



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 TWO

DNR DIRECTOR GIPP PRESENTATION TO HNRC & SNRC. Director Gipp started his presentations by stating the DNR is NOT stocking cougars, bears and rattlesnakes in any part of Iowa. Evidently the DNR continues to be accused of these actions. He covered the following topics: 1) Chronic wasting disease. Shooting preserves are governed by the DNR and the Dept of Ag governs captive herds. He stated that CDW was found in a Davis Co shooting preserve. The animal was traced back to a captive deer herd in Cerro Gordo Co. Animals sold by this breeder were sold to a Pottawattamie Co breeder/shooting preserve. The DNR developed contracts with the shooting preserves to depopulate their preserves and test animals. He reported that both the Davis and Pottawattamie Co preserves had been depopulated. Currently the owners must keep the enclosures free of animals for 5 years. I assume soil testing will be required. Wildlife Bureau Chief, Dale Garner will address the HNRC next Tuesday. 2) State Parks. There was a large increase in usage last year. The DNR appreciates the funding for parks infrastructure upgrades and the Governor's proposed increase in operating funds for FY '14. 3) Woodland health. He updated members on the current status of the invasive species that are or may attack trees. 4) EPA dedelegation of enforcement programs. Gipp stated the DNR was in negotiations with EPA to address their concerns that have been narrowed to 5 areas. He felt confident that agreement could be reached.

He was also asked if the Governor's proposed increase of 5 inspectors was enough. The DNR believes that this will be adequate to address confined animal feeding operations and other required inspections. If the DNR finds this number to be inadequate, they will request more staff in the future. 5) Iowa Nutrient Reduction Strategy. Gipp stated he and Sec of Ag Northey would be presenting on the subject at a later date.

Gipp responded to the following questions: 1) Mining of sand in Northeast Iowa for fracking. He indicated that the Div of Soil Conservation dealt with mining issues unless they were river related. He mentioned the DNR is developing rules for fracking if the practice comes to Iowa. 2) The development of a 7-day nonresident hunting license similar to the 7-day nonresident fishing license. The DNR will look into this again. 3) Provide an update on the lack of support to privately fund pheasant stocking. 4) Thanks to the DNR for holding public forums around the State. 5) An update on invasive species caused by the Missouri River flooding. 6) The potential to increase vendor fees for selling hunting and fishing licenses. 7) An update on fish kills. 8) Desire for a crossbow season for all. Currently, crossbows are legal for handicapped hunters with permit. Resident hunters 70 years old and older may purchase one statewide antlerless-deer only license to hunt deer with a crossbow. 9) Any DNR bill to increase the sales tax to fund the Natural Resources Trust Fund. Gipp stated there is no DNR bill. The IWILL Coalition is talking with leadership in both the H & S. If there is a "grand

scheme” on taxes, sales taxes could be brought into the discussion. 10) Is there enough staff to handle a drought? Gipp stated a multi-agency task force has been organized, but that local entities would do most of the regulation. 11) Lake Delhi issues. Gipp stated the most critical issues were to insure wastewater protection and public access for recreation. There is also work to obtain landowner consent to have water backed up on their property to the height of the top of the dam. Regarding fish passage, Gipp stated the DNR is reviewing a report from the Delhi group and why fish passage is not feasible. Iowa requires fish passage, but he has the authority to waive the requirement. He stated it would be considered very carefully as he was concerned about setting a precedent that others may seek.

TRANSPORTATION & INFRASTRUCTURE BUDGET COMMITTEE. Senator McCoy, committee co-chair, specifically mentioned two issues of concern with the Governor’s budget: 1) the reduction in the Lake Restoration Program and 2) no funding of the River Trails and Low Head Dam Mitigation Program.

AG & NATURAL RESOURCES BUDGET COMMITTEE. Senator Black, committee co-chair, stated he did not support the \$1 mil for 5 years for the Winterset water supply reservoir. The watershed is not controlled and the water surface to watershed ratio is too large and would continue to be a problem. He also mentioned this project should be in the Trans & Infrastructure Budget, not Ag & Natural Resources.

SOIL & WATER DISTRICT COMMISSIONERS (SWDC). SWDC were at the Capitol this week and address several committees. They support efforts to conserve soil erosion and improve Iowa’s water quality. They told legislators that clean rivers and lakes were important to Iowa tourism and our quality of life. They support the development of a “nutrient management” program and are promoting conservation tillage and cover crops.

STATE BUDGET. The Legislative Service Agency projects an \$822 mil balance at the end of this fiscal year on June 30 under the current budget that includes a proposed supplemental Medicaid and Mental Health appropriation of \$42.3 mil. The projected balance under the Governor’s proposed FY ’14 budget and current revenue projection is \$874.2

mil minus the amount of the collective bargaining agreement with state employees.

NATURAL RESOURCES & OUTDOOR REC ...

SF 10, HF 68, 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 SNR subcom. Goes to the full SNRC for review. HNRC.

SF 37, HELMETS/MOTORIZED BICYCLES. Requires a person less than 18 years of age to wear a safety helmet when operating a motorized bicycle. Will not cover further.

SSB 1003, 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.

SSB 1006, HUNTING & FISHING LICENSES. Allows a nonresident member of the armed forces on active duty living in Iowa to purchase resident hunting, fishing and trapping license. Does not require an active duty armed forces personnel or who served and received 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.

ENVIRONMENT & AG ...

HF 48, SOLAR & GEOTHERMAL VALUATIONS. Strikes the 10-year limit for the property tax exemption for the value of geothermal heating and cooling systems and the 5-year limit for the solar systems. States that the obligation for the state to reimburse local governments for the cost of property tax credits and exemptions do not apply to these provisions. HWMC.

HF 65, IMPLEMENTING FEDERAL LAW. Prohibits a state agency from exceeding the specific requirements of a federal statute, rule or policy and deems any part of the rule that does so to be void. HEGC.

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. "Agenda 21" is an international environmental action plan for sustainable development. HSGC.

SF 7, ORIENTAL BITTERSWEET. Adds oriental bittersweet to the list of prohibited invasive plants (noxious weed list). SNRC.

SF 24, 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. SNRC.

SF 30, RENEWABLE ENERGY TAX CREDITS. Extends by three years the time period during which an eligible renewable energy facility seeking to qualify for the renewable energy tax credit shall have been placed in service to before 1/1/8, and correspondingly extends the existing 10-year duration for credit issuance to 12/31/27. SWMC. Will not cover further.

SF 31, WINE BOTTLE DEPOSIT STICKERS. Eliminates the requirement that bottle deposit stickers be placed on wine bottles. Will not cover further.

SSB 1005, 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 waster system program live outside a city. Strikes certain DNR reporting requirements related to the program. SNR subcom-Schoenjahn, Greiner, Seng.

LOCAL GOVT & OTHER ...

HSB 10, LAW ENFORCEMENT SHOOTING RANGES. Provides that the statutory prohibition against discharging a firearm within 200 yards of a building inhabited by people or domestic livestock or within 200 yards of a feedlot without the owner's consent, does not apply to law enforcement shooting ranges if owned by the State, a county or a municipality, operated by a law enforcement agency, not open to the public, and in operation prior to Jan 20, 1980. HJC. The bill seems to be focused on one range. Will not cover further.

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. HJ subcom-Hess, Lensing, Worthan.

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.

SF 15, PUBLIC COMPETITIVE BIDDING. Requires the state & local governments to allow Iowa businesses the chance to match a low bid from an out-of-state business if the Iowa company bid is within 5% or \$10,000, whichever is lower, and the project is less than \$500,000. Excludes certain projects and services. Requires that Iowa companies disclose their Iowa relationship. SEGC.

SF 27, HEADLIGHTS & WIPERS. Requires that headlights be on when conditions require the use of wipers and when visibility is 1,000 feet or less. STC. Will not cover further. STC.

SF 32, SF 39, SENIOR PROPERTY TAX FREEZE. Freezes the assessed value of homes under \$150,000 for persons over 65. SWMC. Will not cover further.

SF 41, PUBLIC EMPLOYERS. Prohibits a public employer from providing office space to an employee organization at a rate less than market value. Will delete until further action.

SSB 1031, COUNTY BUILDING BONDS. Allows a county to issue bonds under provisions related to essential county purposes if the county is lease purchasing or borrowing for a property that will be used 50% by the Judicial Branch. Exempts such a project from dollar limitations on the principal amount of the bond. Increases the threshold amount for essential county purpose bonds. SJC. 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 subcommittee, Petersen, Sorenson.

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. Passed SEdC.

SSB 1074, GOVERNMENT DEBT COLLECTIONS. The bill is concerned with setoff procedures established in Code section 8A.504 and used to collect debts owed the state or a political subdivision. Will not cover further.