



LEGISLATIVE NEWSLETTER

Iowa's County Conservation System

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ABBREVIATIONS: H=House, S=Senate, HF=House File, SF=Senate File, HSB=House Study Bill, SSB=Senate Study Bill, CR=Concurrent Resolution, JR=Joint Resolution, NRC=Natural Resource (& Env in the S) Comm, HEPC=House Environmental Protection, CC= Commerce, LGC=Local Gov't, EdC=Education, SGC=State Gov't, TC=Transportation, WMC=Ways & Means, AC=Appropriations, JC=Judiciary, AgC=Ag, AgNRAS-Ag & Natural Resources Appropriation Subcomm (a joint Senate & House subcomm), HPSC=House Public Safety, EG=Economic Growth/Rebuild Iowa, VA=Veterans Affairs.

Phone numbers to reach your Senator is **515/281-3371** & for your Representative is **515/281-3221**. To access bills, E-Mail address for legislators, & other info, go to **<http://www.legis.iowa.gov/index.aspx>**

WEEK THIRTEEN

LANDOWNER LIABILITY. The DNR has reported that there is confusion on this issue and the bills that were introduced. First, both HF 605 & SF 413 are dead. Second, supporters are seeking a "leadership bill" sponsored either by the H or S majority and minority leaders. Again, the bill is to clarify that landowners will retain limited liability immunity protection provided by Chapter 461C from lawsuits if persons recreating on the landowners land are injured. The legislation would clarify the confusion brought about by the Iowa Supreme Court Decision in the Sallee v. Stewart case. In short, support for this concept retains the liability protection that landowners have enjoyed over the years and gives landowners confidence that they may continue to grant those individuals they choose free access to their private lands.

NATURAL RESOURCES & OUTDOOR REC ...

HF 361, DISABLED VETERAN HUNTING. Requires the DNR make 25 (not 40 as previously reported) of the 75 special "celebrity" non-resident deer and wild turkey licenses to be available to non-resident, disabled veterans and current disabled military personnel. Increases the total number of the special wild turkey licenses to 75. The licenses must be used in conjunction with an organization that organizes hunts for disabled veterans. The disabled veterans will be charged resident license fees. A

special hunting license that includes the wildlife

habitat fee at resident prices will be made available to disabled veterans to allow them to participate in a hunt conducted by an approved organization for which only a hunting license is required, such as pheasant hunting. Passed the S, goes to the Governor.

HF 394, LIFETIME FUR HARVESTER LICENSE. Establishes a lifetime fur harvester license for persons over 65 (cost \$50.50). Passed the S, goes to the Governor.

HF 457, BEGINNING FARMING LEASES ON DNR LAND. 1) "Agricultural land" was used rather than cropland (this allows grazing). 2) Lease payments are to be based on market factors, prior lease rates on the same or comparable land, the cost or maint of soil cons practices & criteria established by the DNR. 3) No more than 240 acres may be leased to one beginning farmer. 4) Leases may not exceed 7 years. 5) The DNR may require a cons system, crop rotation, cover crops, generally accepted farming or soil conservation practices if compatible to DNR's resource management & outdoor rec. 6) The DNR is not required to lease ag land that it would not otherwise lease for farming. Passed the S, goes to the Governor.

HF 499, CROSSBOW HUNTING. Authorizes the DNR to adopt a rule to permit crossbows to be used in the late muzzleloader season. Moved to the S Unfinished Business Calendar.

HF 522, AQUATIC INVASIVES. Rewrites Section 456A.37 on aquatic invasive species. Redefines “aquatic invasive species” and adds new definitions of “aquatic plant”, “bait” and “water-related equipment”. Authorizes the NRC to adopt rules to restrict the introduction, propagation, use, possession and spread of aquatic invasives; identify infested waters; and define additional invasives as they appear. Prohibits a person from transporting water-related equipment that has aquatic invasive species on a public road or place them into Iowa waters. Requires draining of water-related equipment before transport and for inspection by the DNR. Allows the DNR to prohibit a vessel in the Iowa waters if the person refuses an inspection. Passed the S, goes to the Governor.

HF 541, REBUILDING DAMS. Establishes standards for reconstructing dams destroyed in natural disasters. Defines the dam elevation as 3 inches below the spillway level if the spillway is in excess of 50% of the width of the dam & therefore current easements held for flooding do not require new easements from landowners. Passed the S, goes to the Governor.

SF 146, WATERCRAFT FEES. Extends the requirement that increases from raising watercraft registration fees be used for aquatic invasive plant control, navigation laws and water safety to 2023. Passed the H, goes to the Governor.

SF 268, HF 92, NATURAL RESOURCES SALES TAX. Increases the state sales tax by 3/8 of a cent for the Natural Resources Trust Fund established in the Iowa Constitution. In SWMC & HWMC.

SF 272, DNR MATTERS. Strikes the requirement that an ATV or snowmobile title application be notarized. Strikes the Restore the Outdoors program. Adds palustrine emergent wetland as a protected wetlands. Amended & passed H, goes back to the S. Amendment resurrects HF 219, EMINENT DOMAIN that deals with various limits or prohibitions on condemnation.

SF 389, HUNTER SAFETY COURSE. Allows an Iowa resident who is 18 to get a certificate of completion of a hunter safety course without demonstrating safe handling of a gun. Passed the H, goes to the Governor.

SF 430, APPROPS FOR VARIOUS DEPARTMENTS. Great Places \$0.15 mil, historic sites \$0.43 mil, unspecified amount for tourism and direction to assist various entities with tourism advertising. Passed S & amended & passed HAC. Eligible for H debate.

SF 421, AG & DNR APPROPRIATION. Amended & passed S on a party-line vote. H to deal with the bill on Monday. Now is the time to call your representative in support of full funding for REAP at \$20 mil.

General Fund (GF)

	(S)	(H)	(GOV)
DNR			
Operations	\$12.517 mil	\$12.766 mil	\$12.517 mil
Floodplain Mgt	\$2 mil	\$2 mil	\$2 mil
Forestry Health	\$0.2 mil	\$0.1 mil	\$0.1 mil
Keep Ia Beautiful	\$0.2 mil	\$0.2 mil	\$0.2 mil
AG	\$38.45 mil	\$17.5	\$17.1 mil
Soil Cons Admin	\$2.55 mil	0 (See EFF)	0 (See EFF)
Water Qual Initiative	\$2.4 mil	0 (See EFF)	0 (See EFF)
Water Qual Projects	\$10 mil	0	0
Soil Cons Cost Share	\$6 mil	0	0
Iowa FFA	\$25,000	\$25,000	0
Local Food Program	\$75,000	\$75,000	0
Milk Inspection	\$0.189 mil	\$0.189 mil	\$0.189 mil
Farmers with Disabilities	\$0.13 mil	\$0.13 mil	\$0.13 mil
Watershed Improvement Bd	\$4 mil	0	0
Vet Diagnostic Lab	\$3.238 mil	\$3.488 mil	\$3.238 mil
Fish & Game Trust Fund	\$41.078 mil	\$41.078 mil	\$41.078 mil
Env First Fund (EFF)	\$42 mil (RIIF)	\$42 mil (RIIF)	\$42 mil (RIIF)
DNR			
REAP	\$20 mil	\$12 mil	\$12 mil
Volunteers	\$0.1 mil	\$0.1 mil	\$0.1 mil
Parks Operations	\$3.71 mil	\$6.61 mil	\$6.61 mil
GIS - Watersheds	\$0.195 mil	\$0.195 mil	\$0.195 mil
Water Monitoring	\$2.955 mil	\$2.955 mil	\$2.955 mil
Water Protection	\$0.5 mil	\$0.5 mil	\$0.5 mil
Animal Regulation	\$1.92 mil	\$1.12 mil	\$1.12 mil
Air Monitoring	\$0.425 mil	\$0.425 mil	\$0.425 mil
Water Quality Reg	\$0.495 mil	\$0.495 mil	\$0.495 mil
Geological Survey	\$0.2 mil	\$0.2 mil	\$0.2 mil
Winterset Water Utility	0	0	\$1 mil
AG			
Soil Cons Admin	0 (See GF)	\$2.55 mil	\$2.55 mil
Water Qual Nutrient Mgt	0 (See GF)	\$2.4 mil	\$2.4 mil
Cons Res Enhancement	\$1 mil	\$1 mil	\$1 mil
Watershed Protection	\$1 mil	\$0.9 mil	\$0.9 mil
Farm Mgt Demo	\$0.625 mil	\$0.625 mil	\$0.625 mil
Ag Drainage Wells	\$0.55 mil	\$1.55 mil	\$0.55 mil
Cons Reserve	\$1 mil	\$1 mil	\$1 mil
Soil Cost Share	\$6.65 mil	\$6.65 mil	\$6.65 mil
Loess Hills/Hungry Canyons	\$0.475 mil	\$0.525 mil	\$0.525 mil

OTHER FUNDS

Snowmobile Fees to DNR	\$0.1 mil	\$0.1 mil	\$0.1 mil
Groundwater Protection Fund to DNR	\$3.446 mil	\$3.446 mil	\$3.446 mil

Now is the time to start contacting your representative to support full funding for REAP. Allows Dept of Ag to use non-State funding and deletes FY '15 funding. Amended & passed on a party-line vote. Amendment adds \$250,000 for the ISU Vet Diagnostic Lab.

ENVIRONMENT & AG ...

HF 311, WATER QUALITY. Requires the one publication (rather than two) of notice in newspapers for NPDES stormwater and allowable nonstormwater permits. Allows aquatic herbicides to be applied according to EPC rules. Allows an applicant for a permit to divert, withdraw or store water to apply for additional time to provide information without incurring another fee. Awards such a permit by default if the DNR does not award or deny an application within 90 days of receipt. Strikes the requirement that a borrower under the on-site waste system program live outside a city. Strikes certain DNR reporting requirements related to the program. Passed the S, goes to the Governor.

HF 312, MANURE HANDLING COURSES. Requires DNR to develop an educational course containing practical, cost-effective methods to limit manure spills and their impact. Requires DNR to make continuing education course available on the Internet. Stipulates that the requirement to put the course on the Internet only if the General Assembly provides money to the DNR to develop the programming for the Internet. Requires the course to be completed within 12 months of the effective date of the bill and is contingent upon the DNR receiving funding to develop the course and programming to put it online. Passed the S, goes to the Governor.

SF 307, WATER PLANS. Appropriates \$85,000 reestablishment of an aquifer monitoring system; \$150,000 groundwater mapping and aquifer modeling, \$250,000 water conservation technical assistance for drought planning; \$475,000 for hydrologic monitoring stations of soil moisture and weather information, \$75,000 for maintenance of the network of hydrologic monitoring stations. SAC.

SF 317, ORIENTAL BITTERSWEET. Adds oriental bittersweet, garlic mustard, Japanese knotweed and Japanese hop to the list of prohibited invasive plants for sale or distribution. Passed H, goes to the Governor.

SF 418, HF 512, CAFO CALCULATIONS. Allows a CAFO operator to elect to be treated as a small operation based on actual numbers of animals fed. This then allows the CAFO to be exempt from paying compliance fees and filing manure management plans. Requires the DNR to determine the period of election but requires it to be for at least the rest of the updated plan. Terminates the election immediately if the operation no longer qualifies. Authorizes civil penalties. HF passed the H. Bills placed on S Unfinished Business Calendar.

SSB 1247, BOTTLE BILL EXPANSION. Expands the current bottle deposit to noncarbonated beverage containers with some exceptions such as milk, fruit and vegetable juices and fruit drinks. The distributor shall reimburse redemption sites an additional 1¢ for the new containers covered. The reimbursement shall remain at 1¢ for containers currently covered by law. The deposit amount will remain at 5¢. CORRECTION – still in SA subcom-Peterson, Dvorsky, Mathis, Whitver, R. Smith. Now is the time to express support for expansion to your legislators. For more information & updates: www.IowaBottleBill.com

LOCAL GOVT & OTHER ...

HF 211, CONSTRUCTION CONTRACTS. Declares in-state construction contracts void and unenforceable if contract provisions require that laws of another state govern litigation, mediation or arbitration. Passed the S, goes to the Governor.

HF 307, DEPT OF HOMELAND SECURITY. Establishes the current Div of Homeland Security & Emergency Mgt, now in the Dept of Public Defense, as a separate department. Passed the S, goes to the Governor.

HF 505, LOCAL OPTION SALES TAXES. Allows city or county elected officials to file petitions for a local option sales tax vote. Limits the length of a local option sales tax to ten years. Requires a three-year wait before the question can be submitted to voters after failing. Changes the allocation of revenues for taxes imposed after July 2013 so that all taxes collected in a city stay with the city and all taxes collected in unincorporated parts of a county stay with the county. Referred to HWMC.

HF 609, PROPERTY TAX REFORM. Reduces the property tax rollback for ag and residential property to 2%. Reduces the value of commercial property that is taxed by 5% annually for four years ('13-'16) to get to 80%. Adds commercial and industrial property to the rollback as in 2017. Increases the state foundation school aid to 95% over four years. Assesses railroad property as commercial property. Establishes a formula for payments to local governments to replace commercial and industrial property taxes FY '15. Limits future repayments to no more than paid out in FY '18. Does not allow the money to be reduced by an across-the-board cut. Requires the DOR to notify counties if the amount appropriated for replacement payments are less than the reduction of all replacement claims. HAC.

A March 25th Fiscal Note shows the reduction of statewide revenue to counties (county urban and county rural) to be \$0.2 mil in FY '15 and increasing to \$56.9 mil in FY '24.

SF 53, SCHOOL PROPERTY TAXES. Transfers money necessary to lower all school district adjusted additional property tax levy rates to the statewide maximum adjusted additional property tax levy rate from the Taxpayers Trust fund. Establishes a School Property Tax Replacement Fund and formulas to determine the transfer of funds to schools. In HWMC.

SF 295, BUSINESS PROPERTY TAX CREDITS. Creates a \$50 million business property tax fund for commercial, rail and industrial properties. Appropriates an additional \$50 million if the Revenue Estimating Conference certifies that General Fund Revenues have grown by 4%. The fund is limited to a total of \$250 million. Passed SAC.

SF 304, PUBLIC SAFETY TRAINING TRUST FUND. Establishes a Public Safety Training & Equipment Trust Fund under ILEA. Funded by insurance premium receipts for the trust. Allows up to 30% of the trust fund money for a facility. The remaining funds are for public safety training costs, including equipment. Does not allow use of the fund until the balance reaches \$8 million. Creates a task force to consider training strategies. Delays transfer of insurance receipts by two years, changes committee membership and coordinates police & fire training with a consolidated training center. Amended & passed HPSC. Eligible for H debate.

SF 327, FIRE AND POLICE RETIREMENT. Makes changes to municipal fire & police retirement system. Allows medical protocols established by system controlling over ILEA medical protocols on entrance exams. One is vested to receive retirement benefits by completing four years of service or by being in service when reaching age 55. Allows a vested member with 22 years of service to receive a retirement allowance. Strikes the ability of a deceased member's parents to elect to receive a monthly pension instead of a lump sum, if decedent leaves no spouse or children. Allows a member disabled due to military service to file for disability retirement, even if the member does not return to service. Limits the amount that a member who ends service can withdraw from the member's contributions to the amount in federal law, unless the spouse consents. Governor signed. Will delete.

SF 384, TAKING POLICE RADIOS/INTERFERENCE WITH OFFICIAL ACTS. Makes removing a communication or control device a violation & increases penalties for interference of official acts that results in harm or injury extent and type of person involved (police, EMS, prison guard or other protected occupation). Passed the H, goes to the Governor