



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 FIVE

SENATE SUBCOMMITTEE MEETING ON SALES TAX INCREASE FOR THE NATURAL RESOURCES TRUST FUND. Senator Dearden will be introducing his bill to increase the sales tax to fund the Natural Resources Trust Fund and will hold a subcommittee meeting on February 26 at 8:00 am in Room 22 located behind the Senate chambers. February 26 is also the Conservation/Environmental Day at the Capitol.

SLEDDING LIABILITY BILL. The bill was amended to include tubing and passed the H on a party-line vote.

CROSSBOW HUNTING. The subcommittee met and agreed to amend the bill to allow crossbow hunting during the second muzzleloading season only (excepting the disabled and those 70 and over). The DNR is checking on what kind of license may be used so that electronic licensing change fees for programming are not incurred.

STATE PARK PRESENTATION. Kevin Szcodronski, State Parks Bureau Chief, presented an overview of where the additional funding the Governor is recommending for State Parks in FY '14 would be allocated. He reported that 4 permanent staff would be hired, but that a majority of the funding would be used for maintenance and facility rehab, supplies and seasonal staff.

CAPTIVE & SHOOTING PRESERVE DEER PRESENTATION. The HNRC presentation focused on the importance of diversified ag, the income derived from the operations and the proposed legislation would put them out of business due to the cost of complying. They said the focus should be on more research on the disease. They don't want to harm the wild herd and want to keep their animals healthy. Legislator's questions identified that birds could spread the disease making double and higher fencing ineffective. They reported that all captive deer are counted and accounted for. They thought wild deer may be tagged by some individuals to they can watch them grow. They reported Mother Nature will take care of the issue because deer with varying genetics have a resistance to the disease. One raiser stressed that positive economic value of the wild herd are mentioned, but not the damage to crops and autos nor the lives lost due to collisions.

DROUGHT UPDATE. DNR staff provided the SNRC an overview of Iowa's position on water allocation and prioritization. The State is currently 9 inches short of normal moisture levels. They indicated that it will take more than one year of to make up this difference due to the slow nature of infiltration. The DNR is currently helping communities to develop conservation plans and the triggers that will start the implementation of the plans. There was also a suggestion from a committee member that the State should update the 1985 Water Plan. ISU extension is hosting the Eco

Use Family Virtual Conference to educate Iowans on how they may reduce their water use.

NATURAL RESOURCES & OUTDOOR REC ...

HF 82, LIFETIME FUR HARVESTER LICENSE. Establishes a lifetime fur harvester license for persons over 65 (cost \$50.50). HNR subcom-Hanson, Highfill, Rayhons.

HF 90, DEER TRACKING DOGS. Allows a hunter to use a dog to track and retrieve wounded deer. Requires one to have landowner permission to use the dog on private land and to keep the dog leashed and under control. Requires the NRC to adopt rules. Makes violations subject to a \$25 scheduled fine. HNRC. No subcom assigned.

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. HWM subcom-Windschitl, Isenhardt, Sands. Unlikely for the bill to be taken up according to Isenhardt.

HF 130, DISABLED VETERAN HUNTING. Requires the DNR make 40 of the 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. HVA subcom-L. Miller, Kearns, Windschitl

HF 151, PASSING BIKES. Requires motorists to maintain at least a 3-foot (safe) distance when passing a bicycle. Sets violations as a scheduled fine of \$100 that increases to \$500 and 90-day license suspension for injury and \$1,000 and 180-day license suspension for death. HTC. No subcom assigned.

HF 158, SLEDDING LIABILITY. Adds sledding to the list of recreational activities that local governments have an exemption from liability for negligent design or construction, or acts or omissions by a local government employee when the injured person should have known the risk. Amended & passed the H on a party-line vote. Tubing added to the list. Goes to the S.

HF 162, CROSSBOW HUNTING. Requires the NRC to adopt rules allowing the use of crossbows during the muzzleloader season. Allows a person to get a crossbow license in addition to a regular bow license. HNR subcom-Fisher, Bacon, Ourth. The subcom met and agreed to limit the crossbow season to the late muzzleloader season. An amendment will be drafted.

HF 165, FIREARM SALES. Allows the Natural Resources Comm to limit the type of equipment or ammunition used in taking wildlife. Specifically allows the NRC to ban the use of lead shot. HJC. No subcom assigned. Unlikely to be considered. Will delete until further action.

HF 219, EMINENT DOMAIN. Prohibits condemnation of a property on the state registry of historic properties unless by the DOT. Prohibits a property on the registry to be condemned, except by 2/3 vote of the General Assembly, except by DOT. Allows for alternate standards to use to determine the acres needed for a lake for drinking water. Requires a second review if the 25% of the landowners to be condemned, sign a petition requesting such a review by an engineer of their choice. Adds reasonable attorney fees and costs, up to \$100,000 to reimburse property owners in lake condemnation proceedings. Requires the offer of a sale to the prior owner if work on a lake has not progressed within two years. Prohibits local option sales taxes to used on projects related to lake condemnations, unless approved by an election. Prohibits the DNR from using condemnation for recreation projects. HJC.

HSB 97, BEGINNING FARMING LEASES. Amended & passed HAgC. Deleted language regarding DNR lands. Will delete.

SF 59, HF 177, FARM & HUNTING PRESERVE DEER. Requires that farm deer sent to slaughter or that die be tested for chronic wasting disease (CWD). Requires owners to pay testing costs. Requires owners of farm deer to register with DALs annually, and to meet the fencing certification and bond requirements. Requires a \$5,000 registration fee. Establishes new fencing requirements. Requires that DALs be notified if a farm deer goes missing. Establishes civil penalties for false reporting about farm deer. Establishes new fencing

requirements for whitetail hunting preserves. Establishes similar testing and registration requirements. Requires ear tags and tattoos and establishes penalties for removing any required identification from a whitetail on a hunting preserve. Establishes penalties if an animal escapes from the enclosure & is not returned to the enclosure. SNR subcom-Dearden, Seng, Zumbach. HNRC. Unlikely to be considered. Will delete

SF 74, DISABLED VET LIFETIME HUNTING & FISHING LICENSES. Makes a disabled veteran who paid Iowa income tax in the previous year and who lived in Iowa at the time of application, a resident for the purposes of qualifying for a lifetime hunting & fishing license. SNR subcom-Dearden, Black, Greiner.

SF 116, WATER SKIING FLAGS. Requires that a person, other than the boat operator, raise a red flag whenever a person waterskiing or being towed falls. SNR subcom-Seng, Dearden, Johnson.

SF 125, HUNTING & FISHING FEES. Increases various fees related to resident hunting, fishing and trapping licenses, for the wildlife habitat fee, trout fishing and migratory game bird fees, for HUSH and the writing fees paid to license agents.

SNR subcom-Black, Dearden, Rozenboom.

The bill's link: <http://coolice.legis.iowa.gov/Cool-ICE/default.asp?Category=billinfo&Service=Billbook&menu=false&ga=85&hbill=SF125>

SF 141, GAME BIRD PRESERVES. Reduces the acreage for a game bird hunting preserve to 40 but requires that preserves with less than 320 acres have a game habitat management plan approved by the DNR. SNR subcom-Ragan, Breitbach, Dearden.

SF 146, HF 155, WATERCRAFT FEES. Extends the requirement that increases from raising boat registration fees be used for aquatic invasive plant control, navigation laws and water safety to 2023. Eligible for S debate. HF in HWMC.

SF 157, BICYCLE RULES. Requires motorists to maintain at least a 3-foot distance when passing a bicycle, not including farm implements. Establishes an exception to the restrictions on passing vehicles when passing a bicycle or farm implements when the pass can be made safely and not interfering with other traffic. Gives a person 72 hours to correct the

problem for a bike light citation. ST subcom-Brase, Bowman, Feenstra.

SF 192, RIVER CHANNEL CHANGES. Allows county supervisors or the IDOT to make a river channel changes in conjunction with a highway project in order to prevent flooding outside of the highway right-of-way. Requires the use of eminent domain procedures. ST subcom-Danielson, Dvorsky, Kapucian.

SSB 1003, HSB66, 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. Strikes some provisions on the power of the DNR to designate protected wetlands and on procedures for the affected landowners to challenge such a designation. SNR subcom-Brase, Breitbach, Dearden. HNR subcom-Rayhons, H. Miller, J. Smith.

SSB 1006, HSB 65, HUNTING & FISHING LICENSES. Allows a nonresident member of the active duty member of the armed forces living in Iowa to purchase resident hunting, fishing and trapping license. Does not require an active duty armed forces person or one with an honorable discharge to complete a hunter safety course. Allows a person over the age of 18 to complete an on-line hunter safety course without demonstrating the safe handling of a gun. Allows certain minor pupils at state institutions; persons at county care centers and certain persons receiving supplementary aid to fish without a license. SNR subcom-Dearden, Black, Johnson. HNR subcom-Baudler, Hall, Highfill

ENVIRONMENT & AG ...

HF 66, PROHIBITING SUPPORT OF UNITED NATIONS AGENDA 21. Prohibits the state or any of its political subdivisions from implementing or financially supporting the implementation of Agenda 21 if the implementation would infringe or restrict private property rights without due process. HSGC. Unlikely to be considered by the S. Will delete.

HF 128, FRACKING RULES. Prohibits the DNR from allowing drilling for oil or gas involving hydraulic fracturing (fracking) unless rules are adopted rules on its use. Requires that rules must be requested before the EPC proceeds on the matter. Requires a fee schedule be adopted for permits. HEP subcom-Klein, Maxwell, Kelley.

HSB 87, 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. HAg sub-Klein, Ourth, Cownie.

SF 7, ORIENTAL BITTERSWEET. Adds oriental bittersweet to the list of prohibited invasive plants (noxious weed list). SNR subcom-Hogg, Breitbach, Schoenjahn.

SF 24, SF 176 (similar), NPDES SIGNS. Requires an NPDES permit holder for non-storm water discharges to maintain a sign at points of discharge to surface waters. Includes specifications for the sign. Establishes penalties and allows waivers. Does not require the sign for feedlot operators or CAFOs. SAg subcom-Seng, Hart, Zumbach. SF 176 in SNR subcom-Bolkcom, Black, Rozenboom.

SF 165, WATER PLANS. Appropriates \$200,000 FY '13 supplemental to ISU Extension for emergency conservation measure education. Appropriates \$500,000 FY '13 to the DNR for water plans. Requires water systems to report annually on water usage and supplies. Allows the Env Protection Comm to require more frequent reporting. Effective on enactment. SNR subcom-Hogg, Black, Breitbach.

SF 169, EPC RULE IMPACT. Requires the DNR to submit a report to the Legislature by Jan '14 on the economic impact of EPC rules on cities. Requires the DNR to develop an impact statement for the EPC to project the impacts on cities for a 10-year period. Unlikely to be considered by the SNRC. Will delete until further action.

SSB 1005, HSB 72, WATER QUALITY. Strikes the requirement for the publication 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. SNR subcom-Schoenjahn, Greiner, Seng. HEP subcom-R. Taylor, Deyoe, Lensing.

SSB 1106, STATE EFFICIENCIES. Among numerous items, the bill: amends provisions of the Pollution Control and Waste Management Assistance Program. Amends the waste reduction hierarchy by adding, "reuse" as the second priority and changes "incineration" to "combustion with energy recovery". Adds new language on pollution prevention and pollution prevention techniques. Eliminates the old dates in the Code to reach waste management reduction goals. SSG subcom-Danielson, Jochum, Chapman.

SSB 1180, CAFO CALCULATIONS. Excludes a confinement building from being used to calculate the capacity of a CAFO if the building is not in use. Allows a CAFO that qualifies as a small operation by this change to be exempt from paying compliance fees and filing manure mgt plans. SAg subcom-Seng, Braze, Zumbach.

LOCAL GOVT & OTHER ...

HF 60, 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. HSG subcom-Watts, Isenhardt, Pettengill.

HF 74, GUN & AMMO RESTRICTIONS. Prohibits the Governor or local governments to restrict the sale or transport of guns and ammo after a disaster is declared. HJ subcom-Windschitl, Alons, Dawson.

HF 75, SF 105, GUN & AMMO SEIZURES. A law enforcement agency that seizes a gun or ammo is deemed the owner of those items if the value is under \$500. Requires forfeited guns and ammunition with a value over \$500 be transferred to the seizing agency. Allows the agency to use the guns and ammo or sell and to keep the proceeds. HJ subcom-Windschitl, Alons, Anderson. An amendment is likely in the H.

HF 120(formerly HSB 15), SSB 1034, PARKING FEES & CHARGES. Among other items, makes the docketing fee for parking violations \$35. Requires agencies that have their own debt collection process to pay 10% of the collections to the State Court Administrator. The HJC amendment deleted the discussion on parking fines. Will delete.

HSB 40, SSB 1033, DEPT OF HOMELAND SECURITY. Establishes the current Div of Homeland Security & Emergency Mgt, now in the Dept of Public Defense, as a separate department. HSG subcom-Hagenow, Highfill, T. Taylor.

HSB 107, SSB 1009, COUNTY SUPERVISOR DISTRICTS. Allows voters to petition to overturn a redistricting plan for county supervisors. Requires the Secretary of State to reject a plan if a valid petition is filed. Directs the Legislative Services Agency (LSA) to draw a new plan. Allows the supervisors to accept or reject the plan but requires supervisors to give reasons for rejection. Requires the LSA to draw a new plan that will then be imposed by the Secretary of State. HLG subcom-Gassman, Gaskill, Highfill. SSG subcom-Danielson, Jochum, Chapman.

SF 53 (formerly SSB 1057), 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. Eligible for S debate.

SF 57, RESERVE POLICE OFFICERS. Authorizes an approved reserve police officer certified by ILEA, to receive a non-professional gun carry permit. SJ subcom-Sodders, Dvorsky, Zaun.

SF 89, LOCAL EMERGENCY MANAGEMENT COMM. Strikes a requirement that budgets for local emergency management commissions only be done by elected members or by designated alternate members who are elected officials. SLG subcom-Wilhelm, Brase, Chelgren.

SF 151, HSB 127, TAKING POLICE RADIOS. Makes it a Class D felony to knowingly or intentionally take or try to take a radio from an officer while performing official duties. SJC. HPS subcom-Worthan, Fry, Wolfe.

SF 173, CULTURAL LEVY. Allows counties to certify a \$0.27 per \$1,000 levy for the scientific or cultural institutions if approved at an election. The levy is not subject to the general county levy limit. SLGC. Will not cover further.

SSB 1037, CRIMINAL CHARITABLE CONTRIBUTIONS. Strikes the authority of judges to order charitable contributions in lieu of community service. Prohibits allowing charitable contributions as a sentencing option. SJ subcom-Courtney, Petersen, Sorenson.