

# IOWA ENVIRONMENTAL COUNCIL LEGISLATIVE NEWS BULLETIN

\* **Member Organizations: PLEASE DISTRIBUTE TO YOUR LISTS**

March 25, 2008

**Executive Director's Note:** The end of this week marks the second funnel for the legislature. By the time they adjourn for the week, only legislation which has passed one of the chambers and made it through a committee of the other chamber will be alive for further action. It should prove to be a very active week. We are very excited that the Sustainable Funding for Natural Resources bill (SJR 2002), creating the *Natural Resources and Outdoor Recreation Trust Fund*, passed the Senate last week and passed a House Natural Resources subcommittee yesterday afternoon. It will be debated in the full committee tomorrow afternoon and is expected to pass. However, Representative McCarthy has expressed reluctance to bring this bill to the floor of the House for debate and for a vote. Please call or email your Representatives today and House Leadership and encourage them to bring this to a vote and to VOTE YES for SJR 2002.

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	<b>Waste Tire Management.</b> A bill for an act relating to the waste tire management fund and making appropriations	In Appropriations Committee
HF	2080	<b>Conservation Tax Credits.</b> 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	<b>Mercury Thermostat recycling.</b> Establishes a recycling program for thermostats that contain mercury	Placed on the House calendar

HF	2361	<b>Energy Audits.</b> 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	<b>Water Resources Coordinating Council.</b> 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	2498	<b>Solid Waste.</b> (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	2537	<b>Bottle Bill Expansion.</b> (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	<b>Dead Animal Disposal.</b> 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	<b>Aerial Pesticide Applicators.</b> 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	2570	<b>Environmental Management Systems-Solid Waste Disposal.</b> 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	2571	<b>Green House Gas Reduction Goals.</b> Similar to SF 2192. Sets a goal for greenhouse gas emission reductions by 90% in 2050 compared to a 2005 baseline.	Placed on the House calendar
HF	2580	<b>Sustainable Resources Advisory Committee.</b> 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	<b>DNR Omnibus Bill.</b> Many provisions, but one allows civil penalties for damages caused by <b>ATV's</b> 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	698	<b>County Owned Wetlands Separation Distance from Confinement Operations.</b> 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
HSB	742	<b>Energy Efficiency Standard.</b> 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	<b>Septic Tank Inspections.</b> Requires septic system inspection prior to property transfers.	Passed House and Senate. Goes to Governor for signature
SF	355	<b>Community based wind energy.</b> 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	2210	<b>Alternative Energy Tax Credits.</b> 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	2360	<b>Environmental Management Systems-Solid Waste Disposal.</b> 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
SF	2380	<b>Low Head Dam Hazard Program.</b> A bill for an act establishing a low head dam public hazard program	Passed Senate Natural Resources and Environment Committee
SF	2386	<b>Energy Efficiency.</b> 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	<b>Trust Fund for Natural Resources and Outdoor Recreation.</b> 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	Passed the Senate. Waiting to be put on House Calendar

SSB 3259	<b>Open Feedlots.</b> 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 *Tentatively Supporting* the following bills

HSB 691	<b>Water Permit Fees.</b> 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
---------	--	--

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

HF 2112	<b>Dam Restoration and Lake Maintenance.</b> A bill for an act relating to an appropriation to the DNR for dam restoration and lake maintenance	Subcommittee-Cohoon, Huseman, Reichert
HF 2130	<b>River Water Trail.</b> 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	<b>Green Building Tax Credit.</b> 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. <b>Dry Manure storage.</b> 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	<b>Residue Biomass tax credit.</b> A bill for an enacting a tax credit for using crop residue for the production of biofuels.	Subcommittee-Thomas, Quirk, Soderberg
HF 2518	<b>Water Well Drilling Sites.</b> 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	<b>Disposal of waste oil filters.</b> A bill for an act relating to the disposal and recycling of waste oil filters. (Formerly HF 2273)	Eligible for House Debate
HF 2644	<b>Low Head Hydropower Study.</b> Authorizes a feasibility study of low-head hydropower facilities and report to the legislature. Formerly 2336	Placed on House calendar
HF 2652	<b>Odor Mitigation.</b> Provides for basic and applied research to mitigate odor emitted from a livestock operation.	Eligible for House Debate

SF	2120	<b>Watershed Improvement Review Board.</b> A bill for an act providing compensation and expenses for certain members of the Watershed Improvement Review Board.	Senate Appropriations Committee
SF	2180	<b>Energy Efficiency Investment Tax Credit.</b> 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, Bolcom & Houser
SF	2223	<b>Renewable Energy and State Banks.</b> (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	<b>Water Well Drilling Sites.</b> A bill for an act relating to rules for discharge of wastewater from water well drilling sites.	Eligible for Senate Debate
SF	2327	<b>Sustainable Community Development.</b> A bill for an act relating to economic development by creating a sustainable community development initiative	Eligible for Senate Debate
SF	2339	<b>Abandoned Vehicles.</b> A bill for an act relating to abandoned vehicles found near water bodies and providing for civil penalties	passed the Senate
SF	2362	<b>Manure Odor Research.</b> 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	<b>Solid Waste Disposal.</b> (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	<b>Recycling Mercury Lamps.</b> (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	<b>Office of Energy Independence Technical Bill.</b> Amendment to this bill revises the definition of alternative and renewable energy to include nuclear energy	Eligible for House debate
----	------	--	---------------------------

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

None at this time

For additional information regarding Conservation Funding issues, Please call Marian Gelb (515) 244-1194, X201