge
18 elimination system applications and the issuance of permits.

19 3. Section 8.33 shall not apply to moneys credited to the
20 national pollutant discharge elimination system permit fund.
21 Notwithstanding section 12C.7, moneys earned as income or
22 interest from the fund shall remain in the fund until expended
23 as provided in this section.

24 Sec. 21. NEW SECTION. 455B.197 NATIONAL POLLUTANT
25 DISCHARGE ELIMINATION SYSTEM PERMITS.

26 The department may issue a permit related to the
27 administration of the national pollutant discharge elimination
28 system permit program pursuant to the federal Water Pollution
29 Control Act, 33 U.S.C. ch. 26, as amended, and 40 C.F.R., pt.
30 124 including but not limited to storm water discharge permits
31 issued pursuant to section 455B.103A. The department may
32 provide for the receipt of applications and the issuance of
33 permits as provided by rules adopted by the department which
34 are consistent with this section. The department shall assess
35 and collect fees for the processing of applications and the

1 issuance of permits as provided in this section. The
2 department shall deposit the fees into the national pollutant
3 discharge elimination system permit fund created in section
4 455B.196. The fees shall be established as follows:

5 1. For a permit for the discharge from mining and
6 processing facilities, NPDES general permit no. 5, the
7 following fee schedule shall apply:

8 a. An annual permit, one hundred twenty-five dollars each
9 year.

10 b. For a multiyear permit, all of the following shall
11 apply:

12 (1) A three-year permit, three hundred dollars.

13 (2) A four-year permit, four hundred dollars.

14 (3) A five-year permit, five hundred dollars.

15 2. For coverage under the national pollutant discharge
16 elimination system (NPDES) individual permits for storm water,
17 for a construction permit, an application fee of one hundred
18 dollars.

19 3. For coverage under the national pollutant discharge
20 elimination system (NPDES) individual permits for nonstorm
21 water, the following annual fees apply:

22 a. For a major municipal facility, one thousand dollars.

23 b. For a minor municipal facility, one hundred fifty
24 dollars.

25 c. For a semipublic facility, two hundred dollars.

26 d. For a facility that holds an operation permit, with no
27 wastewater discharge into surface waters, one hundred dollars.

28 e. For a municipal water treatment facility, a fee shall
29 not be charged.

30 f. For a major industrial facility, two thousand dollars.

31 g. For a minor industrial facility, one hundred seventy-
32 five dollars.

33 h. For an open feedlot operation as provided in chapter
34 459A, an annual fee of two hundred fifty dollars.

35 i. For a new facility that that has not been issued a

1 current nonstorm water NPDES permit, a prorated amount which
2 shall be calculated by taking the annual fee amount multiplied
3 by the number of months remaining before the next annual fee
4 due date divided by twelve.

5 j. For a facility covered under an existing nonstorm water
6 NPDES permit, a prorated amount which shall be calculated by
7 taking the annual fee amount multiplied by the number of
8 months remaining before the next annual fee due date divided
9 by twelve.

10 k. For a nonstorm water permit as provided in this
11 subsection, a single application fee of eighty-five dollars.

12 Sec. 22. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
13 PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF NATURAL
14 RESOURCES. There is appropriated from the national pollutant
15 discharge elimination system permit fund created in section
16 455B.196 to the department of natural resources for the fiscal
17 year beginning July 1, 2006, and ending June 30, 2007, the
18 following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 For purposes of expediting the department's processing of
21 national pollutant discharge elimination system applications
22 and the issuance of permits, including salaries, support,
23 maintenance, miscellaneous purposes, and for not more than the
24 following full-time equivalent positions:

25	\$	400,000
26	FTEs	4.00

27 Sec. 23. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
28 PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF ECONOMIC
29 DEVELOPMENT. There is appropriated from the national
30 pollutant discharge elimination system permit fund created in
31 section 455B.196 to the department of economic development for
32 the fiscal year beginning July 1, 2006, and ending June 30,
33 2007, the following amount, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 For purposes of expediting the department of natural

1 resources processing of national pollutant discharge
2 elimination system applications and the issuance of permits,
3 including salaries, support, maintenance, miscellaneous
4 purposes, and for not more than the following full-time
5 equivalent positions:

6 \$ 100,000
7 FTEs 2.00

8 1. The department of economic development shall provide
9 one full-time equivalent position to support an environmental
10 advocate to provide technical assistance to persons engaged in
11 livestock operations who may require a national pollutant
12 discharge elimination system permit as provided in section
13 455B.197.

14 2. The department of economic development shall provide
15 one full-time equivalent position to support an environmental
16 advocate to provide technical assistance to persons who are
17 not engaged in livestock operations who may require a national
18 pollutant discharge elimination system permit as provided in
19 section 455B.197.

20 Sec. 24. TRAVEL POLICY.

21 1. For the fiscal year beginning July 1, 2006, each
22 department or independent agency receiving an appropriation in
23 this Act shall review the employee policy for daily or short-
24 term travel including but not limited to the usage of motor
25 pool vehicles under the department of administrative services,
26 employee mileage reimbursement for the use of a personal
27 vehicle, and the usage of private automobile rental companies.
28 Following the review, the department or agency shall implement
29 revisions in the employee policy for daily or short-term
30 travel as necessary to maximize cost savings.

31 2. Each department or independent agency subject to
32 subsection 1 shall report to the general assembly's standing
33 committees on government oversight regarding the policy
34 revisions implemented and the savings realized from the
35 changes. An initial report shall be submitted on or before

1 December 1, 2006, and a follow-up report shall be submitted on
2 or before December 1, 2007.

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HOUSE FILE 2540

S-5228

1 Amend House File 2540, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 2, line 35, through page 3,
4 line 1, and inserting the following: "to be used for
5 the continued testing and monitoring of avian
6 influenza."

7 2. Page 4, by inserting after line 16 the
8 following:

9 "Sec. 101. IOWA SHORTHORN ASSOCIATION. There is
10 appropriated from the general fund of the state to the
11 department of agriculture and land stewardship for the
12 fiscal year beginning July 1, 2005, and ending June
13 30, 2006, the following amount, or so much thereof as
14 is necessary, to be used for the purpose designated:

15 For allocation to the Iowa shorthorn association in
16 connection with the 2006 national junior shorthorn
17 show:

18 \$ 10,000"

19 3. Page 4, line 30, by striking the figure
20 "17,792,579" and inserting the following:

21 "17,967,579".

22 4. Page 6, by striking lines 10 through 19 and
23 inserting the following: "or equipment associated
24 with personal computers. The department shall award
25 the moneys provided in this subsection using a
26 competitive grant process on a statewide basis. The
27 department shall make the award to a person or persons
28 who applies in a manner and according to procedures
29 required by the department."

30 5. Page 7, by inserting after line 10 the
31 following:

32 "Sec. 201. STORMWATER DISCHARGE PERMIT FEES
33 APPROPRIATION -- AIR QUALITY MONITORING.
34 Notwithstanding section 8.33, any moneys appropriated
35 to the department of natural resources from stormwater
36 discharge permit fees for the fiscal year beginning
37 July 1, 2005, and ending June 30, 2006, pursuant to
38 2005 Iowa Acts, chapter 178, section 2, that remain
39 unencumbered or unobligated at the close of the fiscal
40 year shall not revert but shall remain available until
41 the close of the succeeding fiscal year for
42 expenditure for full-time personnel to conduct air
43 quality monitoring, which may include but is not
44 limited to staffing required to perform field
45 monitoring and laboratory functions, including
46 salaries, support, maintenance, and for miscellaneous
47 purposes."

48 6. Page 8, line 11, by striking the figure
49 "100,000" and inserting the following: "50,000".

50 7. Page 8, by inserting after line 16 the

S-5228

1 following:

2 "Sec. ____ . VETERINARY DIAGNOSTIC LABORATORY.

3 1. There is appropriated from the general fund of
4 the state to Iowa state university of science and
5 technology for the fiscal year beginning July 1, 2006,
6 and ending June 30, 2007, the following amount, or so
7 much thereof as is necessary, to be used for the
8 purposes designated:

9 For purposes of supporting the college of
10 veterinary medicine to reduce the operating fees
11 charged by the veterinary diagnostic laboratory:
12 \$ 1,000,000

13 2. Iowa state university of science and technology
14 shall not reduce the amount that it allocates to
15 support the college of veterinary medicine from any
16 other source due to the appropriation made in this
17 section.

18 3. If by the end of the fiscal year, Iowa state
19 university of science and technology fails to allocate
20 the moneys appropriated in this section to the college
21 of veterinary science in accordance with this section,
22 the moneys appropriated in this section for that
23 fiscal year shall revert to the general fund of the
24 state.

25 Sec. ____ . VETERINARY DIAGNOSTIC LABORATORY --
26 FUTURE YEARS. It is the intent of the general
27 assembly that a future general assembly appropriate
28 moneys to Iowa state university of science and
29 technology for the designated fiscal years, or so much
30 thereof as is necessary, to be used for the purposes
31 designated:

32 For purposes of supporting the college of
33 veterinary medicine to reduce operating fees charged
34 by the veterinary diagnostic laboratory:
35 a. FY 2007-2008..... \$ 2,000,000
36 b. FY 2008-2009..... \$ 3,000,000
37 c. FY 2009-2010..... \$ 4,000,000"

38 8. Page 8, by striking lines 18 through 35 and
39 inserting the following:

40 "Sec. ____ . NEW SECTION. 455B.196 NATIONAL
41 POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT PROGRAM
42 -- FEE SCHEDULE.

43 The department may provide for the administration
44 of the national pollutant discharge elimination system
45 permit program pursuant to the federal Water Pollution
46 Control Act, 33 U.S.C. ch. 26, as amended, and 40
47 C.F.R., pt. 124, including but not limited to the
48 issuance of permits under the program and storm water
49 discharge permits under section 455B.103A. The
50 department shall establish a schedule of fees based

1 upon the reasonable costs of administering the
2 program. The department may assess and collect the
3 fees. The department shall deposit the fees into the
4 national pollutant discharge elimination system permit
5 program fund created in section 455B.197."

6 9. Page 9, line 1, by striking the figure
7 "455B.196" and inserting the following: "455B.197".

8 10. Page 9, line 2, by inserting after the word
9 "PERMIT" the following: "PROGRAM".

10 11. Page 9, line 4, by inserting after the word
11 "permit" the following: "program".

12 12. Page 9, by striking lines 10 through 18 and
13 inserting the following: "from fees collected by the
14 department pursuant to section 455B.196.

15 2. Moneys deposited into the national pollutant
16 discharge elimination system permit program fund is
17 appropriated to the department to defray the costs
18 associated with administering the national pollutant
19 discharge elimination system permit program as
20 provided in section 455B.196."

21 13. Page 9, line 20, by inserting after the word
22 "permit" the following: "program".

23 14. By striking page 9, line 24, through page 12,
24 line 19.

25 15. Page 12, by inserting before line 20 the
26 following:

27 "Sec. ____ . Section 455E.11, subsection 2,
28 paragraph a, subparagraph (2), subparagraph
29 subdivision (d), Code Supplement 2005, is amended to
30 read as follows:

31 (d) For the fiscal year beginning July 1, 2005,
32 nine and one-half percent to the department to
33 establish permanent household hazardous waste
34 collection sites so that both urban and rural
35 populations are served and so that collection services
36 are available to the public on a regular basis.
37 Beginning July 1, 2006, six and one-quarter percent to
38 the department to establish permanent household
39 hazardous waste collection sites so that both urban
40 and rural populations are served and so that
41 collection services are available to the public on a
42 regular basis. Beginning July 1, 2007, three percent
43 to the department to establish permanent household
44 hazardous waste collection sites so that both urban
45 and rural populations are served and so that
46 collection services are available to the public on a
47 regular basis. ~~Any~~ Beginning July 1, 2008, any moneys
48 collected pursuant to this subparagraph subdivision
49 that remain unexpended at the end of a fiscal year for
50 establishment of permanent household hazardous waste

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1 collection sites shall be used for purposes of
2 subparagraph subdivision (e).

3 16. Page 13, by inserting after line 2 the
4 following:

5 "Sec. ____ . EFFECTIVE DATE. Section 101 of this
6 Act, providing for the allocation of moneys to the
7 Iowa shorthorn association, and section 201 of this
8 Act, relating to a stormwater discharge permit fees
9 appropriation, being deemed of immediate importance,
10 take effect upon enactment."

11 17. Title page, line 3, by striking the words
12 "natural resources and providing fees" and inserting
13 the following: "natural resources, providing fees,
14 and providing an effective date".

15 18. By renumbering as necessary.

By DR. JOE SENG

ROBERT E. DVORSKY

E. THURMAN GASKILL

JEFF ANGELO

S-5228 FILED APRIL 26, 2006

ADOPTED

HOUSE FILE 2540

S-5229

1 Amend the amendment, S-5228, to House File 2540, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 28, by striking the word
5 "applies" and inserting the following: "apply".

6 2. Page 2, by striking lines 10 and 11 and
7 inserting the following: "veterinary medicine for the
8 operation of the veterinary diagnostic laboratory:"

9 3. Page 2, by striking lines 33 and 34 and
10 inserting the following: "veterinary medicine for the
11 operation of the veterinary diagnostic laboratory:"

12 4. Page 3, line 16, by striking the words "fund
13 is" and inserting the following: "fund are".

14 5. By renumbering as necessary.

By DR. JOE SENG

E. THURMAN GASKILL

S-5229 FILED APRIL 26, 2006

ADOPTED

S-5231

1 Amend House File 2540, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 13, by inserting after line 2 the
4 following:

5 "IOWA FOOD POLICY COUNCIL

6 Sec. ____ . FINDINGS AND DECLARATION. The general
7 assembly finds and declares all of the following:

8 1. The economy and social fabric of this state are
9 inextricably linked to food production and food
10 production-related activities.

11 2. Food production accounts for more than
12 twenty-five percent of the state's gross annual
13 product.

14 3. The expansion of global markets for
15 agricultural products has failed to keep pace with
16 increased agricultural productivity in recent years,
17 leading to a reduction in the amount of income earned
18 by local producers.

19 4. Unacceptable numbers of people from across the
20 state and around the world do not have reliable access
21 to Iowa's abundant food supply.

22 5. This state contains some of the most productive
23 farmland found anywhere in the world, and the
24 potential to feed hungry populations and generate
25 sustainable income for local producers is virtually
26 unlimited.

27 6. This state has natural and population resources
28 to become a world leader in a new economy by creating
29 an efficient food infrastructure that links producers,
30 processors, distributors, and marketers to vibrant and
31 sustainable world markets.

32 7. The development of important linkages to
33 different parts of the food infrastructure will enable
34 this state to establish itself as the food capital of
35 the world by creating new opportunities to increase
36 profitability for Iowa agricultural producers through
37 product diversification, local processing, enhanced
38 distribution, and direct marketing.

39 8. It is imperative for policymakers to develop a
40 common working knowledge of Iowa's overall food system
41 by collecting and analyzing information about the
42 state's food infrastructure, including consumer
43 patterns, in an effort to improve food policy-related
44 decisions.

45 9. A state food policy that is designed to produce
46 a safe, nutritious, and adequate food supply stock for
47 world consumption must also balance economic,
48 environmental, and social considerations that are
49 important to the people of this state.

50 Sec. ____ . NEW SECTION. 7.19 IOWA FOOD POLICY

S-5231

1 COUNCIL.

2 An Iowa food policy council is established within
3 the office of the governor.

4 1. The purpose of the Iowa food policy council is
5 to advise the governor on all aspects of the food
6 system in Iowa. The council's advice shall include
7 but not be limited to all of the following:

8 a. The state's baseline agricultural production
9 output, including the collection of data and an
10 assessment of the amount of food produced annually in
11 this state; the amount of food that is purchased and
12 consumed by state residents; and the extent to which
13 the food produced in this state is processed,
14 distributed, and marketed by local individuals and
15 businesses.

16 b. Barriers that limit the access of local
17 businesses to production, distribution, and consumer
18 markets within this state and to markets outside this
19 state. The council shall perform an assessment which
20 includes but is not limited to an examination of the
21 manner in which state and local policies may impede
22 the ability of local individuals and businesses to
23 engage in food production, processing, distribution,
24 and marketing activities.

25 c. Barriers that limit the access of hungry
26 consumers to available food stocks.

27 d. Innovative local food system activities,
28 including an assessment of the state's capacity to
29 replicate these activities across this state.

30 e. Strategies to expand training and assistance
31 programs for local individuals and businesses,
32 including methods that link actors at each stage of
33 the local food infrastructure together in a working
34 system.

35 f. Strategies to improve the participation of
36 state and local governments in the development of a
37 growing local food infrastructure.

38 g. Strategies to link consumers to a growing local
39 food infrastructure.

40 2. The council shall be composed of all of the
41 following:

42 a. Seven members serving as ex officio, nonvoting
43 members, including all of the following:

44 (1) The secretary of agriculture or the
45 secretary's designee.

46 (2) The director of the department of economic
47 development or the director's designee.

48 (3) The director of the department of human
49 services or the director's designee.

50 (4) The director of the Iowa department of public

1 health or the director's designee.

2 (5) The director of the department of education or
3 the director's designee.

4 (6) The director of the Iowa department of elder
5 affairs or the director's designee.

6 (7) The director of the department of inspections
7 and appeals or the director's designee.

8 b. One person serving as a voting member,
9 associated with the Iowa cooperative extension service
10 in agriculture and home economics and who is appointed
11 by the president of Iowa state university.

12 c. Not less than eleven and not more than sixteen
13 persons who are public members serving as voting
14 members, who are actively engaged in areas of this
15 state's food system, and who are appointed by the
16 governor, including all of the following:

17 (1) An agricultural producer, who is engaged in
18 direct marketing of food to consumers, and whose scope
19 of operations is principally local.

20 (2) A food processor whose scope of operations is
21 principally local.

22 (3) A food distributor whose scope of operations
23 is principally local.

24 (4) A person engaged in agriculture and education
25 in an urban environment.

26 (5) A person who is an agricultural policy and
27 legal expert.

28 (6) A person who is an expert in hunger prevention
29 and food security.

30 3. A vacancy on the council shall be filled for
31 the unexpired portion of the regular term in the same
32 manner as the regular appointment is made.

33 4. a. Appointments of the public members are
34 subject to the requirements of sections 69.16 and
35 69.16A, and to every extent feasible shall be
36 geographically balanced. The public members shall be
37 confirmed by the senate, pursuant to section 2.32.

38 b. A public member shall serve a five-year term
39 beginning and ending as provided in section 69.19.
40 However, the governor shall appoint initial members to
41 serve for less than five years to ensure members serve
42 staggered terms. A member is eligible for
43 reappointment.

44 5. The council shall elect a chairperson from
45 among its public members each year on a rotating basis
46 as provided by the council. The council shall meet on
47 a regular basis and at the call of the chairperson or
48 upon the written request to the chairperson of a
49 majority of public members.

50 6. Members are not entitled to receive

1 compensation, but public members shall receive
2 reimbursement of expenses as provided in section 7E.6.

3 7. A majority of public members constitute a
4 quorum and the affirmative vote of a majority of the
5 public members present is necessary for any
6 substantive action to be taken by the council. The
7 majority shall not include any member who has a
8 conflict of interest and a statement by a member that
9 the member has a conflict of interest is conclusive
10 for this purpose. A vacancy in the membership does
11 not impair the duties of the council.

12 8. The governor's office shall assist the council
13 in carrying out its functions.

14 a. The council shall seek administrative support
15 from the agricultural law center at Drake university.
16 To every extent feasible, research, policy
17 development, and publication activities shall be
18 coordinated through Drake university.

19 b. The council may seek and obtain financing to
20 support its activities, including private donations,
21 state and federal grant assistance, and institutional
22 support from Drake university.

23 Sec. ____ . IOWA FOOD POLICY COUNCIL. There is
24 appropriated from the general fund of the state to the
25 office of the governor for the fiscal year beginning
26 July 1, 2006, and ending June 30, 2007, the following
27 amount, or so much thereof as is necessary, to be used
28 for the purpose designated:

29 For the purpose of allocating the full amount of
30 the appropriation to Drake university to support the
31 Iowa food policy council as established in this Act:

32 \$ 5,000"

33 2. By renumbering as necessary.

By JACK HATCH

**EIGHTY-FIRST GENERAL ASSEMBLY
2006 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

APRIL 28, 2006

**SENATE AMENDMENT TO
HOUSE FILE 2540**

H-8587

1 Amend House File 2540, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 2, line 35, through page 3,
4 line 1, and inserting the following: "to be used for
5 the continued testing and monitoring of avian
6 influenza."

7 2. Page 4, by inserting after line 16 the
8 following:

9 "Sec. 101. IOWA SHORTHORN ASSOCIATION. There is
10 appropriated from the general fund of the state to the
11 department of agriculture and land stewardship for the
12 fiscal year beginning July 1, 2005, and ending June
13 30, 2006, the following amount, or so much thereof as
14 is necessary, to be used for the purpose designated:

15 For allocation to the Iowa shorthorn association in
16 connection with the 2006 national junior shorthorn
17 show:

18 \$ 10,000"

19 3. Page 4, line 30, by striking the figure
20 "17,792,579" and inserting the following:
21 "17,967,579".

22 4. Page 6, by striking lines 10 through 19 and
23 inserting the following: "or equipment associated
24 with personal computers. The department shall award
25 the moneys provided in this subsection using a
26 competitive grant process on a statewide basis. The
27 department shall make the award to a person or persons
28 who apply in a manner and according to procedures
29 required by the department."

30 5. Page 7, by inserting after line 10 the
31 following:

32 "Sec. 201. STORMWATER DISCHARGE PERMIT FEES
33 APPROPRIATION -- AIR QUALITY MONITORING.
34 Notwithstanding section 8.33, any moneys appropriated
35 to the department of natural resources from stormwater
36 discharge permit fees for the fiscal year beginning
37 July 1, 2005, and ending June 30, 2006, pursuant to
38 2005 Iowa Acts, chapter 178, section 2, that remain
39 unencumbered or unobligated at the close of the fiscal
40 year shall not revert but shall remain available until
41 the close of the succeeding fiscal year for
42 expenditure for full-time personnel to conduct air
43 quality monitoring, which may include but is not
44 limited to staffing required to perform field
45 monitoring and laboratory functions, including
46 salaries, support, maintenance, and for miscellaneous
47 purposes."

48 6. Page 8, line 11, by striking the figure
49 "100,000" and inserting the following: "50,000".

50 7. Page 8, by inserting after line 16 the

H-8587

1 following:

2 "Sec. ____ VETERINARY DIAGNOSTIC LABORATORY.

3 1. There is appropriated from the general fund of
4 the state to Iowa state university of science and
5 technology for the fiscal year beginning July 1, 2006,
6 and ending June 30, 2007, the following amount, or so
7 much thereof as is necessary, to be used for the
8 purposes designated:

9 For purposes of supporting the college of
10 veterinary medicine for the operation of the
11 veterinary diagnostic laboratory:

12 \$ 1,000,000

13 2. Iowa state university of science and technology
14 shall not reduce the amount that it allocates to
15 support the college of veterinary medicine from any
16 other source due to the appropriation made in this
17 section.

18 3. If by the end of the fiscal year, Iowa state
19 university of science and technology fails to allocate
20 the moneys appropriated in this section to the college
21 of veterinary science in accordance with this section,
22 the moneys appropriated in this section for that
23 fiscal year shall revert to the general fund of the
24 state.

25 Sec. ____ VETERINARY DIAGNOSTIC LABORATORY --
26 FUTURE YEARS. It is the intent of the general
27 assembly that a future general assembly appropriate
28 moneys to Iowa state university of science and
29 technology for the designated fiscal years, or so much
30 thereof as is necessary, to be used for the purposes
31 designated:

32 For purposes of supporting the college of
33 veterinary medicine for the operation of the
34 veterinary diagnostic laboratory:

- 35 a. FY 2007-2008..... \$ 2,000,000
- 36 b. FY 2008-2009..... \$ 3,000,000
- 37 c. FY 2009-2010..... \$ 4,000,000"

38 8. Page 8, by striking lines 18 through 35 and
39 inserting the following:

40 "Sec. ____ NEW SECTION. 455B.196 NATIONAL
41 POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT PROGRAM
42 -- FEE SCHEDULE.

43 The department may provide for the administration
44 of the national pollutant discharge elimination system
45 permit program pursuant to the federal Water Pollution
46 Control Act, 33 U.S.C. ch. 26, as amended, and 40
47 C.F.R., pt. 124, including but not limited to the
48 issuance of permits under the program and storm water
49 discharge permits under section 455B.103A. The
50 department shall establish a schedule of fees based

1 upon the reasonable costs of administering the
2 program. The department may assess and collect the
3 fees. The department shall deposit the fees into the
4 national pollutant discharge elimination system permit
5 program fund created in section 455B.197."

6 9. Page 9, line 1, by striking the figure
7 "455B.196" and inserting the following: "455B.197".

8 10. Page 9, line 2, by inserting after the word
9 "PERMIT" the following: "PROGRAM".

10 11. Page 9, line 4, by inserting after the word
11 "permit" the following: "program".

12 12. Page 9, by striking lines 10 through 18 and
13 inserting the following: "from fees collected by the
14 department pursuant to section 455B.196.

15 2. Moneys deposited into the national pollutant
16 discharge elimination system permit program fund are
17 appropriated to the department to defray the costs
18 associated with administering the national pollutant
19 discharge elimination system permit program as
20 provided in section 455B.196."

21 13. Page 9, line 20, by inserting after the word
22 "permit" the following: "program".

23 14. By striking page 9, line 24, through page 12,
24 line 19.

25 15. Page 12, by inserting before line 20 the
26 following:

27 "Sec. ____ . Section 455E.11, subsection 2,
28 paragraph a, subparagraph (2), subparagraph
29 subdivision (d), Code Supplement 2005, is amended to
30 read as follows:

31 (d) For the fiscal year beginning July 1, 2005,
32 nine and one-half percent to the department to
33 establish permanent household hazardous waste
34 collection sites so that both urban and rural
35 populations are served and so that collection services
36 are available to the public on a regular basis.
37 Beginning July 1, 2006, six and one-quarter percent to
38 the department to establish permanent household
39 hazardous waste collection sites so that both urban
40 and rural populations are served and so that
41 collection services are available to the public on a
42 regular basis. Beginning July 1, 2007, three percent
43 to the department to establish permanent household
44 hazardous waste collection sites so that both urban
45 and rural populations are served and so that
46 collection services are available to the public on a
47 regular basis. ~~Any~~ Beginning July 1, 2008, any moneys
48 collected pursuant to this subparagraph subdivision
49 that remain unexpended at the end of a fiscal year for
50 establishment of permanent household hazardous waste

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Page 4

1 collection sites shall be used for purposes of
2 subparagraph subdivision (e).

3 16. Page 13, by inserting after line 2 the
4 following:

5 "Sec. ____ . EFFECTIVE DATE. Section 101 of this
6 Act, providing for the allocation of moneys to the
7 Iowa shorthorn association, and section 201 of this
8 Act, relating to a stormwater discharge permit fees
9 appropriation, being deemed of immediate importance,
10 take effect upon enactment."

11 17. Title page, line 3, by striking the words
12 "natural resources and providing fees" and inserting
13 the following: "natural resources, providing fees,
14 and providing an effective date".

15 18. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8587 FILED APRIL 27, 2006

HOUSE FILE 2540

H-8592

1 Amend the Senate amendment, H-8587, to House File
2 2540, as amended, passed, and reprinted by the House,
3 as follows:

4 1. By striking page 2, line 38, through page 3,
5 line 24.

6 2. By renumbering as necessary.

By DE BOEF of Keokuk

H-8592 FILED MAY 1, 2006

ADOPTED

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2540

S-5236

1 Amend the Senate amendment, H-8587, to House File
2 2540, as amended, passed, and reprinted by the House,
3 as follows:

4 1. By striking page 2, line 38, through page 3,
5 line 24.

6 2. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5236 FILED MAY 1, 2006

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 2540

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2540, a bill for an Act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees, respectfully make the following report:

1. That the House recedes from its amendment, S-5236.
2. That the Senate recedes from its amendment, H-8587.
3. That House File 2540, as amended, passed, and reprinted

by the House, is amended to read as follows:

1. By striking page 2, line 35, through page 3, line 1, and inserting the following: "to be used for the continued testing and monitoring of avian influenza."

2. Page 4, by inserting after line 16 the following:

"Sec. 101. IOWA SHORTHORN ASSOCIATION. 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, 2005, and ending June 30, 2006, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For allocation to the Iowa shorthorn association in connection with the 2006 national junior shorthorn show:

..... \$ 10,000"

3. Page 4, line 30, by striking the figure "17,792,579" and inserting the following: "17,967,579".

4. Page 6, by striking lines 10 through 19 and inserting the following: "or equipment associated with personal computers. The department shall award the moneys provided in this subsection using a competitive grant process on a statewide basis. The department shall make the award to a person or persons who apply in a manner and according to procedures required by the department."

5. Page 7, by inserting after line 10 the following:

"Sec. 201. STORMWATER DISCHARGE PERMIT FEES APPROPRIATION -- AIR QUALITY MONITORING. Notwithstanding section 8.33, any moneys appropriated to the department of natural resources from stormwater discharge permit fees for the fiscal year beginning July 1, 2005, and ending June 30, 2006, pursuant to 2005 Iowa Acts, chapter 178, section 2, that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available until the close of the succeeding fiscal year for expenditure for full-time personnel to conduct air quality monitoring, which may include but is not limited to staffing required to perform field monitoring and laboratory functions, including salaries, support, maintenance, and for miscellaneous purposes."

6. Page 7, line 34, by striking the word "APPROPRIATION" and inserting the following: "APPROPRIATIONS".

7. Page 8, line 11, by striking the figure "100,000" and inserting the following: "50,000".

8. Page 8, by inserting after line 16 the following:

"Sec. ____ . VETERINARY DIAGNOSTIC LABORATORY.

1. There is appropriated from the general fund of the

state to Iowa state university of science and technology for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory:

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

2. Iowa state university of science and technology shall not reduce the amount that it allocates to support the college of veterinary medicine from any other source due to the appropriation made in this section.

3. If by the end of the fiscal year, Iowa state university of science and technology fails to allocate the moneys appropriated in this section to the college of veterinary science in accordance with this section, the moneys appropriated in this section for that fiscal year shall revert to the general fund of the state.

Sec. ____ . VETERINARY DIAGNOSTIC LABORATORY -- FUTURE YEARS. It is the intent of the general assembly that a future general assembly appropriate moneys to Iowa state university of science and technology for the designated fiscal years, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory:

- a. FY 2007-2008..... \$ 2,000,000
- b. FY 2008-2009..... \$ 3,000,000
- c. FY 2009-2010..... \$ 4,000,000"

9. Page 10, by striking lines 22 through 34 and inserting the following:

- "a. For a major municipal facility, one thousand two hundred seventy-five dollars.
- b. For a minor municipal facility, two hundred ten dollars.
- c. For a semipublic facility, three hundred forty dollars.
- d. For a facility that holds an operation permit, with no wastewater discharge into surface waters, one hundred seventy dollars.
- e. For a municipal water treatment facility, a fee shall not be charged.
- f. For a major industrial facility, three thousand four hundred dollars.
- g. For a minor industrial facility, three hundred dollars.
- h. For an open feedlot operation as provided in chapter 459A, an annual fee of three hundred forty dollars."

10. Page 11, line 25, by striking the figure "400,000" and inserting the following: "600,000".

11. Page 11, line 26, by striking the figure "4.00" and inserting the following: "6.00".

12. Page 12, by inserting before line 20 the following:

"Sec. ____ . Section 455E.11, subsection 2, paragraph a, subparagraph (2), subparagraph subdivision (d), Code Supplement 2005, is amended to read as follows:

(d) For the fiscal year beginning July 1, 2005, nine and one-half percent to the department to establish permanent household hazardous waste collection sites so that both urban and rural populations are served and so that collection

services are available to the public on a regular basis. Beginning July 1, 2006, six and one-quarter percent to the department to establish permanent household hazardous waste collection sites so that both urban and rural populations are served and so that collection services are available to the public on a regular basis. Beginning July 1, 2007, three percent to the department to establish permanent household hazardous waste collection sites so that both urban and rural populations are served and so that collection services are available to the public on a regular basis. Any Beginning July 1, 2008, any moneys collected pursuant to this subparagraph subdivision that remain unexpended at the end of a fiscal year for establishment of permanent household hazardous waste collection sites shall be used for purposes of subparagraph subdivision (e)."

13. Page 13, by inserting after line 2 the following:

"Sec. ____ . EFFECTIVE DATE. Section 101 of this Act, providing for the allocation of moneys to the Iowa shorthorn association, and section 201 of this Act, relating to a stormwater discharge permit fees appropriation, being deemed of immediate importance, take effect upon enactment."

14. Title page, line 3, by striking the words "natural resources and providing fees" and inserting the following: "natural resources, providing fees, and providing an effective date".

ON THE PART OF THE HOUSE:

BETTY DE BOEF, CHAIRPERSON
JACK DRAKE
J. SCOTT RAECKER

ON THE PART OF THE SENATE:

JEFF ANGELO, CO-CHAIRPERSON
ROBERT E. DVORSKY
E. THURMAN GASKILL
DAVID JOHNSON

CCR 2540 FILED MAY 3, 2006

REPORT OF THE CONFERENCE COMMITTEE

ON HOUSE FILE 2540

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2540, a bill for an Act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees, respectfully make the following report:

1. That the House recedes from its amendment, S-5236.
2. That the Senate recedes from its amendment, H-8587.
3. That House File 2540, as amended, passed, and reprinted

by the House, is amended to read as follows:

1. By striking page 2, line 35, through page 3, line 1, and inserting the following: "to be used for the continued testing and monitoring of avian influenza."

2. Page 4, by inserting after line 16 the following:

"Sec. 101. IOWA SHORTHORN ASSOCIATION. 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, 2005, and ending June 30, 2006, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For allocation to the Iowa shorthorn association in connection with the 2006 national junior shorthorn show:

..... \$ 10,000"

3. Page 4, line 30, by striking the figure "17,792,579"

and inserting the following: "17,967,579".

4. Page 6, by striking lines 10 through 19 and inserting the following: "or equipment associated with personal computers. The department shall award the moneys provided in this subsection using a competitive grant process on a statewide basis. The department shall make the award to a person or persons who apply in a manner and according to procedures required by the department."

5. Page 7, by inserting after line 10 the following:

"Sec. 201. STORMWATER DISCHARGE PERMIT FEES APPROPRIATION -- AIR QUALITY MONITORING. Notwithstanding section 8.33, any moneys appropriated to the department of natural resources from stormwater discharge permit fees for the fiscal year beginning July 1, 2005, and ending June 30, 2006, pursuant to 2005 Iowa Acts, chapter 178, section 2, that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available until the close of the succeeding fiscal year for expenditure for full-time personnel to conduct air quality monitoring, which may include but is not limited to staffing required to perform field monitoring and laboratory functions, including salaries, support, maintenance, and for miscellaneous purposes."

6. Page 7, line 34, by striking the word "APPROPRIATION" and inserting the following: "APPROPRIATIONS".

7. Page 8, line 11, by striking the figure "100,000" and inserting the following: "50,000".

8. Page 8, by inserting after line 16 the following:

"Sec. ____ . VETERINARY DIAGNOSTIC LABORATORY.

1. There is appropriated from the general fund of the state to Iowa state university of science and technology for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory:

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

2. Iowa state university of science and technology shall not reduce the amount that it allocates to support the college of veterinary medicine from any other source due to the appropriation made in this section.

3. If by the end of the fiscal year, Iowa state university of science and technology fails to allocate the moneys appropriated in this section to the college of veterinary science in accordance with this section, the moneys appropriated in this section for that fiscal year shall revert to the general fund of the state.

Sec. ____ . VETERINARY DIAGNOSTIC LABORATORY -- FUTURE YEARS. It is the intent of the general assembly that a future general assembly appropriate moneys to Iowa state university of science and technology for the designated fiscal years, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory:

- a. FY 2007-2008..... \$ 2,000,000
- b. FY 2008-2009..... \$ 3,000,000
- c. FY 2009-2010..... \$ 4,000,000"

9. Page 10, by striking lines 22 through 34 and inserting the following:

- "a. For a major municipal facility, one thousand two hundred seventy-five dollars.
- b. For a minor municipal facility, two hundred ten dollars.
- c. For a semipublic facility, three hundred forty dollars.
- d. For a facility that holds an operation permit, with no wastewater discharge into surface waters, one hundred seventy dollars.
- e. For a municipal water treatment facility, a fee shall not be charged.
- f. For a major industrial facility, three thousand four

hundred dollars.

g. For a minor industrial facility, three hundred dollars.

h. For an open feedlot operation as provided in chapter 459A, an annual fee of three hundred forty dollars."

10. Page 11, line 25, by striking the figure "400,000" and inserting the following: "600,000".

11. Page 11, line 26, by striking the figure "4.00" and inserting the following: "6.00".

12. Page 12, by inserting before line 20 the following:

"Sec. _____. Section 455E.11, subsection 2, paragraph a, subparagraph (2), subparagraph subdivision (d), Code Supplement 2005, is amended to read as follows:

(d) For the fiscal year beginning July 1, 2005, nine and one-half percent to the department to establish permanent household hazardous waste collection sites so that both urban and rural populations are served and so that collection services are available to the public on a regular basis. Beginning July 1, 2006, six and one-quarter percent to the department to establish permanent household hazardous waste collection sites so that both urban and rural populations are served and so that collection services are available to the public on a regular basis. Beginning July 1, 2007, three percent to the department to establish permanent household hazardous waste collection sites so that both urban and rural populations are served and so that collection services are available to the public on a regular basis. Any Beginning July 1, 2008, any moneys collected pursuant to this subparagraph subdivision that remain unexpended at the end of a fiscal year for establishment of permanent household hazardous waste collection sites shall be used for purposes of subparagraph subdivision (e)."

13. Page 13, by inserting after line 2 the following:

"Sec. _____. EFFECTIVE DATE. Section 101 of this Act, providing for the allocation of moneys to the Iowa shorthorn association, and section 201 of this Act, relating to a stormwater discharge permit fees appropriation, being deemed

CCR 2540

Page 5

of immediate importance, take effect upon enactment."

14. Title page, line 3, by striking the words "natural resources and providing fees" and inserting the following: "natural resources, providing fees, and providing an effective date".

ON THE PART OF THE HOUSE:

BETTY DE BOEF, CHAIRPERSON
JACK DRAKE
J. SCOTT RAECKER

ON THE PART OF THE SENATE:

JEFF ANGELO, CO-CHAIRPERSON
ROBERT E. DVORSKY
E. THURMAN GASKILL
DAVID JOHNSON

CCR 2540

FILED MAY 3, 2006

ADOPTED

Succeeded By
SF / HF 2540

HSB 705
APPROPRIATIONS

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY HOUSE
APPROPRIATIONS SUBCOMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government, including provisions affecting agriculture and
3 natural resources and providing fees.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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TLSB 5190HB 81
da/sh/8

1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
2 GENERAL APPROPRIATIONS

3 Section 1. GENERAL FUND -- DEPARTMENT. There is
4 appropriated from the general fund of the state to the
5 department of agriculture and land stewardship for the fiscal
6 year beginning July 1, 2006, and ending June 30, 2007, the
7 following amount, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 For purposes of supporting the department, including its
10 divisions, for administration, regulation, and programs, for
11 salaries, support, maintenance, miscellaneous purposes, and
12 for not more than the following full-time equivalent
13 positions:

14 \$ 17,837,900
15 FTEs 404.39

16 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
17 DESIGNATED APPROPRIATIONS -- ANIMAL HUSBANDRY

18 Sec. 2. GENERAL FUND -- CHRONIC WASTING DISEASE CONTROL
19 PROGRAM. There is appropriated from the general fund of the
20 state to the department of agriculture and land stewardship
21 for the fiscal year beginning July 1, 2006, and ending June
22 30, 2007, the following amount, or so much thereof as is
23 necessary, to be used for the purposes designated:

24 For purposes of administering a chronic wasting disease
25 control program for the control of chronic wasting disease
26 which threatens farm deer as provided in chapter 170,
27 including for salaries, support, maintenance, and
28 miscellaneous purposes:

29 \$ 100,000

30 The program may include procedures for the inspection and
31 testing of farm deer, responses to reported cases of chronic
32 wasting disease, and methods to ensure that owners of farm
33 deer may engage in the movement and sale of farm deer.

34 Sec. 3. HORSE AND DOG RACING. There is appropriated from
35 the moneys available under section 99D.13 to the department of

1 agriculture and land stewardship for the fiscal year beginning
2 July 1, 2006, and ending June 30, 2007, the following amount,
3 or so much thereof as is necessary, to be used for the
4 purposes designated:

5 For purposes of supporting the department's administration
6 and enforcement of horse and dog racing law pursuant to
7 section 99D.22, including for salaries, support, maintenance,
8 and miscellaneous purposes:

9 \$ 305,516

10 Sec. 4. GENERAL FUND -- DAIRY PRODUCTS CONTROL. There is
11 appropriated from the general fund of the state to the
12 department of agriculture and land stewardship for the fiscal
13 year beginning July 1, 2006, and ending June 30, 2007, the
14 following amount, or so much thereof as is necessary, to be
15 used for the purposes designated:

16 For purposes of supporting the operations of the dairy
17 products control bureau, including for salaries, support,
18 maintenance, and miscellaneous purposes:

19 \$ 693,166

20 Sec. 5. GENERAL FUND -- AVIAN INFLUENZA CONTROL. There is
21 appropriated from the general fund of the state to the
22 department of agriculture and land stewardship for the fiscal
23 year beginning July 1, 2006, and ending June 30, 2007, the
24 following amount, or so much thereof as is necessary, to be
25 used for the purpose designated:

26 For purposes of controlling avian influenza by conducting
27 testing and monitoring:

28 \$ 50,000

29 Notwithstanding section 8.33, moneys appropriated in this
30 section that remain unencumbered or unobligated at the close
31 of the fiscal year shall not revert but shall remain available
32 for the continued testing and monitoring of avian influenza
33 until the close of the succeeding fiscal year.

34 Sec. 6. GENERAL FUND -- APIARY LAW. There is appropriated
35 from the general fund of the state to the department of

1 agriculture and land stewardship for the fiscal year beginning
2 July 1, 2006, and ending June 30, 2007, the following amount,
3 or so much thereof as is necessary, to be used for the
4 purposes designated:

5 For purposes of administering and enforcing apiary law as
6 provided in chapter 160, including for salaries, support,
7 maintenance, and miscellaneous purposes:

8 \$ 40,000

9 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

10 DESIGNATED APPROPRIATIONS -- MISCELLANEOUS

11 Sec. 7. GENERAL FUND -- SOIL AND WATER CONSERVATION

12 DISTRICTS. There is appropriated from the general fund of the
13 state to the department of agriculture and land stewardship
14 for the fiscal year beginning July 1, 2006, and ending June
15 30, 2007, the following amount, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 For purposes of reimbursing commissioners of soil and water
18 conservation districts for administrative expenses including
19 but not limited to travel expenses, technical training, and
20 professional dues:

21 \$ 250,000

22 A soil and water conservation district receiving moneys
23 from an allocation provided pursuant to this section shall
24 submit a report to the soil conservation division of the
25 department of agriculture and land stewardship by January 1,
26 2007, accounting for moneys which have been expended or
27 unexpended or which have been obligated or encumbered. The
28 report shall state how the moneys were used.

29 Sec. 8. GENERAL FUND -- SENIOR FARMERS MARKET NUTRITION
30 PROGRAM. There is appropriated from the general fund of the

31 state to the department of agriculture and land stewardship
32 for the fiscal year beginning July 1, 2006, and ending June
33 30, 2007, the following amount, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 For purposes of administering a senior farmers market

1 nutrition program, including for salaries, support,
2 maintenance, and miscellaneous purposes:

3 \$ 77,000

4 Sec. 9. GENERAL FUND -- STATE INTERAGENCY MISSOURI RIVER
5 AUTHORITY. There is appropriated from the general fund of the
6 state to the department of agriculture and land stewardship
7 for the fiscal year beginning July 1, 2006, and ending June
8 30, 2007, the following amount, or so much thereof as is
9 necessary, to be used for the purpose designated:

10 For purposes of supporting the department's membership in
11 the state interagency Missouri river authority, created in
12 section 28L.1, in the Missouri river basin association:

13 \$ 9,535

14 DEPARTMENT OF NATURAL RESOURCES

15 GENERAL APPROPRIATIONS

16 Sec. 10. GENERAL FUND -- DEPARTMENT. There is
17 appropriated from the general fund of the state to the
18 department of natural resources for the fiscal year beginning
19 July 1, 2006, and ending June 30, 2007, the following amount,
20 or so much thereof as is necessary, to be used for the
21 purposes designated:

22 For purposes of supporting the department, including its
23 divisions, for administration, regulation, and programs, for
24 salaries, support, maintenance, miscellaneous purposes, and
25 for not more than the following full-time equivalent
26 positions:

27 \$ 17,792,579

28 FTEs 1,113.63

29 Sec. 11. STATE FISH AND GAME PROTECTION FUND -- DIVISION
30 OF FISH AND WILDLIFE.

31 1. a. There is appropriated from the state fish and game
32 protection fund to the department of natural resources for the
33 fiscal year beginning July 1, 2006, and ending June 30, 2007,
34 the following amount, or so much thereof as is necessary, to
35 be used for the purposes designated:

1 For purposes of supporting the division of fish and
2 wildlife, including for administration, regulation, and
3 programs, and for salaries, support, maintenance, equipment,
4 and miscellaneous purposes:

5 \$ 34,322,525

6 b. Of the amount appropriated in paragraph "a",
7 \$120,000 shall be allocated to contract with a private
8 individual or business to provide training and
9 assistance to persons interested in sports activities
10 involving the use of firearms.

11 c. Notwithstanding section 455A.10, the department may use
12 the unappropriated balance remaining in the fish and game
13 protection fund to provide for the funding of health and life
14 insurance premium payments from unused sick leave balances of
15 conservation peace officers employed in a protection
16 occupation who retire, pursuant to section 97B.49B.

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

27 Sec. 12. GROUNDWATER PROTECTION FUND -- WATER QUALITY.

28 1. There is appropriated from the groundwater protection
29 fund created in section 455E.11 to the department of natural
30 resources for the fiscal year beginning July 1, 2006, and
31 ending June 30, 2007, from those moneys which are not
32 allocated pursuant to that section, the following amount, or
33 so much thereof as is necessary, to be used for the purposes
34 designated:

35 For purposes of supporting the department's protection of

1 the state's groundwater, including for administration,
2 regulation, and programs, and for salaries, support,
3 maintenance, equipment, and miscellaneous purposes:
4 \$ 3,455,832

5 2. Of the amount appropriated in subsection 1, the
6 department shall allocate \$300,000 for purposes of supporting
7 a project to recycle hardware or equipment associated with
8 personal computers.

9 a. The department shall grant the moneys to a person who
10 shall administer the project on a statewide basis.

11 b. The department shall make the award to a person who
12 applies in a manner and according to procedures required by
13 the department. In scoring applications, the department shall
14 provide the highest priority to a person who maintains at
15 least fifty locations throughout the state which may be used
16 as recycling centers and who will not charge a fee or charge a
17 minimum fee to accept the hardware or equipment.

18 DEPARTMENT OF NATURAL RESOURCES

19 RELATED TRANSFERS

20 Sec. 13. SPECIAL SNOWMOBILE FUND -- SNOWMOBILE PROGRAM.

21 There is transferred on July 1, 2006, from the fees required
22 to be deposited in the special snowmobile fund under section
23 321G.7 to the fish and game protection fund and appropriated
24 to the department of natural resources for the fiscal year
25 beginning July 1, 2006, and ending June 30, 2007, the
26 following amount, or so much thereof as is necessary, to be
27 used for the purpose designated:

28 For purposes of administering and enforcing the state
29 snowmobile program:

30 \$ 100,000

31 Sec. 14. SPECIAL CONSERVATION FUND -- NAVIGATION AND WATER

32 SAFETY LAWS. There is transferred on July 1, 2006, from the
33 fees required to be deposited in the special conservation fund
34 under section 462A.52 to the fish and game protection fund and
35 appropriated to the natural resource commission for the fiscal

1 year beginning July 1, 2006, and ending June 30, 2007, the
2 following amount, or so much thereof as is necessary, to be
3 used for the purpose designated:

4 For purposes of administering and enforcing the state's
5 navigation and water safety laws:

6 \$ 1,400,000

7 Notwithstanding section 8.33, moneys transferred and
8 appropriated in this section that remain unencumbered or
9 unobligated at the close of the fiscal year shall not revert
10 to the credit of the fish and game protection fund but shall
11 be credited to the special conservation fund.

12 DEPARTMENT OF NATURAL RESOURCES

13 DESIGNATED APPROPRIATIONS

14 Sec. 15. UNASSIGNED REVENUE FUND -- UNDERGROUND STORAGE
15 TANK SECTION EXPENSES. There is appropriated from the
16 unassigned revenue fund administered by the Iowa comprehensive
17 underground storage tank fund board, to the department of
18 natural resources for the fiscal year beginning July 1, 2006,
19 and ending June 30, 2007, the following amount, or so much
20 thereof as is necessary, to be used for the purpose
21 designated:

22 For purposes of paying for administration expenses of the
23 department's underground storage tank section:

24 \$ 200,000

25 Sec. 16. UNASSIGNED REVENUE FUND --
26 ENVIRONMENTAL REFUELING SYSTEMS ADVOCATE. There is
27 appropriated from the unassigned revenue fund
28 administered by the Iowa comprehensive underground
29 storage tank fund board, to the department of economic
30 development for the fiscal year beginning July 1,
31 2006, and ending June 30, 2007, the following amount,
32 or so much thereof as is necessary, to be used for the
33 purposes designated:

34 For purposes of supporting an environmental
35 refueling systems advocate to provide technical

1 assistance to service stations installing motor fuel
2 tanks used to store E-85 gasoline, including salaries,
3 support, maintenance, miscellaneous purposes, and for
4 not more than the following full-time equivalent
5 position:

6 \$ 150,000
7 FTEs 1.00

8 The advocate shall be an engineer who the Iowa
9 comprehensive petroleum underground storage tank fund board
10 shall certify to install underground storage tanks and provide
11 fire safety and environmental protection guidelines for
12 removing underground storage tanks according to departmental
13 requirements.

14 Sec. 17. STORMWATER DISCHARGE PERMIT FEES -- REDUCING
15 FLOODPLAIN PERMIT BACKLOG. Notwithstanding any contrary
16 provision of state law, for the fiscal year beginning July 1,
17 2006, and ending June 30, 2007, the department of natural
18 resources may use additional moneys available to the
19 department collected from stormwater discharge permit fees for
20 the staffing of the following additional full-time equivalent
21 positions for the purposes designated:

22 For purposes of reducing the department's floodplain permit
23 backlog:
24 FTEs 2.00

25 Sec. 18. STORMWATER DISCHARGE PERMIT FEES -- IMPLEMENTING
26 THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding
27 any contrary provision of state law, for the fiscal year
28 beginning July 1, 2006, and ending June 30, 2007, the
29 department of natural resources may use additional moneys
30 available to the department from stormwater discharge permit
31 fees for the staffing of the following additional full-time
32 equivalent positions for the purposes designated:

33 For purposes of implementing the federal total maximum
34 daily load program:
35 FTEs 2.00

1 IOWA STATE UNIVERSITY
2 DESIGNATED APPROPRIATION

3 Sec. 19. AGRICULTURAL REMEDIATION FUND -- OPEN FEEDLOT
4 WATER QUALITY RESEARCH PROJECT. There is appropriated from
5 the agrichemical remediation fund created in section 161.7 to
6 the Iowa state university of science and technology for the
7 fiscal year beginning July 1, 2006, and ending June 30, 2007,
8 the following amount, or so much thereof as is necessary, to
9 be used for the purposes designated:

10 For purposes of supporting a water quality research project
11 which studies the effectiveness of alternative technologies
12 used to reduce risks to water quality from effluent
13 originating from open feedlots which house beef cattle:

14 \$ 100,000

15 In conducting the project, Iowa state university shall
16 cooperate with the Iowa cattlemen's association, the
17 department of natural resources, the department of agriculture
18 and land stewardship, and the United States department of
19 agriculture natural resource conservation service.

20 MISCELLANEOUS

21 Sec. 20. Section 455B.103A, subsection 4, Code Supplement
22 2005, is amended to read as follows:

23 4. An applicant to be covered under a general permit shall
24 pay a permit fee, as established ~~by rule of the commission,~~
25 ~~which is sufficient in the aggregate to defray the costs of~~
26 ~~the permit program in section 455B.197.~~ Moneys collected by
27 the department shall be ~~remitted to~~ credited by the department
28 to the national pollutant discharge elimination system permit
29 fund created in section 455B.196.

30 Sec. 21. Section 455B.105, subsection 11, Code Supplement
31 2005, is amended by adding the following new paragraph:

32 NEW PARAGRAPH. c. The commission shall not adopt fees for
33 applications or permits related to the national pollutant
34 discharge elimination system which is provided for under
35 section 455B.197.

1 Sec. 22. NEW SECTION. 455B.196 NATIONAL POLLUTANT
2 DISCHARGE ELIMINATION SYSTEM PERMIT FUND.

3 1. A national pollutant discharge elimination system
4 permit fund is created as a separate fund in the state
5 treasury under the control of the department. The fund is
6 composed of moneys appropriated by the general assembly and
7 moneys available to and obtained or accepted by the department
8 from the United States or private sources for placement in the
9 fund. The fund shall include moneys deposited into the fund
10 from fees charged for the processing of applications for the
11 issuance of permits related to the national pollutant
12 discharge elimination system as provided in section 455B.197.

13 2. Moneys in the national pollutant discharge elimination
14 system permit fund are appropriated to the department
15 exclusively to expedite the department's processing of
16 national pollutant discharge elimination system applications
17 and the issuance of permits.

18 3. Section 8.33 shall not apply to moneys credited to the
19 national pollutant discharge elimination system permit fund.
20 Notwithstanding section 12C.7, moneys earned as income or
21 interest from the fund shall remain in the fund until expended
22 as provided in this section.

23 Sec. 23. NEW SECTION. 455B.197 NATIONAL POLLUTANT
24 DISCHARGE ELIMINATION SYSTEM PERMITS.

25 The department may issue a permit related to the
26 administration of the national pollutant discharge elimination
27 system permit program pursuant to the federal Water Pollution
28 Control Act, 33 U.S.C. ch. 26, as amended, and 40 C.F.R., pt.
29 124 including but not limited to storm water discharge permits
30 issued pursuant to section 455B.103A. The department may
31 provide for the receipt of applications and the issuance of
32 permits as provided by rules adopted by the department which
33 are consistent with this section. The department shall assess
34 and collect fees for the processing of applications and the
35 issuance of permits as provided in this section. The

1 department shall deposit the fees into the national pollutant
2 discharge elimination system permit fund created in section
3 455B.196. The fees shall be established as follows:

4 1. For coverage under national pollutant discharge
5 elimination system (NPDES) general permits, the following fees
6 apply:

7 a. For a permit for storm water discharges associated with
8 industrial activity, NPDES general permit no. 1, the following
9 fee schedule shall apply:

10 (1) An annual permit, one hundred fifty dollars each year.

11 (2) For a multiyear permit, all of the following shall
12 apply:

13 (a) A three-year permit, three hundred dollars.

14 (b) A four-year permit, four hundred fifty dollars.

15 (c) A five-year permit, six hundred dollars.

16 b. For a permit for storm water discharges associated with
17 industrial activity for construction activities, NPDES general
18 permit no. 2, the following fee schedule shall apply:

19 (1) An annual permit, one hundred fifty dollars each year.

20 (2) For a multiyear permit, all of the following shall
21 apply:

22 (a) A three-year permit, three hundred dollars.

23 (b) A four-year permit, four hundred fifty dollars.

24 (c) A five-year permit, six hundred dollars.

25 c. For a permit for storm water discharges associated with
26 industrial activity, from asphalt plants, concrete batch
27 plants, and rock crushing plants, NPDES general permit no. 3,
28 the following fee schedule shall apply:

29 (1) An annual permit, one hundred fifty dollars each year.

30 (2) For a multiyear permit, all of the following shall
31 apply:

32 (a) A three-year permit, three hundred dollars.

33 (b) A four-year permit, four hundred fifty dollars.

34 (c) A five-year permit, six hundred dollars.

35 d. For a permit for the discharge from onsite wastewater

1 treatment and disposal systems, NPDES general permit no. 4, a
2 fee shall not be charged.

3 e. For a permit for the discharge from mining and
4 processing facilities, NPDES general permit no. 5, the
5 following fee schedule shall apply:

6 (1) An annual permit, one hundred twenty-five dollars each
7 year.

8 (2) For a multiyear permit, all of the following shall
9 apply:

10 (a) A three-year permit, three hundred dollars.

11 (b) A four-year permit, four hundred dollars.

12 (c) A five-year permit, five hundred dollars.

13 2. For coverage under the national pollutant discharge
14 elimination system (NPDES) individual permits for storm water,
15 the following fees apply:

16 a. For a permit for storm water discharge associated with
17 industrial activity where the storm water is composed entirely
18 of storm water or combined with process wastewater or other
19 nonstorm water wastewater, a five-year permit fee of one
20 thousand two hundred fifty dollars.

21 b. For a permit for storm water discharges from municipal
22 separate storm sewer systems, a five-year permit fee of one
23 thousand two hundred fifty dollars.

24 c. For a construction permit, an application fee of one
25 hundred dollars.

26 3. For coverage under the national pollutant discharge
27 elimination system (NPDES) individual permits for nonstorm
28 water, the following annual fees apply:

29 a. For a major municipal facility, one thousand dollars.

30 b. For a minor municipal facility, one hundred fifty
31 dollars.

32 c. For a semipublic facility, two hundred dollars.

33 d. For a facility that holds an operation permit, with no
34 wastewater discharge into surface waters, one hundred dollars.

35 e. For a municipal water treatment facility, a fee shall

1 not be charged.

2 f. For a major industrial facility, two thousand dollars.

3 g. For a minor industrial facility, one hundred seventy-
4 five dollars.

5 h. For a confinement feeding operation as provided in
6 chapter 459, one hundred fifty dollars.

7 i. For an open feedlot operation as provided in chapter
8 459A, an annual fee of two hundred fifty dollars.

9 j. For a new facility that that has not been issued a
10 current nonstorm water NPDES permit, a prorated amount which
11 shall be calculated by taking the annual fee amount multiplied
12 by the number of months remaining before the next annual fee
13 due date divided by twelve.

14 k. For a facility covered under an existing nonstorm water
15 NPDES permit, a prorated amount which shall be calculated by
16 taking the annual fee amount multiplied by the number of
17 months remaining before the next annual fee due date divided
18 by twelve.

19 l. For a nonstorm water permit as provided in this
20 subsection, a single application fee of eighty-five dollars.

21 Sec. 24. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
22 PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF NATURAL
23 RESOURCES. There is appropriated from the national pollutant
24 discharge elimination system permit fund created in section
25 455B.196 to the department of natural resources for the fiscal
26 year beginning July 1, 2006, and ending June 30, 2007, the
27 following amount, or so much thereof as is necessary, to be
28 used for the purposes designated:

29 For purposes of expediting the department's processing of
30 national pollutant discharge elimination system applications
31 and the issuance of permits, including salaries, support,
32 maintenance, miscellaneous purposes, and for not more than the
33 following full-time equivalent positions:

34	\$	400,000
35	FTEs	3.00

1 Sec. 25. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
2 PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF ECONOMIC
3 DEVELOPMENT. There is appropriated from the national
4 pollutant discharge elimination system permit fund created in
5 section 455B.196 to the department of economic development for
6 the fiscal year beginning July 1, 2006, and ending June 30,
7 2007, the following amount, or so much thereof as is
8 necessary, to be used for the purposes designated:

9 For purposes of expediting the department of natural
10 resources processing of national pollutant discharge
11 elimination system applications and the issuance of permits,
12 including salaries, support, maintenance, miscellaneous
13 purposes, and for not more than the following full-time
14 equivalent positions:

15	\$	100,000
16	FTEs	2.00

17 1. The department of economic development shall provide
18 one full-time equivalent position to support an environmental
19 advocate to provide technical assistance to persons engaged in
20 livestock operations who may require a national pollutant
21 discharge elimination system permit as provided in section
22 455B.197.

23 2. The department of economic development shall provide
24 one full-time equivalent position to support an environmental
25 advocate to provide technical assistance to persons who are
26 not engaged in livestock operations who may require a national
27 pollutant discharge elimination system permit as provided in
28 section 455B.197.

29 Sec. 26. TRAVEL POLICY.

30 1. For the fiscal year beginning July 1, 2006, each
31 department or independent agency receiving an appropriation in
32 this Act shall review the employee policy for daily or short-
33 term travel including but not limited to the usage of motor
34 pool vehicles under the department of administrative services,
35 employee mileage reimbursement for the use of a personal

1 vehicle, and the usage of private automobile rental companies.
2 Following the review, the department or agency shall implement
3 revisions in the employee policy for daily or short-term
4 travel as necessary to maximize cost savings.

5 2. Each department or independent agency subject to
6 subsection 1 shall report to the general assembly's standing
7 committees on government oversight regarding the policy
8 revisions implemented and the savings realized from the
9 changes. An initial report shall be submitted on or before
10 December 1, 2006, and a follow-up report shall be submitted on
11 or before December 1, 2007.

12 EXPLANATION

13 GENERAL. This bill relates to agriculture and natural
14 resources by making appropriations for the 2006-2007 fiscal
15 year to support related entities, including the department of
16 agriculture and land stewardship, the department of natural
17 resources, the department of economic development, and Iowa
18 state university.

19 The bill appropriates moneys to the department of
20 agriculture and land stewardship and the department of natural
21 resources. The appropriations are made to support those
22 departments for administration, regulation, and programs. The
23 bill also provides moneys to support specific programs or
24 projects administered by those departments. The bill
25 appropriates moneys from a number of sources, including the
26 general fund of the state, the state fish and game protection
27 fund, and the groundwater protection fund.

28 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the
29 department of agriculture and land stewardship, moneys are
30 appropriated in order to support its divisions.

31 The bill appropriates moneys from the general fund to
32 support animal husbandry including for the administration of
33 the chronic wasting disease program, horse and dog racing,
34 dairy products control, avian influenza control, and apiary
35 regulation. The bill also appropriates moneys to reimburse

1 commissioners of soil and water conservation districts for
2 expenses, a senior farmers market nutrition program, and to
3 support the department's membership in a river association.

4 DEPARTMENT OF NATURAL RESOURCES. For the department of
5 natural resources, moneys are appropriated from the general
6 fund in order to support its divisions.

7 The bill makes appropriations from other funds. The bill
8 appropriates moneys to the department of natural resources
9 from the state fish and game protection fund for support
10 programs related to fish and wildlife. It requires the
11 department to contract with a person to provide training and
12 assistance to persons interested in activities involving the
13 use of firearms. The bill appropriates moneys from the
14 groundwater protection fund to support groundwater quality and
15 allocates some of those moneys to support a computer recycling
16 program.

17 The bill makes an appropriation from moneys transferred to
18 the state fish and game protection fund to support snowmobile
19 programs and enforce state navigation and water laws.

20 Two appropriations are made from the unassigned revenue
21 fund administered by the Iowa comprehensive underground
22 storage tank fund board. An appropriation is made to the
23 department of natural resources for administration and
24 expenses of the underground storage tank section. A second
25 appropriation is to support an environmental refueling systems
26 advocate to provide technical assistance to service stations
27 installing E-85 motor fuel infrastructure.

28 The bill provides that the department of natural resources
29 may use additional funds for staffing to reduce the
30 department's floodplain permit backlog. The bill provides
31 that the department may use additional funds available from
32 stormwater discharge permit fees for staffing required to
33 implement the federal maximum daily load program.

34 IOWA STATE UNIVERSITY. The bill appropriates moneys to
35 Iowa state university to continue a project to perform water

1 quality research to determine methods to reduce risks to water
2 quality associated with open feedlot runoff.

3 MISCELLANEOUS. The bill provides for a schedule of fees to
4 be paid by persons submitting applications and obtaining
5 permits from the department of natural resources relating to
6 the national pollutant discharge elimination system (NPDES)
7 program.

8 The bill includes a directive for the departments and
9 independent agencies receiving an appropriation in the bill to
10 review employee policy for daily or short-term travel and to
11 implement policy revisions to maximize cost savings. The
12 directive includes requirements for reporting to the
13 committees on government oversight.

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HOUSE FILE 2540

AN ACT

RELATING TO AND MAKING APPROPRIATIONS INVOLVING STATE GOVERNMENT, INCLUDING PROVISIONS AFFECTING AGRICULTURE AND NATURAL RESOURCES, PROVIDING FEES, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP GENERAL APPROPRIATIONS

Section 1. GENERAL FUND -- DEPARTMENT. 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 17,837,900
..... FTEs 404.39

Of the amount appropriated in this section at least \$50,000 shall be allocated to support a program relating to the detection, surveillance, and eradication of the gypsy moth.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP DESIGNATED APPROPRIATIONS -- ANIMAL HUSBANDRY

Sec. 2. GENERAL FUND -- CHRONIC WASTING DISEASE CONTROL 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of administering a chronic wasting disease control program for the control of chronic wasting disease which threatens farm deer as provided in chapter 170, including for salaries, support, maintenance, and miscellaneous purposes:
..... \$ 100,000

The program may include procedures for the inspection and testing of farm deer, responses to reported cases of chronic wasting disease, and methods to ensure that owners of farm deer may engage in the movement and sale of farm deer.

Sec. 3. HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's administration and enforcement of horse and dog racing law pursuant to section 99D.22, including for salaries, support, maintenance, and miscellaneous purposes:
..... \$ 305,516

Sec. 4. GENERAL FUND -- DAIRY PRODUCTS CONTROL. 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the operations of the dairy products control bureau, including for salaries, support, maintenance, and miscellaneous purposes:
..... \$ 693,166

Sec. 5. GENERAL FUND -- AVIAN INFLUENZA CONTROL. 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of controlling avian influenza by conducting testing and monitoring:

..... \$ 50,000

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the continued testing and monitoring of avian influenza.

Sec. 6. GENERAL FUND -- APIARY LAW. 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of administering and enforcing apiary law as provided in chapter 160, including for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 40,000

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
DESIGNATED APPROPRIATIONS -- MISCELLANEOUS

Sec. 7. GENERAL FUND -- SOIL AND WATER CONSERVATION DISTRICTS. 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of reimbursing commissioners of soil and water conservation districts for administrative expenses including but not limited to travel expenses, technical training, and professional dues:

..... \$ 250,000

A soil and water conservation district receiving moneys from an allocation provided pursuant to this section shall submit a report to the soil conservation division of the department of agriculture and land stewardship by July 1, 2007, accounting for moneys which have been expended or unexpended or which have been obligated or encumbered. The report shall state how the moneys were used.

Sec. 8. GENERAL FUND -- SENIOR FARMERS MARKET NUTRITION 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of administering a senior farmers market nutrition program, including for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 77,000

Sec. 9. GENERAL FUND -- STATE INTERAGENCY MISSOURI RIVER AUTHORITY. 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of supporting the department's membership in the state interagency Missouri river authority, created in section 28L.1, in the Missouri river basin association:

..... \$ 9,535

Sec. 10. IOWA SHORTHORN ASSOCIATION. 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, 2005, and ending June 30, 2006, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For allocation to the Iowa shorthorn association in connection with the 2006 national junior shorthorn show:

..... \$ 10,000

DEPARTMENT OF NATURAL RESOURCES
GENERAL APPROPRIATIONS

Sec. 11. GENERAL FUND -- DEPARTMENT. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 17,967,579
..... FTEs 1,113.63

Sec. 12. STATE FISH AND GAME PROTECTION FUND -- DIVISION OF FISH AND WILDLIFE.

1. a. There is appropriated from the state fish and game protection fund to the department of natural resources for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the division of fish and wildlife, including for administration, regulation, and programs, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ 34,322,525

b. Notwithstanding section 455A.10, the department may use the unappropriated balance remaining in the fish and game protection fund to provide for the funding of health and life insurance premium payments from unused sick leave balances of 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 services agency and the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources concerning the commission's approval.

Sec. 13. GROUNDWATER PROTECTION FUND -- WATER QUALITY.

1. There is appropriated from the groundwater protection fund created in section 455E.11 to the department of natural resources for the fiscal year beginning July 1, 2006, and ending June 30, 2007, from those moneys which are not allocated pursuant to that section, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's protection of the state's groundwater, including for administration, regulation, and programs, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ 3,455,832

2. Of the amount of moneys to be allocated from the solid waste account of the groundwater protection fund to develop and implement demonstration projects for landfill alternatives to solid waste disposal including recycling programs pursuant to section 455E.11, subsection 2, paragraph "a", subparagraph (1), subparagraph subdivision (c), \$300,000 shall be used for purposes of supporting a one-year project to recycle hardware or equipment associated with personal computers. The department shall award the moneys provided in this subsection using a competitive grant process on a statewide basis. The department shall make the award to a person or persons who apply in a manner and according to procedures required by the department.

DEPARTMENT OF NATURAL RESOURCES
RELATED TRANSFERS

Sec. 14. SPECIAL SNOWMOBILE FUND -- SNOWMOBILE PROGRAM.

There is transferred on July 1, 2006, from the fees required to be deposited in the special snowmobile fund 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of administering and enforcing the state snowmobile program:

..... \$ 100,000
DEPARTMENT OF NATURAL RESOURCES
DESIGNATED APPROPRIATIONS

Sec. 15. UNASSIGNED REVENUE FUND -- UNDERGROUND STORAGE

TANK SECTION EXPENSES. 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, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of paying for administration expenses of the department's underground storage tank section:

..... \$ 200,000

Sec. 16. STORMWATER DISCHARGE PERMIT FEES APPROPRIATION --

AIR QUALITY MONITORING. Notwithstanding section 8.33, any moneys appropriated to the department of natural resources from stormwater discharge permit fees for the fiscal year beginning July 1, 2005, and ending June 30, 2006, pursuant to 2005 Iowa Acts, chapter 178, section 2, that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available until the close of the succeeding fiscal year for expenditure for full-time personnel to conduct air quality monitoring, which may include but is not limited to staffing required to perform field monitoring and laboratory functions, including salaries, support, maintenance, and for miscellaneous purposes.

Sec. 17. STORMWATER DISCHARGE PERMIT FEES -- REDUCING

FLOODPLAIN PERMIT BACKLOG. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the department of natural resources may use additional moneys available to the department collected from stormwater discharge permit fees for the staffing of the following additional full-time equivalent positions for the purposes designated:

For purposes of reducing the department's floodplain permit backlog:

..... FTEs 2.00
Sec. 18. STORMWATER DISCHARGE PERMIT FEES -- IMPLEMENTING

THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the department of natural resources may use additional moneys available to the department from stormwater discharge permit fees for the staffing of the following additional full-time equivalent positions for the purposes designated:

For purposes of implementing the federal total maximum daily load program:

..... FTEs 2.00
IOWA STATE UNIVERSITY
DESIGNATED APPROPRIATIONS

Sec. 19. AGRICULTURAL REMEDIATION FUND -- OPEN FEEDLOT

WATER QUALITY RESEARCH PROJECT. There is appropriated from the agrichemical remediation fund created in section 161.7 to the Iowa state university of science and technology for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting a water quality research project which studies the effectiveness of alternative technologies used to reduce risks to water quality from effluent originating from open feedlots which house beef cattle:

..... \$ 50,000

In conducting the project, Iowa state university shall cooperate with the Iowa cattlemen's association, the department of natural resources, the department of agriculture and land stewardship, and the United States department of agriculture natural resource conservation service.

Sec. 20. VETERINARY DIAGNOSTIC LABORATORY.

1. There is appropriated from the general fund of the state to Iowa state university of science and technology for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory:

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

2. Iowa state university of science and technology shall not reduce the amount that it allocates to support the college of veterinary medicine from any other source due to the appropriation made in this section.

3. If by the end of the fiscal year, Iowa state university of science and technology fails to allocate the moneys appropriated in this section to the college of veterinary science in accordance with this section, the moneys appropriated in this section for that fiscal year shall revert to the general fund of the state.

Sec. 21. VETERINARY DIAGNOSTIC LABORATORY -- FUTURE YEARS.

It is the intent of the general assembly that a future general assembly appropriate moneys to Iowa state university of science and technology for the designated fiscal years, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory:

1. FY 2007-2008..... \$ 2,000,000

2. FY 2008-2009..... \$ 3,000,000
3. FY 2009-2010..... \$ 4,000,000

MISCELLANEOUS

Sec. 22. Section 455B.103A, subsection 4, Code Supplement 2005, is amended to read as follows:

4. a. An Except as provided in paragraph "b", an applicant to be covered under a general permit shall pay a permit fee, as established by rule of the commission, which is sufficient in the aggregate to defray the costs of the permit program. Moneys collected shall be remitted to the department.

b. The commission shall adopt rules for a general permit described in section 455B.197, including fees, only to the extent that the rules are consistent with that section.

Sec. 23. Section 455B.105, subsection 11, Code Supplement 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. The commission shall adopt rules for applications or permits related to the national pollutant discharge elimination system (NPDES) coverage as described in section 455B.197, including fees, only to the extent that the rules are consistent with that section.

Sec. 24. NEW SECTION. 455B.196 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FUND.

1. A national pollutant discharge elimination system permit fund is created as a separate fund 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. The fund shall include moneys deposited into the fund from fees charged for the processing of applications for the issuance of permits related to the national pollutant discharge elimination system as provided in section 455B.197.

2. Moneys in the national pollutant discharge elimination system permit fund shall be used only as provided in appropriations made from the fund by the general assembly

which may include for purposes relating to expediting the department's processing of national pollutant discharge elimination system applications and the issuance of permits.

3. Section 8.33 shall not apply to moneys credited to the national pollutant discharge elimination system permit 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. 25. NEW SECTION. 455B.197 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS.

The department may issue a permit related to the administration of the national pollutant discharge elimination system permit program pursuant to the federal Water Pollution Control Act, 33 U.S.C. ch. 26, as amended, and 40 C.F.R., pt. 124 including but not limited to storm water discharge permits issued pursuant to section 455B.103A. The department may provide for the receipt of applications and the issuance of permits as provided by rules adopted by the department which are consistent with this section. The department shall assess and collect fees for the processing of applications and the issuance of permits as provided in this section. The department shall deposit the fees into the national pollutant discharge elimination system permit fund created in section 455B.196. The fees shall be established as follows:

1. For a permit for the discharge from mining and processing facilities, NPDES general permit no. 5, the following fee schedule shall apply:
 - a. An annual permit, one hundred twenty-five dollars each year.
 - b. For a multiyear permit, all of the following shall apply:
 - (1) A three-year permit, three hundred dollars.
 - (2) A four-year permit, four hundred dollars.
 - (3) A five-year permit, five hundred dollars.
2. For coverage under the national pollutant discharge elimination system (NPDES) individual permits for storm water,

for a construction permit, an application fee of one hundred dollars.

3. For coverage under the national pollutant discharge elimination system (NPDES) individual permits for nonstorm water, the following annual fees apply:

- a. For a major municipal facility, one thousand two hundred seventy-five dollars.
 - b. For a minor municipal facility, two hundred ten dollars.
 - c. For a semipublic facility, three hundred forty dollars.
 - d. For a facility that holds an operation permit, with no wastewater discharge into surface waters, one hundred seventy dollars.
 - e. For a municipal water treatment facility, a fee shall not be charged.
 - f. For a major industrial facility, three thousand four hundred dollars.
 - g. For a minor industrial facility, three hundred dollars.
 - h. For an open feedlot operation as provided in chapter 459A, an annual fee of three hundred forty dollars.
 - i. For a new facility that has not been issued a current nonstorm water NPDES permit, a prorated amount which shall be calculated by taking the annual fee amount multiplied by the number of months remaining before the next annual fee due date divided by twelve.
 - j. For a facility covered under an existing nonstorm water NPDES permit, a prorated amount which shall be calculated by taking the annual fee amount multiplied by the number of months remaining before the next annual fee due date divided by twelve.
 - k. For a nonstorm water permit as provided in this subsection, a single application fee of eighty-five dollars.
- Sec. 26. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES. There is appropriated from the national pollutant discharge elimination system permit fund created in section

455B.196 to the department of natural resources for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of expediting the department's processing of national pollutant discharge elimination system applications and the issuance of permits, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 600,000
..... FTEs 6.00

Sec. 27. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF ECONOMIC DEVELOPMENT. There is appropriated from the national pollutant discharge elimination system permit fund created in section 455B.196 to the department of economic development for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of expediting the department of natural resources processing of national pollutant discharge elimination system applications and the issuance of permits, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

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

1. The department of economic development shall provide one full-time equivalent position to support an environmental advocate to provide technical assistance to persons engaged in livestock operations who may require a national pollutant discharge elimination system permit as provided in section 455B.197.

2. The department of economic development shall provide one full-time equivalent position to support an environmental advocate to provide technical assistance to persons who are

not engaged in livestock operations who may require a national pollutant discharge elimination system permit as provided in section 455B.197.

Sec. 28. Section 455E.11, subsection 2, paragraph a, subparagraph (2), subparagraph subdivision (d), Code Supplement 2005, is amended to read as follows:

(d) For the fiscal year beginning July 1, 2005, nine and one-half percent to the department to establish permanent household hazardous waste collection sites so that both urban and rural populations are served and so that collection services are available to the public on a regular basis. Beginning July 1, 2006, six and one-quarter percent to the department to establish permanent household hazardous waste collection sites so that both urban and rural populations are served and so that collection services are available to the public on a regular basis. Beginning July 1, 2007, three percent to the department to establish permanent household hazardous waste collection sites so that both urban and rural populations are served and so that collection services are available to the public on a regular basis. Any Beginning July 1, 2008, any moneys collected pursuant to this subparagraph subdivision that remain unexpended at the end of a fiscal year for establishment of permanent household hazardous waste collection sites shall be used for purposes of subparagraph subdivision (e).

Sec. 29. TRAVEL POLICY.

1. For the fiscal year beginning July 1, 2006, each department or independent agency receiving an appropriation in this Act shall review the employee policy for daily or short-term travel including but not limited to the usage of motor pool vehicles under the department of administrative services, employee mileage reimbursement for the use of a personal vehicle, and the usage of private automobile rental companies. Following the review, the department or agency shall implement revisions in the employee policy for daily or short-term travel as necessary to maximize cost savings.

2. Each department or independent agency subject to subsection 1 shall report to the general assembly's standing committees on government oversight regarding the policy revisions implemented and the savings realized from the changes. An initial report shall be submitted on or before December 1, 2006, and a follow-up report shall be submitted on or before December 1, 2007.

Sec. 30. EFFECTIVE DATE. Section 10 of this Act, providing for the allocation of moneys to the Iowa shorthorn association, and section 16 of this Act, relating to a stormwater discharge permit fees appropriation, being deemed of immediate importance, take effect upon enactment.

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2540, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2006

THOMAS J. VILSACK
Governor