

IOWA ENVIRONMENTAL COUNCIL LEGISLATIVE NEWS BULLETIN

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March 18, 2008

Executive Director's Note: Welcome to the second edition of the *new* Legislative News Bulletin. We hope that this new format makes the information easier for you to follow and use. The first Legislative Funnel was March 7th. With the exception of Appropriation Bills, bills had to be voted out of at least one committee in order to stay alive. You will see that many bills have fallen by the wayside (are no longer in this bulletin), and new bills, which were introduced since our last bulletin, quickly made it through committees. Many of the bills that survived received new numbers last week.

We are very excited that the Water Resources Coordinating Council legislation has passed both the House and Senate and is on its way to the Governor. Additionally, the Sustainable Funding for Natural Resources bill, creating the **Natural Resources and Outdoor Recreation Trust Fund**, has passed the Senate Natural Resources and Environment Committee and will be eligible for floor debate in the Senate. If you are signed up for ICALL (<http://capwiz.com/iaenvironment/home/>), you will hear from us when your action is needed. Also, the Septic Tank Inspection legislation is on its way to the Governor! Thanks for your help in moving all of these important bills forward.

The Iowa Environmental Council Legislative News Bulletin provides legislative information to requesting individuals during the legislative session.

The Iowa Environmental Council regularly monitors dozens of bills, and few of them actually warrant us officially opposing or supporting. If you see the Iowa Environmental Council tentatively supporting or tentatively opposing a bill, it means we will likely officially support or oppose the bill the following week.

If you have strong feelings concerning a position the Iowa Environmental Council is taking, and if you are a member organization of the Council, it is your right AND RESPONSIBILITY to phone or send an e-mail to me as soon as possible. We may sometimes make the wrong call, or be misinformed, concerning the ramifications of certain legislation. The Iowa Environmental Council is your voice, and I wish to make it as responsive as possible to your needs. Marian Riggs Gelb, Executive Director

Abbreviations... HF=House File, SF=Senate File, HSB=House Study Bill, SSB=Senate Study Bill, SAgC=Senate Agriculture Committee, HAgC=House Agriculture Committee. HEPC=House Environmental Protection Committee, SNRC=Senate Natural Resources Committee. HEPC=House Environmental Protection Committee.

The Iowa Environmental Council is currently *Supporting* the following bills

HF	900	Waste Tire Management. A bill for an act relating to the waste tire management fund and making appropriations	In Appropriations Committee
HF	2080	Conservation Tax Credits. Creates an income tax credit for the donation of a fee or less-than-fee title real estate to a qualified conservation organization. Makes the credit equal to 50% of the value, and up to \$100,000 and carried forward for 20 years	Eligible for House debate

HF	2329	Mercury Thermostat recycling. Establishes a recycling program for thermostats that contain mercury	Placed on the House calendar
HF	2361	Energy Audits. A bill for an act requiring the development and inclusion of an energy audit program by specified gas and electric utilities within an energy efficiency plan filed with the Iowa utilities board	Environmental Protection Committee
HF	2400	Water Resources Coordinating Council. Formerly HSB 615. Creates a Water Resources Coordinating Council in the Governor's Office. The Council is to coordinate efforts and facilitate direction of water quality planning and expenditures to improve water quality in an efficient and fiscally responsible manner. Companion bill, SF 2197	Passed the House on 3/11 and the Senate on 3/17. On its way to the Governor!!!
HF	2537	Bottle Bill Expansion. (formerly HSB 734). Expands the beverage container types covered under the deposit law to include noncarbonated beverages. Increases the reimbursement paid by distributors to handlers to 2 cents	Eligible for House debate.
HF	2540	Dead Animal Disposal. Requires the Department of Agriculture to cooperate with the DNR when someone disposes of a dead animal in the waters of the state. Sets criminal penalty as a serious misdemeanor to dispose of a dead animal in a water of the state with civil penalties from \$1000-\$5000 and requires restitution	Placed on the House calendar
HF	2551	Aerial Pesticide Applicators. Establishes requirements for a nonresident of this state engaged in the aerial application of pesticides, making penalties applicable. Formerly HSB 702.	Placed on the House calendar
HF	2571	Green House Gas Reduction Goals. Similar to SF 2192. Sets a goal for greenhouse gas emission reductions by 90% in 2050 compared to a 2005 baseline. Authorizes the Iowa Utilities Board to disallow cost recovery of all or a portion of investment expenses after July 1, 2008, which is attributable to greenhouse gas emissions and associated emission control equipment. Directs the DNR to conduct a feasibility study of storing carbon dioxide in geological formations in the state, and report by January 2009	Placed on the House calendar
HSB	742	Energy Efficiency Standard. Establishes an energy efficiency standard of a 1.5% reduction in energy use for all gas and electric utilities as a statewide average goal. Establishes a goal for electric utilities of purchasing 25% of their total retail electric sales from alternative energy facilities by 2025. Establishes a commission on energy efficiency standards and practices for buildings. Requires a report by 2011	Passed House Environmental Protection Committee
SF	261	Septic Tank Inspections. Requires septic system inspection prior to property transfers.	Passed House and Senate. Goes to Governor for signature
SF	2210	Alternative Energy Tax Credits. A bill for an act relating to alternative energy system tax credits under the individual and corporate income taxes for the installation of alternative energy systems and including a retroactive applicability date provision	Amended and passed the SNRC
SF	2232	Low Head Dam Hazard Program. A bill for an act establishing a low head dam public hazard program	Passed Senate Natural Resources and Environment Committee

SF	2386	Energy Efficiency. An Act relating to the achievement of improved energy efficiency through the development of specified energy utilization reduction goals and imposition or enhancement of energy efficiency programs and requirements. Formerly 2083	Passed the Senate
SJR	2002	Trust Fund for Natural Resources and Outdoor Recreation. Proposes to amend the Iowa Constitution to designate 3/8 of a cent, of the NEXT sales tax increase passed by the Legislature (whenever that occurs), for protecting and enhancing water quality, soil and water conservation, parks and trails, fish, wildlife and natural areas. Formerly SSB 3250	Eligible for Senate debate

The Iowa Environmental Council is *Tentatively Supporting* the following bills

HF	2498	Solid Waste. (Formerly HSB 651), SF 2276 (Formerly SSB 3134). Solid Waste. Makes corrections and adds definitions for beneficial uses, financial assurance, rubble, and for solid waste.	Eligible for House debate
HF	2570	Environmental Management Systems-Solid Waste Disposal. Creates an environmental management systems board within the DNR which is to encourage solid waste management agencies to engage in responsible environmentally appropriate solid waste management practices	Placed on debate calendar
HF	2580	Sustainable Resources Advisory Committee. Reestablishes the Sustainable Natural Resource Funding Advisory Committee to make reports in 2009 and 2010 on sustainable sources of funding for natural resources and outdoor recreation. Formerly HSB 738	Placed on Calendar
HF	2612	DNR Omnibus Bill. Many provisions, but one allows civil penalties for damages caused by ATV's in addition to criminal prohibitions against illegal operation of an ATV and authorizes mitigation for damages to property. Formerly HSB 764	Placed on Calendar
HSB	691	Water Permit Fees. Increases permit fees for individuals, businesses and industries required to apply for water use permits. Currently the fee is only \$25 for 10 years, which was set 30 years ago. The fee would be increased to cover actual costs of the permitting process and dispute settlements--approximately \$200 for 10 years, or \$20/year.	Amended and passed HEPC. SNR, subcommittee-Dearden, Black, Gaskill
HSB	698	County Owned Wetlands Separation Distance from Confinement Operations. Adds wetlands owned by the cities or counties to those that may be classified as a "designated wetland" and covered by a 2500 foot separation distances from confinement operations	Passed HEPC on a party-line vote with Frevert and Sands absent
SF	355	Community based wind energy. Establishes a community based wind energy program and a community based energy project study	Referred to Natural Resources and Environment Committee. Subcommittee, Ragan, Gaskill & Hogg

SF	2360	Environmental Management Systems-Solid Waste Disposal. Creates an environmental management systems board within the DNR which is to encourage solid waste management agencies to engage in responsible environmentally appropriate solid waste management practices and provide incentives. Formerly SSB 3166.	Placed on debate calendar
SSB	3259	Open Feedlots. Includes confinement buildings when calculating the animal unit capacity of an open feedlot for permit determination. Allows open feedlots under certain conditions to discharge effluent after a rain but requires it conforms to federal law and NPDES requirements	Passed SAgC

The Iowa Environmental Council is currently *Monitoring* the following bills

HF	2112	Dam Restoration and Lake Maintenance. A bill for an act relating to an appropriation to the DNR for dam restoration and lake maintenance	Subcommittee-Cohoon, Huseman, Reichert
HF	2130	River Water Trail. A bill for an act making an appropriation to the department of natural resources for a river water trail	Subcommittee-Cohoon, Huseman, Reichert
HF	2352	Green Building Tax Credit. Apartments and rental units that meet green building certification requirements would be eligible for a property tax credit.	Referred to Ways & Means
HF	2496	(Formerly HF 2363). Also SF 2213. Dry Manure storage. Provides parameters for storing dry manure from a confinement feeding operation outside a confinement feeding operation structure (i.e., a confinement building or manure storage structure), a practice referred to as "stockpiling".	Placed on House calendar
HF	2502	Residue Biomass tax credit. A bill for an enacting a tax credit for using crop residue for the production of biofuels.	Subcommittee-Thomas, Quirk, Soderberg
HF	2518	Water Well Drilling Sites. Directs the environmental protection commission to develop rules for water well drilling and requires the rules to incorporate the certain considerations (Formerly 647)	Referred to Ways & Means
HF	2525	Disposal of waste oil filters. A bill for an act relating to the disposal and recycling of waste oil filters. (Formerly HF 2273)	Eligible for House Debate
HF	2644	Low Head Hydropower Study. Authorizes a feasibility study of low-head hydropower facilities and report to the legislature. Formerly 2336	Placed on House calendar
HF	2652	Odor Mitigation. Provides for basic and applied research to mitigate odor emitted from a livestock operation.	Eligible for House Debate
SF	2120	Watershed Improvement Review Board. A bill for an act providing compensation and expenses for certain members of the Watershed Improvement Review Board.	Senate Appropriations Committee
SF	2180	Energy Efficiency Investment Tax Credit. A bill for an act increasing the amount of investment tax credit for which an eligible housing business may qualify if specified energy efficiency standards are met	In Senate Ways and Means. Subcommittee hogg, Bolkcom & Houser

SF	2223	Renewable Energy and State Banks. (Formerly SF 2077) A bill for an act relating to renewable energy, providing for state bank acquisition of equity interests in wind energy production facilities, and providing for qualification for specified tax credits and refunds by state banks and by owners or manufacturing facilities generating wind energy for on-site consumption rather than sale	Subcommittee-Hogg, Angelo, Stewart
SF	2267	Water Well Drilling Sites. A bill for an act relating to rules for discharge of wastewater from water well drilling sites.	Eligible for Senate Debate
SF	2327	Sustainable Community Development. A bill for an act relating to economic development by creating a sustainable community development initiative	Eligible for Senate Debate
SF	2339	Abandoned Vehicles. A bill for an act relating to abandoned vehicles found near water bodies and providing for civil penalties	Eligible for Senate Debate
SF	2362	Manure Odor Research. Also HSB 679. Requires ISU, in consultation with the Dept. of Ag. And DNR, to conduct research into odor mitigation efforts for livestock operations. Formerly SF 2234	Placed on Senate debate calendar
SF	2276	Solid Waste Disposal. (Formerly SSB 3134) A bill for an act relating to the disposal of solid waste by changing permitting requirements and updating and clarifying existing provisions	Eligible for Senate Debate
SF	2321	Recycling Mercury Lamps. (Formerly SF 2225) A bill for an act relating to recycling of mercury-containing lamps by providing for a study	Eligible for Senate Debate

The Iowa Environmental Council is currently *Opposed* to the following bills

HF	2240	Office of Energy Independence Technical Bill. Amendment to this bill revises the definition of alternative and renewable energy to include nuclear energy	Eligible for House debate
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The Iowa Environmental Council is *Tentatively Opposing* the following bills

None at this time