

HSB 252

APPROPRIATIONS  
Succeeded by  
SF / HF 725

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY JOINT  
APPROPRIATIONS SUBCOMMITTEE ON  
AGRICULTURE AND NATURAL RESOURCES)

Passed Senate, Date \_\_\_\_\_ Passed House, 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.

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

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DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Section 1. GENERAL DEPARTMENT APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE DIVISION

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

..... \$ 2,165,816
..... FTEs 46.33

(1) The department shall use moneys appropriated in this paragraph "a" as is necessary to support livestock market news reporting.

(2) The department shall use moneys appropriated in this paragraph "a" as is necessary to support the state apiarist in administering the provisions of chapter 160.

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

..... \$ 20,151

c. For the purpose of performing commercial feed audits:

..... \$ 71,871

d. For the purpose of performing fertilizer audits:

..... \$ 71,873

2. REGULATORY DIVISION

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

..... \$ 4,446,344

..... FTEs 124.00

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

1 192 and 194:

2 ..... \$ 677,829

3 3. LABORATORY DIVISION

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

7 ..... \$ 811,354

8 ..... FTEs 80.00

9 The department shall use moneys appropriated in and  
10 allocate FTEs authorized in this paragraph "a" as is necessary  
11 to administer a program relating to the detection,  
12 surveillance, and eradication of the gypsy moth.

13 b. For the operations of the commercial feed programs:

14 ..... \$ 661,240

15 c. For the operations of the pesticide programs:

16 ..... \$ 1,059,874

17 The department shall allocate moneys appropriated in this  
18 paragraph "c" to Iowa state university of science and  
19 technology as is necessary to support the training of  
20 commercial pesticide applicators.

21 d. For the operations of the fertilizer programs:

22 ..... \$ 537,170

23 4. SOIL CONSERVATION DIVISION

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

27 ..... \$ 6,768,803

28 ..... FTEs 194.11

29 a. Of the amount appropriated in this subsection, \$218,376  
30 shall be used to reimburse commissioners of soil and water  
31 conservation districts for administrative expenses, including,  
32 but not limited to, travel expenses and technical training.

33 Moneys used for the payment of meeting dues by counties shall  
34 be matched on a dollar-for-dollar basis by the soil

35 conservation division.

1 b. Of the amount appropriated in this subsection, \$44,000  
2 shall be used to support inspections for noncoal mining  
3 operations.

4 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is  
5 appropriated from the general fund of the state to the  
6 department of agriculture and land stewardship for the fiscal  
7 year beginning July 1, 2001, and ending June 30, 2002, the  
8 following amount, or so much thereof as is necessary, to be  
9 used for the purposes designated:

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

16 .....	\$	304,680
17 .....	FTEs	2.00

18 DIVISION II

19 DEPARTMENT OF NATURAL RESOURCES

20 GENERAL APPROPRIATIONS

21 Sec. 3. GENERAL DEPARTMENT APPROPRIATIONS. There is  
22 appropriated from the general fund of the state to the  
23 department of natural resources for the fiscal year beginning  
24 July 1, 2001, and ending June 30, 2002, the following amounts,  
25 or so much thereof as is necessary, to be used for the  
26 purposes designated:

27 1. ADMINISTRATIVE AND SUPPORT SERVICES

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

31 .....	\$	2,052,531
32 .....	FTEs	118.25

33 2. PARKS AND PRESERVES DIVISION

34 For salaries, support, and maintenance of personnel and  
35 programs relating to water access development, all state parks

1 as they existed on April 1, 2001, recreation areas, and state  
2 preserves, and for related miscellaneous purposes, and for not  
3 more than the following full-time equivalent positions:

4 ..... \$ 5,983,100  
5 ..... FTEs 195.73

6 3. FORESTS AND FORESTRY DIVISION

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

10 ..... \$ 1,765,460  
11 ..... FTEs 53.71

12 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

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

16 ..... \$ 1,754,683  
17 ..... FTEs 59.00

18 5. ENVIRONMENTAL PROTECTION DIVISION

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

22 ..... \$ 4,662,753  
23 ..... FTEs 226.50

24 6. FISH AND WILDLIFE DIVISION

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

27 ..... FTEs 356.18

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

31 7. WASTE MANAGEMENT ASSISTANCE DIVISION

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

34 ..... FTEs 53.75

35 Sec. 4. STATE FISH AND GAME PROTECTION FUND --

1 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

2 1. a. There is appropriated from the state fish and game  
3 protection fund to the division of fish and wildlife of the  
4 department of natural resources for the fiscal year beginning  
5 July 1, 2001, and ending June 30, 2002, the following amount,  
6 or so much thereof as is necessary, to be used for the  
7 purposes designated:

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

10 ..... \$ 26,383,240

11 b. The department may use moneys appropriated in paragraph  
12 "a", as is necessary to provide compensation to conservation  
13 peace officers employed in a protection occupation who retire,  
14 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 fiscal bureau 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 DIVISION III

26 RELATED TRANSFERS AND APPROPRIATIONS

27 DEPARTMENT OF NATURAL RESOURCES

28 Sec. 5. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT

29 PURPOSES. There is transferred on July 1, 2001, from the fees  
30 deposited under section 321G.7 to the fish and game protection  
31 fund and appropriated to the department of natural resources  
32 for the fiscal year beginning July 1, 2001, and ending June  
33 30, 2002, the following amount, or so much thereof as is  
34 necessary, to be used for the purpose designated:

35 For enforcing snowmobile laws as part of the state

1 snowmobile program administered by the department of natural  
2 resources:

3 ..... \$ 100,000

4 Sec. 6. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.

5 There is transferred on July 1, 2001, from the fees deposited  
6 under section 462A.52 to the fish and game protection fund and  
7 appropriated to the natural resource commission for the fiscal  
8 year beginning July 1, 2001, and ending June 30, 2002, the  
9 following amount, or so much thereof as is necessary, to be  
10 used for the purpose designated:

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

13 ..... \$ 1,400,000

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

20 DIVISION IV

21 SPECIAL APPROPRIATIONS

22 DEPARTMENT OF NATURAL RESOURCES

23 Sec. 7. MARINE FUEL TAX RECEIPTS -- BOATING FACILITIES.

24 There is appropriated from the marine fuel tax receipts  
25 deposited in the general fund of the state to the department  
26 of natural resources for the fiscal year beginning July 1,  
27 2001, and ending June 30, 2002, the following amount, or so  
28 much thereof as is necessary, to be used for the purposes  
29 designated:

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

33 ..... \$ 411,311

34 Sec. 8. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE  
35 UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated

1 from the unassigned revenue fund administered by the Iowa  
2 comprehensive underground storage tank fund board, to the  
3 department of natural resources for the fiscal year beginning  
4 July 1, 2001, and ending June 30, 2002, the following amount,  
5 or so much thereof as is necessary, to be used for the purpose  
6 designated:

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

9 ..... \$ 75,000

10 Sec. 9. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any  
11 provision of state law, for the fiscal year beginning July 1,  
12 2001, and ending June 30, 2002, the department of natural  
13 resources may use additional funds available to the department  
14 from stormwater discharge permit fees for the staffing of the  
15 following additional full-time staff members to reduce the  
16 department's floodplain permit backlog:

17 ..... FTEs 2.00

18 Sec. 10. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY  
19 LOAD PROGRAM. Notwithstanding any contrary provision of state  
20 law, for the fiscal year beginning July 1, 2001, and ending  
21 June 30, 2002, the department of natural resources may use  
22 additional funds available to the department from stormwater  
23 discharge permit fees for the staffing of the following  
24 additional full-time equivalent positions for implementation  
25 of the federal total maximum daily load program:

26 ..... FTEs 2.00

27 SPECIAL APPROPRIATIONS

28 ANIMAL HEALTH AND INDUSTRY

29 Sec. 11. HORSE AND DOG RACING. There is appropriated from  
30 the moneys available under section 99D.13 to the regulatory  
31 division of the department of agriculture and land stewardship  
32 for the fiscal year beginning July 1, 2001, and ending June  
33 30, 2002, the following amount, or so much thereof as is  
34 necessary, to be used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes for the administration of section 99D.22:  
2 ..... \$ 271,307

3 Sec. 12. PSEUDORABIES ERADICATION PROGRAM.

4 1. There is appropriated from the general fund of the  
5 state to the department of agriculture and land stewardship  
6 for the fiscal year beginning July 1, 2001, and ending June  
7 30, 2002, the following amount, or so much thereof as is  
8 necessary, to be used for the purpose designated:

9 For support of the pseudorabies eradication program:  
10 ..... \$ 900,700

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

16 DIVISION V  
17 MISCELLANEOUS

18 Sec. 13. ISSUANCE OF PERMITS BY THE DEPARTMENT OF NATURAL  
19 RESOURCES. For the fiscal year beginning July 1, 2001, and  
20 ending June 30, 2002, the department of natural resources  
21 shall approve, deny, or delay consideration of a permit  
22 application required to be submitted to the department based  
23 only on requirements relating to the merit of the application  
24 or applicant, procedural requirements of the department  
25 unrelated to staff availability, and state law including but  
26 not limited to section 455B.104.

27 EXPLANATION

28 This bill relates to agriculture and natural resources by  
29 making appropriations to support related entities, including  
30 the department of agriculture and land stewardship, the  
31 department of natural resources, and Iowa state university of  
32 science and technology.

33 The bill appropriates moneys to the department of  
34 agriculture and land stewardship and the department of natural  
35 resources. The appropriations are made to support

1 administration of those departments. The bill also provides  
2 moneys for specific programs administered by those  
3 departments. The bill appropriates moneys from a number of  
4 sources, including the general fund of the state, and the  
5 state fish and game protection fund.

6 For the department of agriculture and land stewardship,  
7 moneys are appropriated or full-time equivalent positions  
8 authorized in order to support its divisions, including the  
9 administrative division, the regulatory division, the  
10 laboratory division, and the soil conservation division. The  
11 bill appropriates moneys to support programs for international  
12 travel, livestock market reporting, the farmers' market coupon  
13 program, the eradication of gypsy moth infestations, and  
14 training of commercial pesticide applicators.

15 For the department of natural resources, moneys are  
16 appropriated or full-time equivalent positions authorized in  
17 order to support its divisions, including the administrative  
18 and support services division, the parks and preserves  
19 division, the forests and forestry division, the energy and  
20 geological resources division, and the environmental  
21 protection division.

22 The bill appropriates moneys to support animal industry  
23 programs, including a program administered by Iowa state  
24 university of science and technology for the eradication of  
25 pseudorabies in swine and a program to regulate horse and dog  
26 racing by the department of agriculture and land stewardship.

27 The bill makes appropriations from other funds and  
28 accounts. The bill appropriates moneys to the department of  
29 natural resources from the state fish and game protection fund  
30 for support of the division of fish and wildlife. The bill  
31 makes an appropriation from moneys transferred to the state  
32 fish and game protection fund to support snowmobile programs  
33 and enforce state navigation laws administered by the  
34 department of natural resources.

35 An appropriation is made from the unassigned revenue fund

1 administered by the Iowa comprehensive underground storage  
2 tank fund board to the department of natural resources for  
3 administration and expenses of the underground storage tank  
4 section.

5 The bill provides that the department of natural resources  
6 may use additional funds for staffing to reduce the  
7 department's floodplain permit backlog. It provides that the  
8 department may use additional funds available from stormwater  
9 discharge permit fees for staffing required to implement the  
10 federal maximum daily load program.

11 The bill requires the department of natural resources to  
12 keep state parks open and provides for the review and approval  
13 or denial of permits according to requirements unrelated to  
14 staff availability.

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WAYS AND MEANS

4/19/01 Amend/Do Pass  
W/ 41615

S. 4/26/01 Approp  
S. 4/26/01 Do Pass

HOUSE FILE 725  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 252)

Passed House, Date <sup>(P.1505)</sup> 4/25/01 Passed Senate, Date <sup>P.1379</sup> 4/27/01  
Vote: Ayes 57 Nays 42 Vote: Ayes 29 Nays 30  
Approved 5-25-01  
*Stacy Mitchell*

A BILL FOR

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

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

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HF 725

DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Section 1. GENERAL DEPARTMENT APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE DIVISION

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

.....	\$	2,327,448
.....	FTEs	47.33

(1) Of the amount appropriated in this paragraph "a", at least \$87,000 shall be used to support livestock market news reporting, including the support of 1.00 FTE to provide for six part-time staff positions on a contract basis.

(2) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", at least \$70,000 and 1.00 FTE shall be allocated to support the state apiarist in administering the provisions of chapter 160.

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

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

.....	\$	71,871
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d. For the purpose of performing fertilizer audits:

.....	\$	71,873
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2. REGULATORY DIVISION

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

.....	\$	4,446,344
.....	FTEs	124.00

1 b. For the costs of inspection, sampling, analysis, and  
2 other expenses necessary for the administration of chapters  
3 192 and 194:

4 ..... \$ 677,829

5 3. LABORATORY DIVISION

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

9 ..... \$ 841,354

10 ..... FTEs 84.00

11 Of the amount appropriated and full-time equivalent  
12 positions authorized in this paragraph "a", at least \$30,000  
13 and 4.00 FTEs shall be allocated to support a program relating  
14 to the detection, surveillance, and eradication of the gypsy  
15 moth. The allocation of moneys shall be made before other  
16 moneys appropriated in this paragraph "a" are allocated.

17 b. For the operations of the commercial feed programs:

18 ..... \$ 811,240

19 c. For the operations of the pesticide programs:

20 ..... \$ 846,627

21 d. For the operations of the fertilizer programs:

22 ..... \$ 537,170

23 4. SOIL CONSERVATION DIVISION

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

27 ..... \$ 6,812,875

28 ..... FTEs 194.11

29 a. Of the amount appropriated in this subsection, \$218,376  
30 shall be used to reimburse commissioners of soil and water  
31 conservation districts for administrative expenses, including,  
32 but not limited to, travel expenses and technical training.

33 Moneys used for the payment of meeting dues by counties shall  
34 be matched on a dollar-for-dollar basis by the soil  
35 conservation division.

1 b. Of the amount appropriated in this subsection, \$44,000  
2 shall be used to support inspections for noncoal mining  
3 operations.

4 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is  
5 appropriated from the general fund of the state to the  
6 department of agriculture and land stewardship for the fiscal  
7 year beginning July 1, 2001, and ending June 30, 2002, the  
8 following amount, or so much thereof as is necessary, to be  
9 used for the purposes designated:

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

16 .....	\$	304,680
17 .....	FTEs	2.00

18 DIVISION II

19 DEPARTMENT OF NATURAL RESOURCES

20 GENERAL APPROPRIATIONS

21 Sec. 3. GENERAL DEPARTMENT APPROPRIATIONS. There is  
22 appropriated from the general fund of the state to the  
23 department of natural resources for the fiscal year beginning  
24 July 1, 2001, and ending June 30, 2002, the following amounts,  
25 or so much thereof as is necessary, to be used for the  
26 purposes designated:

27 1. ADMINISTRATIVE AND SUPPORT SERVICES

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

31 .....	\$	2,052,531
32 .....	FTEs	118.25

33 2. PARKS AND PRESERVES DIVISION

34 For salaries, support, and maintenance of personnel and  
35 programs relating to water access development, all state parks

1 as they existed on April 1, 2001, recreation areas, and state  
2 preserves, and for related miscellaneous purposes, and for not  
3 more than the following full-time equivalent positions:

4 ..... \$ 5,983,100  
5 ..... FTEs 195.73

6 The department shall use moneys collected by the department  
7 resulting from that portion of fees designated for the use of  
8 state parks and recreation areas and associated facilities or  
9 services that were increased by the natural resource  
10 commission in 2000 exclusively for the purpose of keeping open  
11 all state parks as they existed on April 1, 2001.

12 3. FORESTS AND PRAIRIES DIVISION

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

16 ..... \$ 1,765,460  
17 ..... FTEs 53.71

18 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

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

22 ..... \$ 1,704,683  
23 ..... FTEs 59.00

24 5. ENVIRONMENTAL PROTECTION DIVISION

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

28 ..... \$ 4,612,753  
29 ..... FTEs 226.50

30 6. FISH AND WILDLIFE DIVISION

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

33 ..... FTEs 356.18

34 Of the number of full-time equivalent positions authorized  
35 in this subsection, at least 3.00 FTEs shall be dedicated to

1 supporting prairie seed harvest initiatives.

2 7. WASTE MANAGEMENT ASSISTANCE DIVISION

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

5 ..... FTEs 53.75

6 Sec. 4. STATE FISH AND GAME PROTECTION FUND --  
7 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

8 1. a. There is appropriated from the state fish and game  
9 protection fund to the division of fish and wildlife of the  
10 department of natural resources for the fiscal year beginning  
11 July 1, 2001, and ending June 30, 2002, the following amount,  
12 or so much thereof as is necessary, to be used for the  
13 purposes designated:

14 For administrative support, and for salaries, support,  
15 maintenance, equipment, and miscellaneous purposes:  
16 ..... \$ 26,383,240

17 b. The department may use moneys appropriated in paragraph  
18 "a", as is necessary to provide compensation to conservation  
19 peace officers employed in a protection occupation who retire,  
20 pursuant to section 97B.49B.

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

31 DIVISION III

32 RELATED TRANSFERS AND APPROPRIATIONS

33 DEPARTMENT OF NATURAL RESOURCES

34 Sec. 5. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT  
35 PURPOSES. There is transferred on July 1, 2001, from the fees

1 deposited under section 321G.7 to the fish and game protection  
2 fund and appropriated to the department of natural resources  
3 for the fiscal year beginning July 1, 2001, and ending June  
4 30, 2002, the following amount, or so much thereof as is  
5 necessary, to be used for the purpose designated:

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

9 ..... \$ 100,000

10 Sec. 6. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.

11 There is transferred on July 1, 2001, from the fees deposited  
12 under section 462A.52 to the fish and game protection fund and  
13 appropriated to the natural resource commission for the fiscal  
14 year beginning July 1, 2001, and ending June 30, 2002, the  
15 following amount, or so much thereof as is necessary, to be  
16 used for the purpose designated:

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

19 ..... \$ 1,400,000

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

26 DIVISION IV

27 SPECIAL APPROPRIATIONS

28 DEPARTMENT OF NATURAL RESOURCES

29 Sec. 7. MARINE FUEL TAX RECEIPTS -- BOATING FACILITIES.

30 There is appropriated from the marine fuel tax receipts  
31 deposited in the general fund of the state to the department  
32 of natural resources for the fiscal year beginning July 1,  
33 2001, and ending June 30, 2002, the following amount, or so  
34 much thereof as is necessary, to be used for the purposes  
35 designated:

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

4 ..... \$ 411,311

5 Sec. 8. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE  
6 UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated  
7 from the unassigned revenue fund administered by the Iowa  
8 comprehensive underground storage tank fund board, to the  
9 department of natural resources for the fiscal year beginning  
10 July 1, 2001, and ending June 30, 2002, the following amount,  
11 or so much thereof as is necessary, to be used for the purpose  
12 designated:

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

15 ..... \$ 75,000

16 Sec. 9. GROUNDWATER PROTECTION FUND.

17 1. Notwithstanding section 455E.11, subsection 2,  
18 paragraph "b", subparagraph (3), subparagraph subdivision (a),  
19 of the remaining moneys appropriated from the agricultural  
20 management account of the groundwater protection fund that  
21 would otherwise be used to support the Leopold center for  
22 sustainable agriculture at Iowa state university of science  
23 and technology, there is appropriated for the fiscal year  
24 beginning July 1, 2001, and ending June 30, 2002, the  
25 following amounts to be used for the purposes designated:

26 a. To the department of agriculture and land stewardship  
27 for salaries, support, maintenance, and miscellaneous purposes  
28 of the department's laboratory division in administering the  
29 operations of pesticide programs:

30 ..... \$ 250,000

31 b. To the department of natural resources for salaries,  
32 support, maintenance, and miscellaneous purposes of the  
33 department's environmental protection division:

34 ..... \$ 250,000

35 2. The moneys appropriated in subsection 1, paragraphs "a"

1 and "b" shall first be appropriated to the department of  
2 agriculture and land stewardship and then to the department of  
3 natural resources prior to moneys appropriated to support the  
4 Leopold center for sustainable agriculture at Iowa state  
5 university of science and technology as otherwise provided in  
6 section 455E.11, subsection 2, paragraph "b", subparagraph  
7 (3), subparagraph subdivision (a).

8 Sec. 10. FORESTRY MANAGEMENT AND ENHANCEMENT FUND.

9 Notwithstanding section 456A.21, there is appropriated from  
10 the forestry management and enhancement fund to the department  
11 of agriculture and land stewardship for the fiscal year  
12 beginning July 1, 2001, and ending June 30, 2002, the  
13 following amount, or so much thereof as is necessary, to be  
14 used for the purposes designated:

15 For purposes of supporting the department's laboratory  
16 division in administering a program relating to the detection,  
17 surveillance, and eradication of the gypsy moth:

18 ..... \$ 120,000

19 Sec. 11. STORMWATER DISCHARGE PERMIT FEES.

20 Notwithstanding any provision of state law, there is  
21 appropriated from moneys collected in fees required to be paid  
22 to the department of natural resources for issuing stormwater  
23 discharge permits pursuant to section 455B.103 that are  
24 unobligated and unencumbered on June 30, 2001, to the  
25 department for the fiscal year beginning July 1, 2001, and  
26 ending June 30, 2002, the following amounts, or so much  
27 thereof as are necessary, to be used for the purposes  
28 designated:

29 1. For salaries, support, maintenance, and miscellaneous  
30 purposes of the department's energy and geological resources  
31 division:

32 ..... \$ 250,000

33 2. For salaries, support, maintenance, and miscellaneous  
34 purposes of the department's environmental protection  
35 division:

1 ..... \$ 200,000

2 Sec. 12. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any  
3 provision of state law, for the fiscal year beginning July 1,  
4 2001, and ending June 30, 2002, the department of natural  
5 resources may use additional funds available to the department  
6 from stormwater discharge permit fees for the staffing of the  
7 following additional full-time staff members to reduce the  
8 department's floodplain permit backlog:

9 ..... FTEs 2.00

10 Sec. 13. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY  
11 LOAD PROGRAM. Notwithstanding any contrary provision of state  
12 law, for the fiscal year beginning July 1, 2001, and ending  
13 June 30, 2002, the department of natural resources may use  
14 additional funds available to the department from stormwater  
15 discharge permit fees for the staffing of the following  
16 additional full-time equivalent positions for implementation  
17 of the federal total maximum daily load program:

18 ..... FTEs 2.00

19 SPECIAL APPROPRIATIONS

20 ANIMAL HEALTH AND INDUSTRY

21 Sec. 14. HORSE AND DOG RACING. There is appropriated from  
22 the moneys available under section 99D.13 to the regulatory  
23 division of the department of agriculture and land stewardship  
24 for the fiscal year beginning July 1, 2001, and ending June  
25 30, 2002, the following amount, or so much thereof as is  
26 necessary, to be used for the purposes designated:

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

29 ..... \$ 271,307

30 Sec. 15. PSEUDORABIES ERADICATION PROGRAM.

31 1. There is appropriated from the general fund of the  
32 state to the department of agriculture and land stewardship  
33 for the fiscal year beginning July 1, 2001, and ending June  
34 30, 2002, the following amount, or so much thereof as is  
35 necessary, to be used for the purpose designated:

1 For support of the pseudorabies eradication program:  
2 ..... \$ 900,700

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

8 DIVISION V  
9 MISCELLANEOUS

10 Sec. 16. ISSUANCE OF PERMITS BY THE DEPARTMENT OF NATURAL  
11 RESOURCES. For the fiscal year beginning July 1, 2001, and  
12 ending June 30, 2002, the department of natural resources  
13 shall approve, deny, or delay consideration of a permit  
14 application required to be submitted to the department based  
15 only on requirements relating to the merit of the application  
16 or applicant, procedural requirements of the department  
17 unrelated to staff availability, and state law including but  
18 not limited to section 455B.104.

19 Sec. 17. Section 169A.13, Code 2001, is amended to read as  
20 follows:

21 169A.13 FEE EACH FIFTH YEAR.

22 Each owner of a brand of record beginning on January 1,  
23 1970, shall pay to the secretary a fee of five dollars and a  
24 renewal fee on January 1 of each fifth year after the payment  
25 of the five dollar fee, or on January 1 of each fifth year  
26 following the original recording of a brand recorded after  
27 June 30, 1975. The amount of the renewal fee required for  
28 January 1, ~~1976~~ 2001, and each year thereafter shall be  
29 ~~established-by-rule-of-the-secretary-pursuant-to-chapter-17A~~  
30 twenty-five dollars. ~~The amount of the fee shall be based~~  
31 ~~upon-the-administrative-costs-of-maintaining-the-brand-program~~  
32 ~~provided-for-in-this-chapter.~~ The secretary shall notify  
33 every owner of a brand of record at least thirty days prior to  
34 the date of the renewal period. If the owner of a brand of  
35 record does not pay the fee by July 1 of each year in which it

1 is due, the owner shall forfeit the brand and the brand shall  
2 no longer be recorded. A forfeited brand shall not be issued  
3 to any other person for five years following date of  
4 forfeiture.

5 Sec. 18. NEW SECTION. 169A.13A BRANDING ADMINISTRATION  
6 FUND.

7 1. A branding administration fund is created in the state  
8 treasury under the control of the department. The fund is  
9 composed of moneys collected in fees as provided in this  
10 chapter, moneys appropriated by the general assembly, and  
11 moneys available to and obtained or accepted by the department  
12 from the United States or private sources for placement in the  
13 fund.

14 2. The fund is subject to warrants written by the director  
15 of revenue and finance, drawn upon the written requisition of  
16 the department.

17 3. The fund shall be used exclusively to support the  
18 administration of this chapter by the department.

19 4. The department may adopt rules pursuant to chapter 17A  
20 to administer this section.

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

25 Sec. 19. Section 169A.12, Code 2001, is repealed.

26 DIVISION VI

27 EFFECTIVE DATE PROVISIONS

28 Sec. 20. Section 11 of this Act, providing for the  
29 appropriations of stormwater discharge permit fees, takes  
30 effect upon enactment.

31 EXPLANATION

32 This bill relates to agriculture and natural resources by  
33 making appropriations to support related entities, including  
34 the department of agriculture and land stewardship, the  
35 department of natural resources, and Iowa state university of

1 science and technology.

2 The bill appropriates moneys to the department of  
3 agriculture and land stewardship and the department of natural  
4 resources. The appropriations are made to support  
5 administration of those departments. The bill also provides  
6 moneys for specific programs administered by those  
7 departments. The bill appropriates moneys from a number of  
8 sources, including the general fund of the state, the state  
9 fish and game protection fund, and the groundwater protection  
10 fund.

11 For the department of agriculture and land stewardship,  
12 moneys are appropriated and full-time equivalent positions  
13 authorized in order to support its divisions, including the  
14 administrative division, the regulatory division, the  
15 laboratory division, and the soil conservation division. The  
16 bill appropriates moneys to support programs for international  
17 travel, livestock market reporting, beekeeping, the  
18 eradication of gypsy moth infestations, and the farmers'  
19 market coupon program.

20 For the department of natural resources, moneys are  
21 appropriated or full-time equivalent positions authorized in  
22 order to support its divisions, including the administrative  
23 and support services division, the parks and preserves  
24 division, the forests and prairies division, the energy and  
25 geological resources division, and the environmental  
26 protection division.

27 The bill appropriates moneys to support animal industry  
28 programs, including a program administered by Iowa state  
29 university of science and technology for the eradication of  
30 pseudorabies in swine and a program to regulate horse and dog  
31 racing by the department of agriculture and land stewardship.

32 The bill makes appropriations from other funds and  
33 accounts. The bill appropriates moneys to the department of  
34 natural resources from the state fish and game protection fund  
35 for support of the division of fish and wildlife. The bill

1 makes an appropriation from moneys transferred to the state  
2 fish and game protection fund to support snowmobile programs  
3 and enforce state navigation laws administered by the  
4 department of natural resources.

5 An appropriation is made from the unassigned revenue fund  
6 administered by the Iowa comprehensive underground storage  
7 tank fund board to the department of natural resources for  
8 administration and expenses of the underground storage tank  
9 section.

10 The bill appropriates moneys from the groundwater  
11 protection fund that would otherwise be used to support the  
12 Leopold center for sustainable agriculture at Iowa state  
13 university of science and technology to the laboratory  
14 division of the department of agriculture and land stewardship  
15 and the environmental protection division of the department of  
16 natural resources. The bill appropriates moneys from the  
17 forestry management and enhancement fund to the laboratory  
18 division in administering the gypsy moth program. The bill  
19 appropriates moneys from fees collected from stormwater  
20 discharge permits issued by the department of natural  
21 resources in order to support the department's energy and  
22 geological resources division and environmental protection  
23 division.

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

30 The bill requires the department of natural resources to  
31 keep state parks open and provides for the review and approval  
32 or denial of permits according to requirements unrelated to  
33 staff availability.

34 The bill amends provisions in Code chapter 169A that  
35 provide for fees paid to the department of agriculture and

## HOUSE FILE 725

H-1615

1 Amend House File 725 as follows:

2 1. By striking page 10, line 19, through page 11,  
3 line 4 and inserting the following:

4 "Sec. \_\_\_\_ Section 169.4, Code 2001, is amended to  
5 read as follows:

6 169A.4 RECORDING -- FEE.

7 A person desiring to adopt a brand shall forward to  
8 the secretary a brand application on forms approved by  
9 the secretary and providing for the desired brand,  
10 together with a recording fee ~~in an amount established~~  
11 ~~by rule of the secretary pursuant to chapter 17A of~~  
12 ~~twenty-five dollars. The fee amount shall be based~~  
13 ~~upon the administrative costs of maintaining the brand~~  
14 ~~program provided for by this chapter.~~ Upon receipt,  
15 the secretary shall file the application and fee,  
16 unless the brand is of record of another person or  
17 conflicts with or closely resembles the brand of  
18 another person. If the secretary determines that such  
19 brand is of record or conflicts with or closely  
20 resembles the brand of another person, the secretary  
21 shall not record it but shall return the facsimile and  
22 fee to the forwarding person. However, the secretary  
23 shall renew a conflicting brand, if the brand was  
24 originally recorded prior to July 1, 1996, and the  
25 brand is renewed as provided in section 169A.13. The  
26 department may notify each owner of a conflicting  
27 brand that the owner may record a nonconflicting  
28 brand. The power of examination, approval,  
29 acceptance, or rejection shall be vested in the  
30 secretary. The secretary shall file all brands  
31 offered for record pending the examination provided  
32 for in this section. The secretary shall make such  
33 examination as promptly as possible. If the brand is  
34 accepted, the brand's ownership shall vest in the  
35 person recording it from the date of filing.

36 Sec. \_\_\_\_ Section 169A.13, Code 2001, is amended  
37 to read as follows:

38 169A.13 RENEWAL OF BRAND AND FEE EACH FIFTH YEAR.

39 Each owner of a brand ~~of record beginning on~~  
40 ~~January 1, 1970, shall pay to the secretary a fee of~~  
41 ~~five dollars and a renewal fee on January 1 of which~~  
42 is recorded pursuant to section 169A.4 shall renew the  
43 brand each fifth year after the payment of the five  
44 dollar fee, or on January 1 of each fifth year  
45 following the original originally recording of a the  
46 brand recorded after June 30, 1975 and pay a renewal  
47 fee. The amount of the renewal fee ~~required for~~  
48 ~~January 1, 1976, and each year thereafter shall be~~  
49 ~~established by rule of the secretary pursuant to~~  
50 ~~chapter 17A is twenty-five dollars. The amount of the~~

H-1615

**H-1615**

Page 2

1 ~~fee shall be based upon the administrative costs of~~  
 2 ~~maintaining the brand program provided for in this~~  
 3 ~~chapter.~~ The secretary shall notify every owner of a  
 4 brand of record at least thirty days prior to the date  
 5 of the renewal period. If the owner of a brand of  
 6 record does not renew the brand and pay the renewal  
 7 fee by July 1 of each year in which it within six  
 8 months after it is due, the owner shall forfeit the  
 9 brand and the brand shall no longer be recorded. A  
 10 forfeited brand shall not be issued to any other  
 11 person for five years following date of forfeiture."

12 2. Page 11, by striking line 17, and inserting  
 13 the following:

14 "\_\_\_\_. Moneys in the fund are appropriated to the  
 15 department for the exclusive purpose of supporting  
 16 the".

17 3. By renumbering as necessary.

By COMMITTEE ON WAYS AND MEANS AMENDMENT  
 VAN FOSSEN of Scott, Chairperson

H-1615 FILED APRIL 19, 2001

*Adopted*  
*4-25-01*

**HOUSE FILE 725**

**H-1617**

1 Amend House File 725 as follows:

2 1. Page 11, by inserting after line 24, the  
 3 following:

4 "Sec. \_\_\_\_ Section 455C.2, subsection 2, Code  
 5 2001, is amended to read as follows:

6 2. In addition to the refund value provided in  
 7 subsection 1 of this section, a dealer, or person  
 8 operating a redemption center who redeems empty  
 9 beverage containers or a dealer agent shall be  
 10 reimbursed by the distributor required to accept the  
 11 empty beverage containers an amount which is ~~one-cent~~  
 12 two cents per container. A dealer, dealer agent, or  
 13 person operating a redemption center may compact empty  
 14 metal beverage containers with the approval of the  
 15 distributor required to accept the containers."

16 2. By renumbering as necessary.

By BAUDLER of Adair

H-1617 FILED APRIL 19, 2001

*Not Germane 4-25-01 (P. 1503)*  
*Motion to Suspend Rules Post*

HOUSE FILE 725

H-1642

1 Amend House File 725 as follows:  
 2 1. Page 11, by inserting after line 24, the  
 3 following:  
 4 "Sec. \_\_\_\_ . Section 455B.204A, Code 2001, is  
 5 amended to read as follows:  
 6 455B.204A ~~DISPOSAL~~ APPLICATION OF MANURE WITHIN  
 7 DESIGNATED AREAS -- ADOPTION OF RULES.  
 8 The department shall adopt rules relating to the  
 9 ~~disposal~~ application of manure in close proximity to a  
 10 designated area. A person shall not ~~dispose of~~ apply  
 11 manure on cropland within two hundred feet from a  
 12 designated area, ~~unless one of the following applies:~~  
 13 ~~1. The manure is applied by injection or~~  
 14 ~~incorporation within twenty-four hours following the~~  
 15 ~~application.~~  
 16 ~~2. An area of permanent vegetation cover exists~~  
 17 ~~for fifty feet surrounding the designated area and~~  
 18 ~~that area is not subject to manure application.~~  
 19 As used in this section, "designated area" means a  
 20 known sinkhole, or a cistern, abandoned well,  
 21 ~~unplugged~~ agricultural drainage well that is not  
 22 closed as provided in section 455I.3, agricultural  
 23 drainage well surface inlet, drinking water well, or  
 24 lake, or a farm pond or privately owned lake as  
 25 defined in section 462A.2. However, a "designated  
 26 area" does not include a terrace tile inlet."  
 27 2. By renumbering as necessary.

By FREVERT of Palo Alto

H-1642 FILED APRIL 23, 2001

*W/C Hermone*  
*4/25/01 (p. 1504)*

HOUSE FILE 725

H-1647

1 Amend House File 725 as follows:  
 2 1. Page 2, line 20, by striking the figure  
 3 "846,627" and inserting the following: "1,096,627".  
 4 2. Page 4, line 28, by striking the figure  
 5 "4,612,753" and inserting the following: "4,862,753".  
 6 3. By striking page 7, line 16 through page 8,  
 7 line 7.  
 8 4. By renumbering as necessary.

By MAY of Worth  
GREIMANN of Story  
SHOULTZ of Black Hawk

H-1647 FILED APRIL 23, 2001

*W/D*  
*4/25/01*  
*(p. 1498)*

## HOUSE FILE 725

H-1641

1 Amend House File 725 as follows:

2 1. Page 10, by inserting after line 9, the  
3 following:

4 "Sec. \_\_\_\_ INTERIM COMMITTEE -- WATER QUALITY  
5 STUDY. The legislative council is requested to create  
6 a water quality interim study committee to study the  
7 quality of this state's surface and subsurface waters,  
8 including drinking water sources. The interim  
9 committee shall consider all major sources of  
10 contamination, current effluent and treatment  
11 standards, and practices or systems designed to  
12 prevent or reduce contamination. The department of  
13 agriculture and land stewardship and the department of  
14 natural resources shall cooperate with the interim  
15 study committee. If created, the interim study  
16 committee, as directed by the legislative council,  
17 shall report to the general assembly regarding any  
18 recommendations required to improve water quality in  
19 this state, including legislative measures to reduce  
20 contamination that may pose a risk to human health."  
21 2. By renumbering as necessary.

By FORD of Polk

H-1641 FILED APRIL 23, 2001

*Adopted*  
*4/25/01*  
*(P.1502)*

HOUSE FILE 725

H-1662

1 Amend House File 725 as follows:

2 1. Page 10, by inserting after line 7, the  
3 following:

4 "Sec. 101. FOOT AND MOUTH DISEASE -- PREVENTION,  
5 DETECTION, CONTAINMENT, AND ERADICATION. There is  
6 appropriated from the brucellosis and tuberculosis  
7 eradication fund created in section 165.18 to the  
8 department of agriculture and land stewardship for the  
9 fiscal period beginning July 1, 2000, and ending June  
10 30, 2002, the following amount, or so much thereof as  
11 is necessary, to be used for the purposes designated:

12 For the prevention, detection, containment, and  
13 eradication of outbreaks of foot and mouth disease,  
14 including for salaries, support, maintenance, and  
15 miscellaneous purposes:

16 ..... \$ 250,000

17 1. The department shall use a portion of moneys  
18 appropriated in this section to contract with a  
19 licensed veterinarian in order to carry out the  
20 purposes of this section. In carrying out those  
21 purposes, the department, with the support of the  
22 contract veterinarian, may act in coordination with  
23 other agencies. The department, acting with support  
24 of the contract veterinarian and in cooperation with  
25 the emergency management division of the department of  
26 public defense, shall do all of the following:

- 27 a. Provide for emergency planning.
- 28 b. Provide training to interested persons,  
29 including livestock producers, veterinarians, and  
30 agricultural associations.
- 31 c. Publish and disseminate educational materials  
32 to the public and interested persons.

33 2. The department shall not authorize the  
34 assessment of a levy as otherwise provided in section  
35 165.18 because of moneys appropriated in this  
36 section."

37 2. Page 11, by inserting after line 30, the  
38 following:

39 "Sec. \_\_\_\_ . Section 101 of this Act, being deemed  
40 of immediate importance, takes effect upon enactment."

41 3. By renumbering as necessary.



HOUSE FILE 725

H-1678

1 Amend the amendment, H-1662, to House File 725 as  
2 follows:

3 1. Page 1, by striking lines 4 and 5 and  
4 inserting the following:

5 "Sec. 101. SECURITY MEASURES TO CONTROL FOREIGN  
6 AGRICULTURAL ANIMAL DISEASES. There is".

7 2. Page 1, by striking lines 12 through 26 and  
8 inserting the following:

9 "For the implementation of security measures  
10 necessary in order to control outbreaks of foreign  
11 agricultural animal diseases introduced into this  
12 state, such as mad cow disease, foot and mouth  
13 disease, and classical swine fever (hog cholera),  
14 including for salaries, support, maintenance, and  
15 miscellaneous purposes:

16 ..... \$ 200,000

17 \_\_\_\_\_. The department shall expend moneys  
18 appropriated in this section as deemed necessary by  
19 the department to support prevention, including by  
20 education and training; surveillance and detection,  
21 including by monitoring and testing; and emergency  
22 response if necessary, including by the issuance of  
23 orders restricting the movement of agricultural  
24 animals. The department shall do all of the  
25 following:"

26 3. Page 1, line 29, by striking the word  
27 "livestock" and inserting the following:  
28 "agricultural".

29 4. Page 1, by inserting after line 32 the  
30 following:

31 "\_\_\_\_\_. The department shall cooperate with other  
32 agencies of the state, including the emergency  
33 management division of the department of public  
34 defense, the department of natural resources, and the  
35 department of public safety. The department shall  
36 also cooperate with the United States department of  
37 agriculture, and interested associations, including  
38 associations representing agricultural producers.

39 \_\_\_\_\_. The department shall apply for moneys  
40 appropriated by the federal government in order to  
41 support the purposes of this section.

42 \_\_\_\_\_. The Iowa cattlemen's association, the Iowa  
43 pork producers association, the Iowa sheep  
44 association, the Iowa poultry association, the Iowa  
45 turkey federation, the Iowa dairy products  
46 association, the Iowa corn growers association, the  
47 Iowa soybean association, the Iowa farm bureau  
48 federation, the agribusiness association of Iowa, and  
49 associations representing financial institutions in  
50 this state shall to every extent possible provide

H-1678

By MERTZ of Kossuth  
 SENG of Scott  
 ATTEBERRY of Delaware  
 BELL of Jasper  
 BUKTA of Clinton  
 CHIODO of Polk  
 COHOON of Des Moines  
 CONNORS of Polk  
 DOTZLER of Black Hawk  
 FALCK of Fayette  
 FOEGE of Linn  
 FORD of Polk  
 FREVERT of Palo Alto  
 GREIMANN of Story  
 HATCH of Polk  
 HUSER of Polk  
 JOCHUM of Dubuque  
 KREIMAN of Davis  
 KUHN of Floyd  
 LARKIN of Lee  
 LENSING of Johnson  
 MASCHER of Johnson

MAY of Worth  
 MURPHY of Dubuque  
 MYERS of Johnson  
 O'BRIEN of Boone  
 OSTERHAUS of Jackson  
 PETERSEN of Polk  
 QUIRK of Chickasaw  
 REYNOLDS of Van Buren  
 RICHARDSON of Warren  
 SCHERRMAN of Dubuque  
 SHOULTZ of Black Hawk  
 SMITH of Marshall  
 STEVENS of Dickinson  
 D. TAYLOR of Linn  
 T. TAYLOR of Linn  
 TREMMEL of Wapello  
 WARNSTADT of Woodbury  
 WINCKLER of Scott  
 WISE of Lee  
 WITT of Black Hawk  
 DRAKE of Pottawattamie  
 KETTERING of Sac

H-1662 FILED APRIL 24, 2001

*Adopted*  
*4-25-01*  
*(P.150a)*

HOUSE FILE 725

H-1670

- 1 Amend House File 725 as follows:
- 2 1. Page 9, by inserting after line 1, the
- 3 following:
- 4 "Sec. \_\_\_\_ . HAZARDOUS SUBSTANCE REMEDIAL FUND.
- 5 Notwithstanding any provision of state law, there is
- 6 appropriated from the hazardous substance remedial
- 7 fund as created in section 455B.423 to the department
- 8 of natural resources for the fiscal year beginning
- 9 July 1, 2001, and ending June 30, 2002, the following
- 10 amount, or so much thereof as is necessary, to be used
- 11 for the purpose designated:
- 12 For payment of the department's workers'
- 13 compensation insurance premium:
- 14 ..... \$ 73,606"
- 15 2. By renumbering as necessary.

By DRAKE of Pottawattamie

H-1670 FILED APRIL 24, 2001

*0/0*  
*4/25/01*  
*(P.1498)*

HOUSE FILE 725

H-1682

- 1 Amend House File 725 as follows:
- 2 1. Page 2, line 9, by striking the figure
- 3 "841,354" and inserting the following: "891,354".
- 4 2. Page 2, line 12, by striking the figure
- 5 "30,000" and inserting the following: "80,000".
- 6 3. Page 2, line 20, by striking the figure
- 7 "846,627" and inserting the following: "996,627".
- 8 4. Page 2, line 27, by striking the figure
- 9 "6,812,875" and inserting the following: "6,862,875".
- 10 5. Page 2, line 29, by striking the figure
- 11 "218,376" and inserting the following: "268,376".
- 12 6. Page 7, line 30, by striking the figure
- 13 "250,000" and inserting the following: "100,000".
- 14 7. Page 8, line 18, by striking the figure
- 15 "120,000" and inserting the following: "40,000".
- 16 8. Page 9, by inserting after line 1, the
- 17 following:
- 18 "Sec. \_\_\_\_ . HAZARDOUS SUBSTANCE REMEDIAL FUND.
- 19 Notwithstanding any provision of state law, there is
- 20 appropriated from the hazardous substance remedial
- 21 fund as created in section 455B.423 to the department
- 22 of natural resources for the fiscal year beginning
- 23 July 1, 2001, and ending June 30, 2002, the following
- 24 amount, or so much thereof as is necessary, to be used
- 25 for the purpose designated:
- 26 For payment of the department's workers'
- 27 compensation insurance premium:
- 28 ..... \$ 73,606"
- 29 9. By renumbering as necessary.

By DRAKE of Pottawattamie

H-1682 FILED APRIL 24, 2001

*Adopted*  
*4/25/01 (P.1498)*

HOUSE FILE 725

H-1688

- 1 Amend the amendment, H-1682, to House File 725 as
- 2 follows:
- 3 1. Page 1, line 7, by striking the figure
- 4 ""996,627"" and inserting the following:
- 5 ""1,096,627"."
- 6 2. Page 1, by inserting after line 11, the
- 7 following:
- 8 "\_\_\_\_. Page 4, line 28, by striking the figure
- 9 "4,612,753" and inserting the following:
- 10 "4,862,753"."
- 11 3. Page 1, by striking lines 12 and 13, and
- 12 inserting the following:
- 13 "\_\_\_\_. By striking page 7, line 16 through page 8,
- 14 line 7."
- 15 4. By renumbering as necessary.

By MAY of Worth  
GREIMANN of Story  
SHOULTZ of Black Hawk

*Lost* *4/25/01 (P.1498)*

H-1688 FILED APRIL 24, 2001

**H-1678**

Page 2

- 1 financial or in-kind contributions in order to assist
- 2 the department in carrying out this section."
- 3 5. By renumbering as necessary.

By KLEMME of Plymouth

**H-1678** FILED APRIL 24, 2001

*Adopted*  
*4/25/01 (P.1501)*

HOUSE FILE 725

**H-1680**

- 1 Amend House File 725 as follows:
- 2 1. Page 11, by inserting after line 24, the
- 3 following:
- 4 "Sec. \_\_\_\_ . Section 455J.2, subsection 3, Code
- 5 2001, is amended to read as follows:
- 6 3. a. The moneys collected under this section
- 7 shall be deposited in the fund and shall be
- 8 appropriated to the department for the exclusive
- 9 purpose of providing moneys for all of the following
- 10 purposes:
- 11 (1) The cleanup of abandoned facilities as
- 12 provided in section 455J.5, and to pay the department
- 13 for costs related to administering the provisions of
- 14 this chapter.
- 15 (2) The inspections of sites where confinement
- 16 feeding operations are constructed or sites of
- 17 constructed confinement feeding operations, including
- 18 manure storage structures as provided in chapter 455B.
- 19 (3) The approval of manure management plans and
- 20 the oversight of manure management as required in the
- 21 plans submitted pursuant to section 455B.203.
- 22 b. For each fiscal year, the department shall not
- 23 use more than ~~one percent~~ two hundred thousand dollars
- 24 of the total amount which is available in the fund or
- 25 ten thousand dollars, whichever is less, to pay for
- 26 the costs of administration to carry out the purposes
- 27 provided in this section. Moneys in the fund shall
- 28 not be subject to appropriation or expenditure for any
- 29 other purpose than provided in this section."
- 30 2. By renumbering as necessary.

By RICHARDSON of Warren

**H-1680** FILED APRIL 24, 2001

*Lost*  
*4-25-01*  
*(P.1505)*

S-4/27/01 Referred To: ~~Wagner & Lerner~~

S-4/27/01 Do Pass

S-4/27/01 Motion to Rk Vote by  
Lombardi

HOUSE FILE 725  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 252)

(As Amended and Passed by the House April 25, 2001)

Passed House, Date \_\_\_\_\_ Passed Senate, Date <sup>P.1379</sup> 4/27/01  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 29 Nays 20

Approved May 25, 2001  
*Stam*  
*Veltri*

**A BILL FOR**

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

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

6  
7 House Amendments \_\_\_\_\_  
8  
9

10  
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12  
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21

DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Section 1. GENERAL DEPARTMENT APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE DIVISION

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

.....	\$	2,327,448
.....	FTEs	47.33

(1) Of the amount appropriated in this paragraph "a", at least \$87,000 shall be used to support livestock market news reporting, including the support of 1.00 FTE to provide for six part-time staff positions on a contract basis.

(2) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", at least \$70,000 and 1.00 FTE shall be allocated to support the state apiarist in administering the provisions of chapter 160.

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

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

.....	\$	71,871
-------	----	--------

d. For the purpose of performing fertilizer audits:

.....	\$	71,873
-------	----	--------

2. REGULATORY DIVISION

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

.....	\$	4,446,344
.....	FTEs	124.00

1 b. For the costs of inspection, sampling, analysis, and  
2 other expenses necessary for the administration of chapters  
3 192 and 194:  
4 ..... \$ 677,829

5 3. LABORATORY DIVISION

6 a. For salaries, support, maintenance, and miscellaneous  
7 purposes, and for not more than the following full-time  
8 equivalent positions:  
9 ..... \$ 891,354  
10 ..... FTEs 84.00

11 Of the amount appropriated and full-time equivalent  
12 positions authorized in this paragraph "a", at least \$80,000  
13 and 4.00 FTEs shall be allocated to support a program relating  
14 to the detection, surveillance, and eradication of the gypsy  
15 moth. The allocation of moneys shall be made before other  
16 moneys appropriated in this paragraph "a" are allocated.

17 b. For the operations of the commercial feed programs:  
18 ..... \$ 811,240

19 c. For the operations of the pesticide programs:  
20 ..... \$ 996,627

21 d. For the operations of the fertilizer programs:  
22 ..... \$ 537,170

23 4. SOIL CONSERVATION DIVISION

24 For salaries, support, maintenance, assistance to soil  
25 conservation districts, and miscellaneous purposes, and for  
26 not more than the following full-time equivalent positions:  
27 ..... \$ 6,862,875  
28 ..... FTEs 194.11

29 a. Of the amount appropriated in this subsection, \$268,376  
30 shall be used to reimburse commissioners of soil and water  
31 conservation districts for administrative expenses, including,  
32 but not limited to, travel expenses and technical training.  
33 Moneys used for the payment of meeting dues by counties shall  
34 be matched on a dollar-for-dollar basis by the soil  
35 conservation division.

1 b. Of the amount appropriated in this subsection, \$44,000  
2 shall be used to support inspections for noncoal mining  
3 operations.

4 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is  
5 appropriated from the general fund of the state to the  
6 department of agriculture and land stewardship for the fiscal  
7 year beginning July 1, 2001, and ending June 30, 2002, the  
8 following amount, or so much thereof as is necessary, to be  
9 used for the purposes designated:

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

16 .....	\$	304,680
17 .....	FTEs	2.00

18 DIVISION II

19 DEPARTMENT OF NATURAL RESOURCES

20 GENERAL APPROPRIATIONS

21 Sec. 3. GENERAL DEPARTMENT APPROPRIATIONS. There is  
22 appropriated from the general fund of the state to the  
23 department of natural resources for the fiscal year beginning  
24 July 1, 2001, and ending June 30, 2002, the following amounts,  
25 or so much thereof as is necessary, to be used for the  
26 purposes designated:

27 1. ADMINISTRATIVE AND SUPPORT SERVICES

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

31 .....	\$	2,052,531
32 .....	FTEs	118.25

33 2. PARKS AND PRESERVES DIVISION

34 For salaries, support, and maintenance of personnel and  
35 programs relating to water access development, all state parks

1 as they existed on April 1, 2001, recreation areas, and state  
2 preserves, and for related miscellaneous purposes, and for not  
3 more than the following full-time equivalent positions:

4 ..... \$ 5,983,100  
5 ..... FTEs 195.73

6 The department shall use moneys collected by the department  
7 resulting from that portion of fees designated for the use of  
8 state parks and recreation areas and associated facilities or  
9 services that were increased by the natural resource  
10 commission in 2000 exclusively for the purpose of keeping open  
11 all state parks as they existed on April 1, 2001.

12 3. FORESTS AND PRAIRIES DIVISION

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

16 ..... \$ 1,765,460  
17 ..... FTEs 53.71

18 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

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

22 ..... \$ 1,704,683  
23 ..... FTEs 59.00

24 5. ENVIRONMENTAL PROTECTION DIVISION

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

28 ..... \$ 4,612,753  
29 ..... FTEs 226.50

30 6. FISH AND WILDLIFE DIVISION

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

33 ..... FTEs 356.18

34 Of the number of full-time equivalent positions authorized  
35 in this subsection, at least 3.00 FTEs shall be dedicated to

1 supporting prairie seed harvest initiatives.

2 7. WASTE MANAGEMENT ASSISTANCE DIVISION

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

5 ..... FTEs 53.75

6 Sec. 4. STATE FISH AND GAME PROTECTION FUND --  
7 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

8 1. a. There is appropriated from the state fish and game  
9 protection fund to the division of fish and wildlife of the  
10 department of natural resources for the fiscal year beginning  
11 July 1, 2001, and ending June 30, 2002, the following amount,  
12 or so much thereof as is necessary, to be used for the  
13 purposes designated:

14 For administrative support, and for salaries, support,  
15 maintenance, equipment, and miscellaneous purposes:  
16 ..... \$ 26,383,240

17 b. The department may use moneys appropriated in paragraph  
18 "a", as is necessary to provide compensation to conservation  
19 peace officers employed in a protection occupation who retire,  
20 pursuant to section 97B.49B.

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

31 DIVISION III

32 RELATED TRANSFERS AND APPROPRIATIONS

33 DEPARTMENT OF NATURAL RESOURCES

34 Sec. 5. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT  
35 PURPOSES. There is transferred on July 1, 2001, from the fees

1 deposited under section 321G.7 to the fish and game protection  
2 fund and appropriated to the department of natural resources  
3 for the fiscal year beginning July 1, 2001, and ending June  
4 30, 2002, the following amount, or so much thereof as is  
5 necessary, to be used for the purpose designated:

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

9 ..... \$ 100,000

10 Sec. 6. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.

11 There is transferred on July 1, 2001, from the fees deposited  
12 under section 462A.52 to the fish and game protection fund and  
13 appropriated to the natural resource commission for the fiscal  
14 year beginning July 1, 2001, and ending June 30, 2002, the  
15 following amount, or so much thereof as is necessary, to be  
16 used for the purpose designated:

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

19 ..... \$ 1,400,000

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

26 DIVISION IV

27 SPECIAL APPROPRIATIONS

28 DEPARTMENT OF NATURAL RESOURCES

29 Sec. 7. MARINE FUEL TAX RECEIPTS -- BOATING FACILITIES.

30 There is appropriated from the marine fuel tax receipts  
31 deposited in the general fund of the state to the department  
32 of natural resources for the fiscal year beginning July 1,  
33 2001, and ending June 30, 2002, the following amount, or so  
34 much thereof as is necessary, to be used for the purposes  
35 designated:

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

4 ..... \$ 411,311

5 Sec. 8. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE  
6 UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated  
7 from the unassigned revenue fund administered by the Iowa  
8 comprehensive underground storage tank fund board, to the  
9 department of natural resources for the fiscal year beginning  
10 July 1, 2001, and ending June 30, 2002, the following amount,  
11 or so much thereof as is necessary, to be used for the purpose  
12 designated:

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

15 ..... \$ 75,000

16 Sec. 9. GROUNDWATER PROTECTION FUND.

17 1. Notwithstanding section 455E.11, subsection 2,  
18 paragraph "b", subparagraph (3), subparagraph subdivision (a),  
19 of the remaining moneys appropriated from the agricultural  
20 management account of the groundwater protection fund that  
21 would otherwise be used to support the Leopold center for  
22 sustainable agriculture at Iowa state university of science  
23 and technology, there is appropriated for the fiscal year  
24 beginning July 1, 2001, and ending June 30, 2002, the  
25 following amounts to be used for the purposes designated:

26 a. To the department of agriculture and land stewardship  
27 for salaries, support, maintenance, and miscellaneous purposes  
28 of the department's laboratory division in administering the  
29 operations of pesticide programs:

30 ..... \$ 100,000

31 b. To the department of natural resources for salaries,  
32 support, maintenance, and miscellaneous purposes of the  
33 department's environmental protection division:

34 ..... \$ 250,000

35 2. The moneys appropriated in subsection 1, paragraphs "a"

1 and "b" shall first be appropriated to the department of  
2 agriculture and land stewardship and then to the department of  
3 natural resources prior to moneys appropriated to support the  
4 Leopold center for sustainable agriculture at Iowa state  
5 university of science and technology as otherwise provided in  
6 section 455E.11, subsection 2, paragraph "b", subparagraph  
7 (3), subparagraph subdivision (a).

8 Sec. 10. FORESTRY MANAGEMENT AND ENHANCEMENT FUND.

9 Notwithstanding section 456A.21, there is appropriated from  
10 the forestry management and enhancement fund to the department  
11 of agriculture and land stewardship for the fiscal year  
12 beginning July 1, 2001, and ending June 30, 2002, the  
13 following amount, or so much thereof as is necessary, to be  
14 used for the purposes designated:

15 For purposes of supporting the department's laboratory  
16 division in administering a program relating to the detection,  
17 surveillance, and eradication of the gypsy moth:  
18 ..... \$ 40,000

19 Sec. 11. STORMWATER DISCHARGE PERMIT FEES.

20 Notwithstanding any provision of state law, there is  
21 appropriated from moneys collected in fees required to be paid  
22 to the department of natural resources for issuing stormwater  
23 discharge permits pursuant to section 455B.103 that are  
24 unobligated and unencumbered on June 30, 2001, to the  
25 department for the fiscal year beginning July 1, 2001, and  
26 ending June 30, 2002, the following amounts, or so much  
27 thereof as are necessary, to be used for the purposes  
28 designated:

29 1. For salaries, support, maintenance, and miscellaneous  
30 purposes of the department's energy and geological resources  
31 division:  
32 ..... \$ 250,000

33 2. For salaries, support, maintenance, and miscellaneous  
34 purposes of the department's environmental protection  
35 division:

1 ..... \$ 200,000

2 Sec. 12. HAZARDOUS SUBSTANCE REMEDIAL FUND.

3 Notwithstanding any provision of state law, there is  
4 appropriated from the hazardous substance remedial fund as  
5 created in section 455B.423 to the department of natural  
6 resources for the fiscal year beginning July 1, 2001, and  
7 ending June 30, 2002, the following amount, or so much thereof  
8 as is necessary, to be used for the purpose designated:

9 For payment of the department's workers' compensation  
10 insurance premium:

11 ..... \$ 73,606

12 Sec. 13. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any  
13 provision of state law, for the fiscal year beginning July 1,  
14 2001, and ending June 30, 2002, the department of natural  
15 resources may use additional funds available to the department  
16 from stormwater discharge permit fees for the staffing of the  
17 following additional full-time staff members to reduce the  
18 department's floodplain permit backlog:

19 ..... FTEs 2.00

20 Sec. 14. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY  
21 LOAD PROGRAM. Notwithstanding any contrary provision of state  
22 law, for the fiscal year beginning July 1, 2001, and ending  
23 June 30, 2002, the department of natural resources may use  
24 additional funds available to the department from stormwater  
25 discharge permit fees for the staffing of the following  
26 additional full-time equivalent positions for implementation  
27 of the federal total maximum daily load program:

28 ..... FTEs 2.00

29 SPECIAL APPROPRIATIONS

30 ANIMAL HEALTH AND INDUSTRY

31 Sec. 15. HORSE AND DOG RACING. There is appropriated from  
32 the moneys available under section 99D.13 to the regulatory  
33 division of the department of agriculture and land stewardship  
34 for the fiscal year beginning July 1, 2001, and ending June  
35 30, 2002, the following amount, or so much thereof as is

1 necessary, to be used for the purposes designated:

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

4 ..... \$ 271,307

5 Sec. 16. PSEUDORABIES ERADICATION PROGRAM.

6 1. There is appropriated from the general fund of the  
7 state to the department of agriculture and land stewardship  
8 for the fiscal year beginning July 1, 2001, and ending June  
9 30, 2002, the following amount, or so much thereof as is  
10 necessary, to be used for the purpose designated:

11 For support of the pseudorabies eradication program:

12 ..... \$ 900,700

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

18 Sec. 17. SECURITY MEASURES TO CONTROL FOREIGN AGRICULTURAL  
19 ANIMAL DISEASES. There is appropriated from the brucellosis  
20 and tuberculosis eradication fund created in section 165.18 to  
21 the department of agriculture and land stewardship for the  
22 fiscal period beginning July 1, 2000, and ending June 30,  
23 2002, the following amount, or so much thereof as is  
24 necessary, to be used for the purposes designated:

25 For the implementation of security measures necessary in  
26 order to control outbreaks of foreign agricultural animal  
27 diseases introduced into this state, such as mad cow disease,  
28 foot and mouth disease, and classical swine fever (hog  
29 cholera), including for salaries, support, maintenance, and  
30 miscellaneous purposes:

31 ..... \$ 200,000

32 1. The department shall expend moneys appropriated in this  
33 section as deemed necessary by the department to support  
34 prevention, including by education and training; surveillance  
35 and detection, including by monitoring and testing; and

1 emergency response if necessary, including by the issuance of  
2 orders restricting the movement of agricultural animals. The  
3 department shall do all of the following:

4 a. Provide for emergency planning.

5 b. Provide training to interested persons, including  
6 agricultural producers, veterinarians, and agricultural  
7 associations.

8 c. Publish and disseminate educational materials to the  
9 public and interested persons.

10 2. The department shall cooperate with other agencies of  
11 the state, including the emergency management division of the  
12 department of public defense, the department of natural  
13 resources, and the department of public safety. The  
14 department shall also cooperate with the United States  
15 department of agriculture, and interested associations,  
16 including associations representing agricultural producers.

17 3. The department shall apply for moneys appropriated by  
18 the federal government in order to support the purposes of  
19 this section.

20 4. The Iowa cattlemen's association, the Iowa pork  
21 producers association, the Iowa sheep association, the Iowa  
22 poultry association, the Iowa turkey federation, the Iowa  
23 dairy products association, the Iowa corn growers association,  
24 the Iowa soybean association, the Iowa farm bureau federation,  
25 the agribusiness association of Iowa, and associations  
26 representing financial institutions in this state shall to  
27 every extent possible provide financial or in-kind  
28 contributions in order to assist the department in carrying  
29 out this section.

30 5. The department shall not authorize the assessment of a  
31 levy as otherwise provided in section 165.18 because of moneys  
32 appropriated in this section.

33 DIVISION V

34 MISCELLANEOUS

35 Sec. 18. INTERIM COMMITTEE -- WATER QUALITY STUDY. The

1 legislative council is requested to create a water quality  
2 interim study committee to study the quality of this state's  
3 surface and subsurface waters, including drinking water  
4 sources. The interim committee shall consider all major  
5 sources of contamination, current effluent and treatment  
6 standards, and practices or systems designed to prevent or  
7 reduce contamination. The department of agriculture and land  
8 stewardship and the department of natural resources shall  
9 cooperate with the interim study committee. If created, the  
10 interim study committee, as directed by the legislative  
11 council, shall report to the general assembly regarding any  
12 recommendations required to improve water quality in this  
13 state, including legislative measures to reduce contamination  
14 that may pose a risk to human health.

L

15 Sec. 19. ISSUANCE OF PERMITS BY THE DEPARTMENT OF NATURAL  
16 RESOURCES. For the fiscal year beginning July 1, 2001, and  
17 ending June 30, 2002, the department of natural resources  
18 shall approve, deny, or delay consideration of a permit  
19 application required to be submitted to the department based  
20 only on requirements relating to the merit of the application  
21 or applicant, procedural requirements of the department  
22 unrelated to staff availability, and state law including but  
23 not limited to section 455B.104.

24 Sec. 20. Section 169.4, Code 2001, is amended to read as  
25 follows:

26 169A.4 RECORDING -- FEE.

27 A person desiring to adopt a brand shall forward to the  
28 secretary a brand application on forms approved by the  
29 secretary and providing for the desired brand, together with a  
30 recording fee in-an-amount-established-by-rule-of-the  
31 secretary-pursuant-to-chapter-17A of twenty-five dollars. The  
32 fee-amount-shall-be-based-upon-the-administrative-costs-of  
33 maintaining-the-brand-program-provided-for-by-this-chapter.  
34 Upon receipt, the secretary shall file the application and  
35 fee, unless the brand is of record of another person or

1 conflicts with or closely resembles the brand of another  
2 person. If the secretary determines that such brand is of  
3 record or conflicts with or closely resembles the brand of  
4 another person, the secretary shall not record it but shall  
5 return the facsimile and fee to the forwarding person.  
6 However, the secretary shall renew a conflicting brand, if the  
7 brand was originally recorded prior to July 1, 1996, and the  
8 brand is renewed as provided in section 169A.13. The  
9 department may notify each owner of a conflicting brand that  
10 the owner may record a nonconflicting brand. The power of  
11 examination, approval, acceptance, or rejection shall be  
12 vested in the secretary. The secretary shall file all brands  
13 offered for record pending the examination provided for in  
14 this section. The secretary shall make such examination as  
15 promptly as possible. If the brand is accepted, the brand's  
16 ownership shall vest in the person recording it from the date  
17 of filing.

18 Sec. 21. Section 169A.13, Code 2001, is amended to read as  
19 follows:

20 169A.13 RENEWAL OF BRAND AND FEE EACH-FIFTH-YEAR.

21 Each owner of a brand of-record-beginning-on-January-1,  
22 1970, shall pay to the secretary a fee of five dollars and a  
23 renewal fee on January 1 of which is recorded pursuant to  
24 section 169A.4 shall renew the brand each fifth year after the  
25 payment of the five dollar fee, or on January 1 of each fifth  
26 year following the original originally recording of a the  
27 brand recorded after June 30, 1975 and pay a renewal fee. The  
28 amount of the renewal fee required for January 1, 1976, and  
29 each year thereafter shall be established by rule of the  
30 secretary pursuant to chapter 17A is twenty-five dollars. The  
31 amount of the fee shall be based upon the administrative costs  
32 of maintaining the brand program provided for in this chapter.  
33 The secretary shall notify every owner of a brand of record at  
34 least thirty days prior to the date of the renewal period. If  
35 the owner of a brand of record does not renew the brand and

1 pay the renewal fee by July 1 of each year in which it within  
2 six months after it is due, the owner shall forfeit the brand  
3 and the brand shall no longer be recorded. A forfeited brand  
4 shall not be issued to any other person for five years  
5 following date of forfeiture.

6 Sec. 22. NEW SECTION. 169A.13A BRANDING ADMINISTRATION  
7 FUND.

8 1. A branding administration fund is created in the state  
9 treasury under the control of the department. The fund is  
10 composed of moneys collected in fees as provided in this  
11 chapter, moneys appropriated by the general assembly, and  
12 moneys available to and obtained or accepted by the department  
13 from the United States or private sources for placement in the  
14 fund.

15 2. The fund is subject to warrants written by the director  
16 of revenue and finance, drawn upon the written requisition of  
17 the department.

18 3. Moneys in the fund are appropriated to the department  
19 for the exclusive purpose of supporting the administration of  
20 this chapter by the department.

21 4. The department may adopt rules pursuant to chapter 17A  
22 to administer this section.

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

27 Sec. 23. Section 169A.12, Code 2001, is repealed.

28 DIVISION VI

29 EFFECTIVE DATE PROVISIONS

30 Sec. 24. Section 11 of this Act, providing for the  
31 appropriations of stormwater discharge permit fees, takes  
32 effect upon enactment.

33 Sec. 25. Section 17 of this Act, being deemed of immediate  
34 importance, takes effect upon enactment.

HOUSE FILE 725

S-3572

1 Amend House File 725, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 4, by inserting after line 29, the  
4 following:

5 "As a condition of the appropriation provided in  
6 this subsection, the department shall establish the  
7 amount of the handling fee as provided in section  
8 455C.2. The amount of the handling fee shall be one  
9 and one-half cents per container for the fiscal year  
10 beginning July 1, 2001, and ending June 30, 2002. The  
11 amount of the handling fee shall be two cents per  
12 container for each subsequent fiscal year."

13 2. Page 14, by inserting after line 26, the  
14 following:

15 "Sec. \_\_\_\_ . Section 455C.2, subsection 2, Code  
16 2001, is amended to read as follows:

17 2. In addition to the refund value provided in  
18 subsection 1 of this section, a dealer, or person  
19 operating a redemption center who redeems empty  
20 beverage containers or a dealer agent shall be  
21 reimbursed a handling fee by the distributor required  
22 to accept the empty beverage containers for an amount  
23 which is one cent per container shall be established  
24 by the department of natural resources. A dealer,  
25 dealer agent, or person operating a redemption center  
26 may compact empty metal beverage containers with the  
27 approval of the distributor required to accept the  
28 containers."

By BILL FINK

S-3572 FILED APRIL 27, 2001

RULED OUT OF ORDER

(p. 1379)

**HOUSE FILE 725**

**S-3551**

1 Amend House File 725, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 6, by inserting after line 28, the  
 4 following:  
 5 "Sec. \_\_\_\_ . WATER QUALITY PROTECTION FUND. There  
 6 is appropriated from the general fund of the state to  
 7 the department of natural resources for the fiscal  
 8 year beginning July 1, 2001, and ending June 30, 2002,  
 9 the following amount, or so much thereof as is  
 10 necessary, to be used for the purpose designated:  
 11 For deposit into the administration account of the  
 12 water quality protection fund as created in section  
 13 455B.183A in order for the department to carry out the  
 14 purposes of that account:  
 15 ..... \$ 248,953"  
 16 2. By renumbering as necessary.

**By** JOE BOLKCOM

**S-3551** FILED APRIL 27, 2001

LOST

*(p. 1373)*

**HOUSE FILE 725**

**S-3555**

1 Amend House File 725, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 2, line 20, by striking the figure  
 4 "996,627" and inserting the following: "1,309,874".  
 5 2. Page 4, line 28, by striking the figure  
 6 "4,612,753" and inserting the following: "5,212,753".  
 7 3. By striking page 7, line 16, through page 8,  
 8 line 7.  
 9 4. By renumbering as necessary.

**By** BILL FINK  
JOHNIE HAMMOND

**S-3555** FILED APRIL 27, 2001

LOST

*(p. 1374)*

**HOUSE FILE 725**

**S-3556**

1 Amend House File 725, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 4, line 4, by striking the figure  
 4 "5,983,100" and inserting the following: "6,483,100".

**By** DENNIS H. BLACK

**S-3556** FILED APRIL 27, 2001

LOST

*(p. 1372)*

**HOUSE FILE 725****S-3557**

- 1 Amend House File 725, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 8, by striking lines 8 through 18.
- 4 2. By renumbering as necessary.

**By** KITTY REHBERG

**S-3557** FILED APRIL 27, 2001

LOST  
(P. 1374)

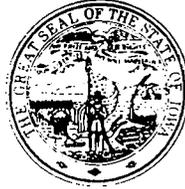
**HOUSE FILE 725****S-3559**

- 1 Amend House File 725, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, line 9, by striking the figure
- 4 "891,354" and inserting the following: "931,354".
- 5 2. Page 2, line 12, by striking the figure
- 6 "80,000" and inserting the following: "120,000".
- 7 3. Page 8, by striking lines 8 through 18.
- 8 4. By renumbering as necessary.

**By** JOHNIE HAMMOND

**S-3559** FILED APRIL 27, 2001

LOST  
(P. 1371)



THOMAS J. VILSACK  
GOVERNOR

**OFFICE OF THE GOVERNOR**

SALLY J. PEDERSON  
LT. GOVERNOR

May 25, 2001

The Honorable Chester Culver  
Secretary of State  
State Capitol  
LOCAL

MAY 26 2001

Dear Mr. Secretary:

I hereby transmit House File 725, an act relating to and making appropriations to the Iowa Department of Agriculture & Land Stewardship (DALS) and the Iowa Department of Natural Resources (DNR).

I reluctantly approve House File 725. This bill represents a 19 percent reduction in general fund appropriations to the DNR and DALS below their FY 01 appropriation. Furthermore, the DNR receives a disproportionate cut amounting to a budget reduction six times that of the DALS. The result will be direct impacts to the services that Iowans have come to expect from both departments in protecting and enhancing our state's natural resources and in ensuring a healthy and vibrant agriculture industry in Iowa.

The Legislature has chosen to underfund our state parks to the point where some Iowans will no longer be able to enjoy the outdoor recreation this year that our parks have provided in the past. The Legislature's attempt at using the camping fee increase to keep all state parks open is unrealistic considering the Parks Division will still encounter a net shortfall of approximately \$500,000 even with the increase. The Legislature has similarly chosen to underfund the Leopold Center for Sustainable Agriculture in this bill. The Leopold Center is recognized nationally for its role in providing farmers the tools necessary to implement farming practices aimed at conserving natural resources and reducing negative impacts on agriculture thereby avoiding the need for regulation while maintaining profitability. The Legislature's action will result in a decrease in sustainable alternatives to environmental regulation available to Iowa farmers.

In addition, the Legislature has chosen to underfund the Environmental Protection Division of the DNR. At the same time, House File 725 requires the department to approve, deny, or delay consideration of a permit application based only on the merits of the application and not on staff availability. The cut to this division combined with the permitting requirement will result in reductions in animal feeding operations inspections and a delay in the department's response to complaints. The impact will be that Iowans must put up with the smell and contamination of our rivers and lakes from livestock

operations out of compliance for longer periods of time while the division staff is required by the Legislature to process paper.

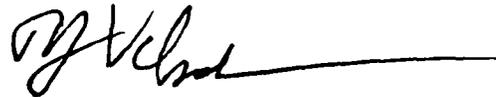
I am greatly concerned about the number of bad budgeting practices the Legislature has included in House File 725. This bill includes the appropriation of \$913,606 in one-time funding sources to fund ongoing expenditures. For example, the Legislature appropriated \$250,000 from stormwater permit fees deposits to an ongoing water monitoring and well testing program. This is problematic in that Iowans rely on these ongoing water quality services that have only a single year's funding.

House File 725 is, therefore, approved on this date, with the following exceptions, which I hereby disapprove. I do not approve Section 9, subsection 1, paragraph a and the designated portions of Section 9, subsection 2. This item redirects \$100,000 from the groundwater protection fund to support the Leopold Center to the DALS for the operations of their pesticide program. These provisions take money from a program targeted at reducing the need for pesticides and transfers it to a program that provides training for pesticide applicators. While both are important programs to Iowa agriculture, research funding for one will reduce the demand for the other.

I do not approve Section 10. This item appropriates \$40,000 from the DNR forestry management and enhancement fund to the DALS to support the gypsy moth eradication program. This transfer of funds is not needed; however, the opportunity exists for the DNR to work cooperatively with the DALS on implementing this important program.

For the above reasons, I hereby respectfully approve House File 725 with the exceptions noted above.

Sincerely,



Thomas J. Vilsack  
Governor

TJV:jmc

CC: Secretary of the Senate  
Chief Clerk of the House

HOUSE FILE 725

AN ACT

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

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

DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Section 1. GENERAL DEPARTMENT APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE DIVISION

a. For salaries, support, maintenance, and miscellaneous purposes, and for the salaries and support of not more than the following full-time equivalent positions:
..... \$ 2,327,448
..... FTEs 47.33

(1) Of the amount appropriated in this paragraph "a", at least \$87,000 shall be used to support livestock market news reporting, including the support of 1.00 FTE to provide for six part-time staff positions on a contract basis.

(2) Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", at least \$70,000 and 1.00 FTE shall be allocated to support the state apiarist in administering the provisions of chapter 160.

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

..... \$ 20,151

c. For the purpose of performing commercial feed audits:

..... \$ 71,871

d. For the purpose of performing fertilizer audits:

..... \$ 71,873

2. REGULATORY DIVISION

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

..... \$ 4,446,344

..... FTEs 124.00

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

..... \$ 677,829

3. LABORATORY DIVISION

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

..... \$ 891,354

..... FTEs 84.00

Of the amount appropriated and full-time equivalent positions authorized in this paragraph "a", at least \$80,000 and 4.00 FTEs shall be allocated to support a program relating to the detection, surveillance, and eradication of the gypsy moth. The allocation of moneys shall be made before other moneys appropriated in this paragraph "a" are allocated.

- b. For the operations of the commercial feed programs:  
..... \$ 811,240
- c. For the operations of the pesticide programs:  
..... \$ 996,627
- d. For the operations of the fertilizer programs:  
..... \$ 537,170

4. SOIL CONSERVATION DIVISION

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

..... \$ 6,862,875  
 ..... FTEs 194.11

a. Of the amount appropriated in this subsection, \$268,376 shall be used to reimburse commissioners of soil and water conservation districts for administrative expenses, including, but not limited to, travel expenses and technical training. Moneys used for the payment of meeting dues by counties shall be matched on a dollar-for-dollar basis by the soil conservation division.

b. Of the amount appropriated in this subsection, \$44,000 shall be used to support inspections for noncoal mining operations.

Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 304,680  
 ..... FTEs 2.00

DIVISION II  
 DEPARTMENT OF NATURAL RESOURCES  
 GENERAL APPROPRIATIONS

Sec. 3. GENERAL DEPARTMENT APPROPRIATIONS. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE AND SUPPORT SERVICES

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

..... \$ 2,052,531  
 ..... FTEs 118.25

2. PARKS AND PRESERVES DIVISION

For salaries, support, and maintenance of personnel and programs relating to water access development, all state parks as they existed on April 1, 2001, recreation areas, and state preserves, and for related miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,983,100  
 ..... FTEs 195.73

The department shall use moneys collected by the department resulting from that portion of fees designated for the use of state parks and recreation areas and associated facilities or services that were increased by the natural resource commission in 2000 exclusively for the purpose of keeping open all state parks as they existed on April 1, 2001.

3. FORESTS AND PRAIRIES DIVISION

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

..... \$ 1,765,460  
 ..... FTEs 53.71

4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

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

..... \$ 1,704,683
..... FTEs 59.00

5. ENVIRONMENTAL PROTECTION DIVISION

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

..... \$ 4,612,753
..... FTEs 226.50

6. FISH AND WILDLIFE DIVISION

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

..... FTEs 356.18

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

7. WASTE MANAGEMENT ASSISTANCE DIVISION

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

..... FTEs 53.75

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

1. a. There is appropriated from the state fish and game protection fund to the division of fish and wildlife of the department of natural resources for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 26,383,240

b. The department may use moneys appropriated in paragraph "a", as is necessary to provide compensation to conservation peace officers employed in a protection occupation who retire, pursuant to section 97B.49B.

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

DIVISION III
RELATED TRANSFERS AND APPROPRIATIONS
DEPARTMENT OF NATURAL RESOURCES

Sec. 5. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 2001, from the fees deposited under section 321G.7 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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

..... \$ 100,000

Sec. 6. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 2001, from the fees deposited under section 462A.52 to the fish and game protection fund and appropriated to the natural resource commission for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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

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

Notwithstanding section 8.33, moneys transferred and appropriated in this section that remain unencumbered or

unobligated at the close of the fiscal year shall not revert to the credit of the fish and game protection fund but shall be credited to the special conservation fund established by section 462A.52 to be used as provided in that section.

DIVISION IV  
SPECIAL APPROPRIATIONS  
DEPARTMENT OF NATURAL RESOURCES

Sec. 7. MARINE FUEL TAX RECEIPTS -- BOATING FACILITIES.

There is appropriated from the marine fuel tax receipts deposited in the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of maintaining and developing boating facilities and access to public waters by the parks and preserves division:  
..... \$ 411,311

Sec. 8. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board, to the department of natural resources for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For administration expenses of the underground storage tank section of the department of natural resources:  
..... \$ 75,000

Sec. 9. GROUNDWATER PROTECTION FUND.

1. Notwithstanding section 455E.11, subsection 2, paragraph "b", subparagraph (3), subparagraph subdivision (a), of the remaining moneys appropriated from the agricultural management account of the groundwater protection fund that would otherwise be used to support the Leopold center for sustainable agriculture at Iowa state university of science

and technology, there is appropriated for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts to be used for the purposes designated:

a. To the department of agriculture and land stewardship for salaries, support, maintenance, and miscellaneous purposes of the department's laboratory division in administering the operations of pesticide programs:  
..... \$ 100,000

b. To the department of natural resources for salaries, support, maintenance, and miscellaneous purposes of the department's environmental protection division:  
..... \$ 250,000

2. The moneys appropriated in subsection 1, paragraphs "a" and "b" shall first be appropriated to the department of agriculture and land stewardship and then to the department of natural resources prior to moneys appropriated to support the Leopold center for sustainable agriculture at Iowa state university of science and technology as otherwise provided in section 455E.11, subsection 2, paragraph "b", subparagraph (3), subparagraph subdivision (a).

Sec. 10. FORESTRY MANAGEMENT AND ENHANCEMENT FUND. Notwithstanding section 456A.21, there is appropriated from the forestry management and enhancement fund to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:  
For purposes of supporting the department's laboratory division in administering a program relating to the detection, surveillance, and eradication of the gypsy moth:  
..... \$ 40,000

Sec. 11. STORMWATER DISCHARGE PERMIT FEES. Notwithstanding any provision of state law, there is appropriated from moneys collected in fees required to be paid to the department of natural resources for issuing stormwater discharge permits pursuant to section 455B.103 that are

*Veto*

*Veto*

*Veto*

unobligated and unencumbered on June 30, 2001, to the department for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as are necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, and miscellaneous purposes of the department's energy and geological resources division: ..... \$ 250,000

2. For salaries, support, maintenance, and miscellaneous purposes of the department's environmental protection division: ..... \$ 200,000

Sec. 12. HAZARDOUS SUBSTANCE REMEDIAL FUND. Notwithstanding any provision of state law, there is appropriated from the hazardous substance remedial fund as created in section 455B.423 to the department of natural resources for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated: For payment of the department's workers' compensation insurance premium: ..... \$ 73,606

Sec. 13. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any provision of state law, for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the department of natural resources may use additional funds available to the department from stormwater discharge permit fees for the staffing of the following additional full-time staff members to reduce the department's floodplain permit backlog: ..... FTEs 2.00

Sec. 14. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the department of natural resources may use additional funds available to the department from stormwater

discharge permit fees for the staffing of the following additional full-time equivalent positions for implementation of the federal total maximum daily load program:

..... FTEs 2.00

SPECIAL APPROPRIATIONS ANIMAL HEALTH AND INDUSTRY

Sec. 15. HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the regulatory division of the department of agriculture and land stewardship for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for the administration of section 99D.22: ..... \$ 271,307

Sec. 16. PSEUDORABIES ERADICATION PROGRAM. 1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated: For support of the pseudorabies eradication program: ..... \$ 900,700

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

Sec. 17. SECURITY MEASURES TO CONTROL FOREIGN AGRICULTURAL ANIMAL DISEASES. There is appropriated from the brucellosis and tuberculosis eradication fund created in section 165.18 to the department of agriculture and land stewardship for the fiscal period beginning July 1, 2000, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the implementation of security measures necessary in order to control outbreaks of foreign agricultural animal diseases introduced into this state, such as mad cow disease, foot and mouth disease, and classical swine fever (hog cholera), including for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 200,000

1. The department shall expend moneys appropriated in this section as deemed necessary by the department to support prevention, including by education and training; surveillance and detection, including by monitoring and testing; and emergency response if necessary, including by the issuance of orders restricting the movement of agricultural animals. The department shall do all of the following:

- a. Provide for emergency planning.
- b. Provide training to interested persons, including agricultural producers, veterinarians, and agricultural associations.
- c. Publish and disseminate educational materials to the public and interested persons.

2. The department shall cooperate with other agencies of the state, including the emergency management division of the department of public defense, the department of natural resources, and the department of public safety. The department shall also cooperate with the United States department of agriculture, and interested associations, including associations representing agricultural producers.

3. The department shall apply for moneys appropriated by the federal government in order to support the purposes of this section.

4. The Iowa cattlemen's association, the Iowa pork producers association, the Iowa sheep association, the Iowa poultry association, the Iowa turkey federation, the Iowa dairy products association, the Iowa corn growers association, the Iowa soybean association, the Iowa farm bureau federation, the agribusiness association of Iowa, and associations

representing financial institutions in this state shall to every extent possible provide financial or in-kind contributions in order to assist the department in carrying out this section.

5. The department shall not authorize the assessment of a levy as otherwise provided in section 165.18 because of moneys appropriated in this section.

DIVISION V  
MISCELLANEOUS

Sec. 18. INTERIM COMMITTEE -- WATER QUALITY STUDY. The legislative council is requested to create a water quality interim study committee to study the quality of this state's surface and subsurface waters, including drinking water sources. The interim committee shall consider all major sources of contamination, current effluent and treatment standards, and practices or systems designed to prevent or reduce contamination. The department of agriculture and land stewardship and the department of natural resources shall cooperate with the interim study committee. If created, the interim study committee, as directed by the legislative council, shall report to the general assembly regarding any recommendations required to improve water quality in this state, including legislative measures to reduce contamination that may pose a risk to human health.

Sec. 19. ISSUANCE OF PERMITS BY THE DEPARTMENT OF NATURAL RESOURCES. For the fiscal year beginning July 1, 2001, and ending June 30, 2002, the department of natural resources shall approve, deny, or delay consideration of a permit application required to be submitted to the department based only on requirements relating to the merit of the application or applicant, procedural requirements of the department unrelated to staff availability, and state law including but not limited to section 455B.104.

Sec. 20. Section 169.4, Code 2001, is amended to read as follows:

169A.4 RECORDING -- FEE.

A person desiring to adopt a brand shall forward to the secretary a brand application on forms approved by the secretary and providing for the desired brand, together with a recording fee in an amount established by rule of the secretary pursuant to chapter 17A of twenty-five dollars. The fee amount shall be based upon the administrative costs of maintaining the brand program provided for by this chapter. Upon receipt, the secretary shall file the application and fee, unless the brand is of record of another person or conflicts with or closely resembles the brand of another person. If the secretary determines that such brand is of record or conflicts with or closely resembles the brand of another person, the secretary shall not record it but shall return the facsimile and fee to the forwarding person. However, the secretary shall renew a conflicting brand, if the brand was originally recorded prior to July 1, 1996, and the brand is renewed as provided in section 169A.13. The department may notify each owner of a conflicting brand that the owner may record a nonconflicting brand. The power of examination, approval, acceptance, or rejection shall be vested in the secretary. The secretary shall file all brands offered for record pending the examination provided for in this section. The secretary shall make such examination as promptly as possible. If the brand is accepted, the brand's ownership shall vest in the person recording it from the date of filing.

Sec. 21. Section 169A.13, Code 2001, is amended to read as follows:

169A.13 RENEWAL OF BRAND AND FEE EACH-FIFTH-YEAR.

Each owner of a brand of record beginning on January 1, 1970, shall pay to the secretary a fee of five dollars and a renewal fee on January 1 of which is recorded pursuant to section 169A.4 shall renew the brand each fifth year after the payment of the five-dollar fee, or on January 1 of each fifth year following the original originally recording of a the brand recorded after June 30, 1975 and pay a renewal fee. The

amount of the renewal fee required for January 1, 1976, and each year thereafter shall be established by rule of the secretary pursuant to chapter 17A is twenty-five dollars. The amount of the fee shall be based upon the administrative costs of maintaining the brand program provided for in this chapter. The secretary shall notify every owner of a brand of record at least thirty days prior to the date of the renewal period. If the owner of a brand of record does not renew the brand and pay the renewal fee by July 1 of each year in which it within six months after it is due, the owner shall forfeit the brand and the brand shall no longer be recorded. A forfeited brand shall not be issued to any other person for five years following date of forfeiture.

Sec. 22. NEW SECTION. 169A.13A BRANDING ADMINISTRATION FUND.

1. A branding administration fund is created in the state treasury under the control of the department. The fund is composed of moneys collected in fees as provided in this chapter, moneys appropriated by the general assembly, and moneys available to and obtained or accepted by the department from the United States or private sources for placement in the fund.

2. The fund is subject to warrants written by the director of revenue and finance, drawn upon the written requisition of the department.

3. Moneys in the fund are appropriated to the department for the exclusive purpose of supporting the administration of this chapter by the department.

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

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

Sec. 23. Section 169A.12, Code 2001, is repealed.

DIVISION VI  
EFFECTIVE DATE PROVISIONS

Sec. 24. Section 11 of this Act, providing for the appropriations of stormwater discharge permit fees, takes effect upon enactment.

Sec. 25. Section 17 of this Act, being deemed of immediate importance, takes effect upon enactment.

---

BRENT SIEGRIST  
Speaker of the House

---

MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 725, Seventy-ninth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

*Item Retired*  
Approved May 25, 2001

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THOMAS J. VILSACK  
Governor