



LEGISLATIVE NEWSLETTER

Iowa's County Conservation System

1775 Mackenzie Dr. Cedar Rapids, IA 52411-9596

(515)963-9582 IACCB@MyCountyParks.com

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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 SIXTEEN

ONE WEEK LEFT. One week until legislators per diem expense money runs out that is. There will need to be many compromises made next week if they are to finish their work for the year. I don't foresee that happening.

LANDOWNER LIABILITY. The discussion is ongoing but no resolution as yet. Hunters and other outdoor recreation enthusiasts are starting to be heard in the chambers on this issue – KEEP CALLING, EMAILING or GOING TO PUBLIC FORUMS.

AG & DNR APPROPRIATIONS BILL. Amended & passed H, S amended, H refused to concur, S insisted, conference committee appointed. The S General Fund budget amount is \$27 mil more than the H. In order for the conf comm to complete their work, H & S leaders will need to give the comm a new total budget target. An increase is needed to increase the amount to REAP as the S has shifted some programs traditionally funded in the Environmental First Fund (EFF) to the General Fund. The EFF has a limit of \$42 mil leaving \$12 mil for REAP in the H budget. The Legislative Service Agency is developing a spreadsheet showing the differences between the H & S amendments.

RIIF – INFRASTRUCTURE APPROPRIATIONS BILL. In the S. A subcom may be scheduled on Monday.

SF 452, STANDINGS. The last appropriation bill passed out of the SAC.

NATURAL RESOURCES & OUTDOOR REC ...

HF 361, DISABLED VETERAN HUNTING. Requires the DNR make 25 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 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. The disabled veterans will be charged resident license & wildlife habitat fees at resident prices 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. **Governor signed. Will delete.**

HF 394, LIFETIME FUR HARVESTER LICENSE. Establishes a lifetime fur harvester license for persons over 65 (cost \$50.50). **Governor signed. Will delete.**

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. **Governor signed. Will delete.**

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. **Governor signed. Will delete.**

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. **Governor signed. Will delete.**

HF 638, RIIF – INFRASTRUCTURE APPROPS.

The bill funds the following for FY '14 (some of these appropriations were included in the 2012 RIFF bill):

State Park Infrastructure	\$5 mil
Lake Restoration	\$7 mil
Lake Delhi	\$2.5 mil
Water Trails	\$0
Watershed Review Bd	\$0
Recreation Trails	\$3 mil
Great Places	\$1 mil
Comm Att & Tourism	\$5 mil & extends the sunset to FY '15

Also changes funding method for the Environmental First Fund (EFF). Previously this budget appropriated funds to the EFF. This bill authorizes funding of EFF through a direct transfer from the wagering taxes. Passed the H, goes to the S.

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. Awaits Governor's action.

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. In the S for consideration of H amendment that deals with various limits or prohibitions on condemnation (HF 219)

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. Awaits Governor's action.

SF 430, APPROPS FOR VARIOUS DEPTS. Great Places \$0.15 mil, historic sites \$0.43 mil, unspecified amount for tourism and direction to assist various entities with tourism advertising. Amended & passed H, S refused to concur, H

insisted, goes to conference committee. The H sites. amendment did not change Great Places & historic SF 435, AG & DNR APPROPRIATION. (The S has no FY '15 funding & the H is 50% of their FY '14 amount) Amended & passed H, amended & passed S, bill goes back to H.

H action: H amendment to fully fund REAP failed on a party-line vote. The amendment to use \$160 mil of the ending balance to place in the Natural Resources Trust Fund failed 31-67. Representative Drake offered an amendment to take \$250,000 from the REAP Open Spaces Account for a South Iowa Development Authority. The amendment failed on a voice vote. An amendment that appropriates 50% of the FY '14 budget amounts for FY '15 passed and an amendment that prohibits state funds and employees from be used to construct a lake when both of the following are involved: 1) the lake is to be used for boating, fishing, swimming or other recreation activity, AND 2) the land is to be condemned. The H version did contain funding to the DNR to develop an online manure management certification course. The S amendment to the H amendment did not include this funding.

S action: S amendment adds \$1.5 mil for an Ag Nutrient Mgt Center at Iowa State. This is to be used for 1) fundamental understanding of nutrient mgt, 2) establish baseline of cons practices & identify trends, 3) develop models to determine linkage between hydrologic processes and nutrient transport, 4) field research of nutrient management practices and 5) develop and operate a network of sensors in priority watersheds to determine impact of practices. The S amend also strikes the H amendment language regarding condemnation.

Conference Comm: S Conferees - Black, Dearden, Wilhelm, Rozenboom, Greiner
H Conferees - Drake, Grassley, Klein, Bearinger, Ruff. The comm met Thurs afternoon and they realize that they are so far apart with regard to total GF spending (the S is approx. \$27 mil more than the H) that leadership from the H & S will need to agree on a new budget target for the committee to complete their work.

General Fund (GF)

	(S amend)	(H amend)	(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
State Park Operations	\$2.9 mil	0	0
AG	\$17.1 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
Farmers with Disabilities	\$0.13 mil	\$0.13 mil	\$0.13 mil
Watershed Improvement Bd	\$4 mil	0	0
Vet Diagnostic Lab	\$3.488 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
Keep Ia Beautiful	\$0.2 mil	\$0.2 mil	\$0.2 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	\$3.455 mil	\$3.446 mil	\$3.446 mil

fire, EMS, etc. Passed SAC on a party-line vote.

SF 452, STANDINGS. 1) Lake Delhi Flood Easements: specifies that Delhi is "only required to possess the flooding easements or ownership which was held prior to the reconstruction as long as the former normal pool elevation is not exceeded and the spillway capacity is increased by at least fifty percent and b. Flooding easement or ownership is only required to the top of the reconstructed spillway elevation." 2) Police Officers Killed On Duty: adds police officers included in Section 97B.49B (county conservation peace officer) to allows their children to be eligible for higher education grants provided in Section 261.93. 3) Contractor Registration for County Projects: requires contractors be registered with the State Labor Commissioner to be eligible for contracts with political subdivisions. 4) Tourism Marketing: appropriates \$582,000 for regional tourism marketing. 5) Public Safety Training and Facility Task Force: contains portions of SF 304 by establishing a task force to study training and facility needs for various public safety occupations – police,

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. **Governor signed. Will delete.**

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. Governor signed. Will delete.

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. Unlikely to be considered. Will delete.

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. Awaits Governor's action.

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¢. In SA subcom. 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. To be sent 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. **Governor signed. Will delete.**

HF 505, LOCAL OPTION SALES TAXES. Allows city or county elected officials to file petitions for a local option sales tax vote. Referred to HWMC. Will delete until further action.

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.

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 HPMC. Will delete until further action.

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 S, amended & passed H, H amended strikes everything after the enacting clause in inserts 41 pages of the H position, goes back to the S. H amendment includes the Governor's property tax reforms, the House property tax reforms, HF 1 TAXPAYER TRUST FUND CREDITS and limits on spending from property taxes by local governments. Establishes limits on property tax levies, with an adjustment/growth factor for future increases. Limits ending balances.

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). Awaits Governor's action.