

FILED JAN 25 2006

NAT. RES. & ENVIRONMENT

SENATE FILE **2075**
BY HOUSER

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act regulating manure management plans and related documents
2 submitted by the department of natural resources to counties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

NAT. RES. & ENVIRONMENT

Sf 2075

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1 Section 1. Section 459.312, subsection 4, Code 2005, is
2 amended to read as follows:

3 4. a. The department shall deliver a copy of all of the
4 following to a designated county board of supervisors:

5 (1) An original manure management plan or-require-the
6 person-submitting-the-manure-management-plan-to-deliver-a-copy
7 of-the. If a person is required to be issued a permit for the
8 construction of the manure storage structure as provided in
9 section 459.303, the original manure management plan shall
10 accompany the application for the construction permit as
11 provided in section 459.303.

12 (2) Any updated manure management plan to. If the owner
13 of a confinement feeding operation files a document in lieu of
14 submitting a complete plan as provided in this section, the
15 department shall deliver a copy of that document to each
16 designated county board of supervisors.

17 b. For purposes of this subsection, a "designated county
18 board of supervisors" includes all of the following:

19 a- (1) The county board of supervisors in the county
20 where the manure storage structure owned by the person is
21 located.

22 b- (2) The county board of supervisors in the county
23 where the manure storage structure is proposed to be
24 constructed. If-the-person-is-required-to-be-issued-a-permit
25 for-the-construction-of-the-manure-storage-structure-as
26 provided-in-section-459-303,-the-manure-management-plan-shall
27 accompany-the-application-for-the-construction-permit-as
28 provided-in-section-459-303-

29 c- (3) The county board of supervisors in the county
30 where the manure is to be applied.

31 The-manure-management-plan-shall-be-filed-with-the-county
32 board-of-supervisors-

33 c. The department shall deliver the manure management plan
34 and related documents by electronic transmission, unless the
35 department and a designated county board of supervisors agrees

1 to another delivery method. The county auditor or other
2 county officer designated by the county board of supervisors
3 may accept the manure management plan and related documents on
4 behalf of the board.

5 EXPLANATION

6 This bill amends Code chapter 459, referred to as the
7 "Animal Agriculture Compliance Act" (see Code section 459.101)
8 and administered and enforced by the department of natural
9 resources. The Code chapter in part regulates confinement
10 feeding operations in which animals are housed in buildings
11 and fed and maintained for 45 days or more in any 12-month
12 period, and associated manure storage structures. Certain
13 persons are required to file a manure management plan,
14 including an owner of a confinement feeding operation or a
15 person who applies manure from a confinement feeding operation
16 which is located in another state, if the manure is applied on
17 land located in this state. The manure management plan must
18 be annually updated. Generally, the manure management plan
19 must include information regarding how much and where manure
20 kept in a manure storage structure is to be applied (see Code
21 section 459.312).

22 The department is required to deliver a copy of the manure
23 management plan or require the person submitting the manure
24 management plan to the department to also deliver a copy of
25 the manure management plan to designated counties (each county
26 where the manure storage structure owned by the person is
27 located, where a manure storage structure is proposed to be
28 constructed, and where the manure is to be applied). The bill
29 provides that it is the department's sole responsibility to
30 deliver the documents, including the original manure
31 management plan, any updated manure management plan, and a
32 statement noting that there have been no changes in the last
33 manure management plan or specifying the changes from the last
34 manure management plan or updated manure management plan as
35 approved by the department. The department is required to

1 deliver the documents by electronic transmission to a county
2 auditor or other person designated by the county board of
3 supervisors, although the department and a county may agree to
4 another delivery method.

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SENATE FILE 2075

S-5119

1 Amend Senate File 2075 as follows:

2 1. By striking page 1, line 1, through page 2,
3 line 4, and inserting the following:

4 "Sec. __. Section 459.312, Code 2005, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 4A. The department shall provide
7 for the receipt and processing of manure management
8 plans, including updates to manure management plans,
9 in an electronic format pursuant to section 459.302,
10 not later than July 1, 2008. After that time, a
11 person required to submit a manure management plan
12 under this section shall submit the manure management
13 plan to the department and to the county board of
14 supervisors in an electronic format."

15 2. Title page, by striking lines 1 and 2 and
16 inserting the following: "An Act providing for the
17 processing and delivery of manure management plans in
18 an electronic format."

19 3. By renumbering as necessary.

By TOM HANCOCK

S-5119 FILED MARCH 22, 2006

Fiscal Services Division
Legislative Services Agency
Fiscal Note

SF 2075 - Confinement Feeding Operations, Manure Management (LSB 5906 SS)

Analyst: Debra Kozel (Phone: [515] 281-6767) (deb.kozel@legis.state.ia.us)

Fiscal Note Version - New

Requested by Senator Hubert Houser

Description

Senate File 2075 requires the Department of Natural Resources (DNR) to submit copies for manure management plans and other related documents in an electronic version to the county where an animal confinement operation is located. The copies are emailed after the DNR has approved the manure management plan that is submitted annually to the Department. Currently, paper copies of these documents are mailed to the counties, and many county offices do not have sufficient room to store the documents.

Assumptions

1. The DNR estimates they will need 0.5 FTE position at each of the six field offices across the State for a total 3.00 FTE positions. These persons will scan and email documents from the field office to the county offices. The estimated cost is \$50,000 per FTE position for a total annual cost of \$150,000.
2. The DNR estimates the one-time cost to purchase additional computers and scanning equipment at \$17,000.
3. The DNR estimates the annual cost for support supplies at \$5,000.

Fiscal Impact

The estimated fiscal impact of Senate File 2075 is an increase in expenditures of \$172,000 and 3.00 FTE positions for FY 2007 and \$155,000 for FY 2008 and each year after.

Source

Department of Natural Resources

Dennis C Prouty

March 13, 2006

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
