

IOWA ENVIRONMENTAL COUNCIL LEGISLATIVE NEWS BULLETIN

****MEMBER ORGANIZATIONS: PLEASE DISTRIBUTE TO YOUR MEMBERSHIP****

FEBRUARY 15, 2010

Last week was funnel week. All bills which were not passed out of a committee, with the exception of Appropriations and Ways and Means, are no longer eligible for consideration. For this bulletin, I have indicated the action which occurred on all of the legislation we have been following. As we move forward, keep in mind that it is not unusual for legislation which did not make the funnel to end up as an amendment on other legislation.

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

If you have strong feelings concerning a position the Iowa Environmental Council is taking, and you are a Member 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 want to ensure it is responsive to your needs.

Please note: This bulletin provides five categories for declarations and may not always correlate directly to our lobbyist's declarations at the Capitol.

If you are interested in participating in our advocacy alert system, please sign up for I-CALL at <http://capwiz.com/iaenvironment/home/>. Through this system, you can contact both your state and federal elected officials.

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, HNRC=House Natural Resources Committee, SNRC=Senate Natural Resources Committee, SEEIC=Senate Environmental and Energy Independence Committee

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

HF	627	(also SSB 1155) An Act relating to open burning of residential waste in certain areas of the state.	2009-referred to Ways and Means Comm. No action to date in 2010 session.
HF	763	A bill related to administrative costs to support the Watershed Improvement Review Board. Authorizes the use of interest earned on money in the account for administrative support for the Board.	Passed House. Referred to Senate Agriculture Committee. Subcommittee: Courtney, Johnson and Olive
HF	2418	The bill directs the DNR to work with stakeholder groups and interest groups in the formulation of plans to meet the federal air quality requirements. It lowers the DNR response time to new EPA air standards to 2 years, not 3 as required by EPA.	Voted out of Environmental Protection Committee.
HF	2331	(also SF 2228) Creates an Energy Independence Payments program (feed-in tariff) that would require utilities to pay a fair price for smaller-scale renewable sources of electricity, like wind, solar, and biomass.	Did not make funnel
HSB	573	(also SSB 3098) Flood Plain Management Policy-contains Water Resources Coordinating Committee recommendations regarding expanding the flood plain to the 500 year flood plain and affecting redevelopment in the floodplain	SSB 3098 passed out of Senate Rebuild Iowa Comm
HSB	592	(also SSB 3096) A bill for establishing smart planning principles, establishing guidelines for the adoption of certain comprehensive plans and land development regulations, and providing for the establishment of a smart planning task force.	Voted out of Rebuild Iowa Committee
HSB	602	(also SSB 3114) Creation of a new energy finance program to finance energy efficiency and renewable energy improvements to real property (PACE financing).	Did not make funnel

HSB	608	A bill to restrict development within a 500 year flood plain.	Did not make funnel
HSB	700	(also ssb 3198) Establishes the natural resources and outdoor recreation trust fund to implement a proposed amendment to the Constitution of the State of Iowa, and providing for contingent implementation.	Voted out of Natural Resources Committee
SF	117	An act relating to the operation of bicycles on a street or highway and providing requirements for motor vehicles that encounter bicycles and other vehicles.	Committee report & approval, amendments pending.
SF	263	An Act relating to Iowa national pollutant discharge elimination system program signage and providing a penalty	Passed Senate in 2009. Referred to House Environmental Protection Comm.
SF	404	Establishing a local food and farm task force	Voted out of Agriculture Committee
SF	2030	An Act requiring disclosure to public utility customers of the percentage of electricity furnished to the customer derived from alternative and renewable energy sources	Did not make funnel
SF	2057	An Act relating to renewable energy production by establishing a solar electric generation standard applicable to electric public utilities	Did not make funnel
SF	2080	Extends the energy conservation requirements in the energy code to renovation and repairs to existing single- and two-family homes. Extends the authority of the building code commissioner to provide training regarding energy conservation requirements.	Did not make funnel

SF	2228	(also HF 2331) Creates an Energy Independence Payments program (feed-in tariff) that would require utilities to pay a fair price for smaller-scale renewable sources of electricity, like wind, solar, and biomass.	Did not make funnel
SSB	1155	(also HF 627) An Act relating to open burning of residential waste in certain areas of the state.	Environment and Energy Independence Comm.
SSB	3096	Now SF 2265 (also HSB 592) A bill for establishing smart planning principles, establishing guidelines for the adoption of certain comprehensive plans and land development regulations, and providing for the establishment of a smart planning task force.	Voted out of Rebuild Iowa Committee
SSB	3098	(also HSB 573) Flood Plain Management Policy-contains Water Resources Coordinating Committee recommendations regarding expanding the flood plain to the 500 year flood plain and affecting redevelopment in the floodplain	Voted out of Rebuild Iowa Committee,
SSB	3114	(also HSB 602) Creation of a new energy finance program to finance energy efficiency and renewable energy improvements to real property	Did not make funnel
SSB	3189	This bill authorizes the creation of watershed management authorities composed of one or more cities, counties, and soil and water conservation districts.	Voted out of Rebuild Iowa Committee
SSB	3198	(also HSB 700) Natural Resources Trust Fund implementations (I-WILL)	Voted out of Natural Resource committee.

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

HSB	659	This bill requires the Iowa climate change advisory council to prioritize policy options relating to reducing greenhouse gas emissions developed by the council and contained in an updated proposal submitted to the general assembly	Did not make funnel
HSB	661	Comprehensive Recycling Task Force recommendations	Voted out of Environ. Protection Comm.
SSB	3170	Limiting financial assistance for development within a 500 year floodplain under the enterprise zone program	Did not make funnel
SSB	3222	A bill providing for increased separation distances between public parks and confinement feeding operations. The new separation distance would be one-mile.	Did not make funnel

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

HF	823	A bill for an act requiring public schools and state agencies to utilize environmentally preferable cleaning and maintenance products in school facilities and state buildings.	On House Debate calendar
HF	2017	Increases the registration fee on canoes and kayaks	Passed out of House Natural Resources Committee
HF	2048	REAP Formula Change for County Conservation Accounts	Did not make funnel
HF	2100	Now HF 2399. An act modifying provisions applicable to electric generating and transmission facilities. Awaiting amendment language related to high voltage electric transmission, switching existing coal plants to other fuel sources (natural gas, biomass), and a study on new nuclear power.	On House Debate calendar

HF	2142	A bill for an act relating to park user permits and fees	Did not make funnel
HF	2147	Requires airport notification and a determination regarding the existence of an airport hazard prior to the construction of a wind energy system within specified distances.	Did not make funnel
HF	2151	Now HF 2411. Modifies provisions in the Iowa Code that allow utilities to form electric power agencies (specifically municipal and cooperative utilities). Senate companion bill-SF 2182	On House Debate calendar
HF	2266	Authorizes cities that have granted an electric franchise to a rate-regulated utility to terminate that franchise if the utility raises electric rates by 15% or more.	Did not make funnel
HSB	587	(Also SSB 3115) The annual DNR policy clean-up bill. Changes the required response time for NRC and EPC petitions for rulemaking from 60 to 120 days. Also allows DNR to apply for loans for drinking water systems	On House Debate calendar
HSB	660	Watershed Quality Planning advisory council- requires the Water Quality Planning Task Force to reorganize and prepare a report	Voted out of Environmental Protection Committee.
HSB	661	Comprehensive Recycling Task Force recommendations	On House Debate calendar
HSB	663	Private sewage system inspections and groundwater hazard statements. Amends septic tank inspection requirements	On House Debate calendar

HSB	679	Now HF 2416 (also SSB 3177) NPDES permit requirements-changes appeal procedure for denial of applications or permits issued under NPDES from EPC to an Administrative Law Judge. Also provides that CAFO's under NPDES must comply with applicable rules adopted by the EPC, but the rules cannot be more stringent than Federal requirements	Voted out of Agriculture Committee.
HSB	691	Establishes a high-performance certification program for certain public buildings (high performance focuses on decreasing consumption of energy, water and other resources and improving indoor air quality.)	Did not make funnel
SF	2054	A bill to encourage the Composting of Organic Waste	Did not make funnel
SF	2069	A bill for an act relating to the regulation of wetlands, mitigation of adverse impacts to wetlands, providing penalties and fees, and making an appropriation.	Did not make funnel
SF	2078	Authorizes the DNR to grant permits for the construction or operation of a major stationary source of air contaminants, or the modification of a permit issued by the department. This bill requires that the department provide a period of time for written public comment and for a public hearing concerning such an application in the county impacted by the proposed major stationary source.	Did not make funnel
SF	2081	An act relating to application of fertilizer and pesticides to grass	Did not make funnel
SF	2088	(Formerly SSB 3030) An act concerning state government reorganization and efficiency.	House debate continues
SF	2090	A bill for an act relating to lead wheel weights on state-owned motor vehicles.	On House Debate calendar

SF	2172	An act relating to the licensure of persons for the installation and maintenance of geothermal heat pump systems.	On Senate Debate calendar
SF	2174	A bill earmarking one grant to be awarded from the solid waste account of the groundwater protection fund for a beautification program - SWAP Fund earmark for Keep Iowa Beautiful (formerly SSB 3061)	Sent to Appropriations Committee
SF	2182	Formation and Operation of Electric Power Agencies. House companion bill-HF 2151	On Senate Debate calendar
SSB	3115	Now SF 2243. (also HSB 587) The annual DNR policy clean-up bill. Changes the required response time for NRC and EPC petitions for rulemaking from 60 to 120 days. Also Allows DNR to apply for loans for drinking water systems	Passed out of Environment and Energy Independence Committee,
SSB	3177	Now SF 2248 (also HSB 679) NPDES permit requirements-changes appeal procedure for denial of applications or permits issued under NPDES from EPC to an Administrative Law Judge. Also provides that CAFO's under NPDES must comply with applicable rules adopted by the EPC, but the rules cannot be more stringent than Federal requirements	Voted out of Senate Natural Resource Committee.
SSB	3204	Now SF 2314. An act modifying provisions applicable to electric generating and transmission facilities. Awaiting amendment language related to high voltage electric transmission, switching existing coal plants to other fuel sources (natural gas, biomass), and a study on new nuclear power. (also HF 2100, now HF 2399).	Voted out of Senate Environment and Energy Independence Committee.

SSB	3223	A bill to reestablish a technical advisory committee to reevaluate the master matrix used in approving construction permits for livestock confinements.	Did not make funnel
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The Iowa Environmental Council is *Tentatively Opposing* the following bills

HF	527	An Act relating to the rulemaking authority and voting requirements of the EPC. Sets the quorum at six and requires five votes to take action	Did not make funnel
HF	2218	Relates to the scope of rulemaking authority for state agencies and states that rulemaking authority shall be narrowly construed.	Did not make funnel
HF	2220	Requires administrative agencies to submit copies of proposed rules to the general assembly for review and requires that no rule could remain in effect for more than five years.	Did not make funnel

The Iowa Environmental Council is *Opposing* the following bills

HF	2206	The bill extends the compliance date for agricultural drainage well management requirements to prevent surface water drainage, septic tank connections and associated pollution from being discharged to the drainage well and the groundwater aquifer. The bill was amended to further extend the new deadline from Dec. 31, 2015 to Dec. 31, 2020.	On House debate calendar
HF	2216	Eliminates the Office of Energy Independence and the Iowa Power Fund.	Did not make funnel

HF	2324	A bill related to application of liquid manure on snow covered and frozen ground that exempts confinement feeding operations built before July 1, 2009 from being required to construct or expand a manure storage structure in order to comply with winter application restrictions. The bill also details common ownership and management for the purpose of determining separation distances.	On House debate calendar
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For additional information regarding Energy issues, please call Nathaniel Baer at 515-244-1194 X 206

For additional information regarding Water issues, please call Susan Heathcote at 515-244-1194 X 205

For additional information regarding Conservation Funding, Please Call Marian Gelb at 515-244-1194 X201

For additional information regarding Air issues, please call Lee Searles at 515-244-1194 X 204

Links to email addresses of Senate and House for your ease in contacting your legislators:

Senate: <http://www.legis.state.ia.us/asp/Legislators/SenateEmail.aspx>

House: <http://www.legis.state.ia.us/asp/Legislators/HouseEmail.aspx>