

IOWA ENVIRONMENTAL COUNCIL LEGISLATIVE NEWS BULLETIN

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

March 8, 2010

The second funnel date was Friday, March 5. After this funnel, all bills which did not pass one of the legislative chambers and get passed out of a committee in the other chamber, with the exception of Appropriations and Ways and Means, are no longer eligible for consideration. 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 Department of Ag and Land Stewardship and the Department of Natural Resources budget bills are likely to be debated this week, as is SF 2314, which allows cost recovery through rate payers for the analysis of the possible construction of new nuclear generating facilities in Iowa. See HF 2399 for the probable language to be debated.

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. Passed out of Senate committee and on Senate debate calendar
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.	Passed House. SEEIC recommended passage on March 3.
HF	2503	Also SF 2310. 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.	On House calendar for debate
HF	2504	An Act that doubles the criminal fines and penalties in disaster areas, including illegal dumping	On House calendar for debate
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.	Passed Senate. On House debate calendar.

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. Subcomm: Reichert, Drake, and H. Miller.
SF	404	Establishing a local food and farm task force	On House calendar for debate
SF	2265	Also HF 2476. 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. The bill now includes language RE: air quality that was in HF 2476. Amendment H-8341 would weaken the bill by replacing "shall" with "may."	Passed Senate. HEPC recommended passage on March 5.
SF	2310	Also HF 2503. 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.	On Senate debate calendar
SF	2316	Flood Plain Management Policy-contains some of the Water Resources Coordinating Council recommendations affecting redevelopment in the floodplain	Passed Senate and messaged to the House.
SF	2317	This bill authorizes the creation of watershed management authorities composed of one or more cities, counties, and soil and water conservation districts.	Passed the Senate. House Subcommittee, Kuhn, Grassley, Jacoby, Pettengil

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

HF 2496 Comprehensive Recycling Task Force recommendations

Passed House. Senate Subcommittee, Bolkcom, Stewart, and Ward

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	On House Debate calendar
HF	2399	Previously HF 2100. An act modifying provisions applicable to electric generating and transmission facilities. New language includes two provisions: 1) A specific rate-regulated utility (MidAmerican Energy) is required to conduct an analysis of and prepare for possible construction of new nuclear generating facilities and is allowed to recover a capped amount of revenue from ratepayers between now and year 2013 (approximately \$15M total for the study). 2) Rate regulated utilities could receive regulatory incentives to convert existing electrical generation (e.g., coal plants) to use natural gas, biomass, or carbon capture and storage (also SF 2314).	Passed House 91-7. On Senate Debate calendar.
HF	2411	Previously HF 2151. Modifies provisions in the Iowa Code that allow utilities to form electric power agencies (specifically municipal and cooperative utilities). Senate companion bill-SF 2182, now SF 2313.	SF 2313 Signed by the Governor.
HF	2437	Private sewage system inspections and groundwater hazard statements. Amends septic tank inspection requirements	Passed House. Senate Subcommittee, Wilhelm, Bolkcom, and Reynolds

HF	2457	Also SF 2243. 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
HF	2459	Watershed Quality Planning advisory council- requires the Water Quality Planning Task Force to reorganize and prepare a report	Passed House.
HF	2476	Also SF 2265. A bill for establishing smart planning principles, establishing guidelines for the adoption of certain comprehensive plans and land development regulations. The House bill has eliminated the establishment of a smart planning task force and does not include DNR-sponsored air quality language that SF 2265 includes.	On House calendar for debate.
HF	2496	Comprehensive Recycling Task Force recommendations	Passed House. Senate Subcommittee, Bolkcom, Stewart, and Ward
HSB	727	Appropriates \$1M to the Dept of Workforce Development to award grants to community colleges to implement recommendations from the Green Jobs Task Force (created by Gov. Culver's executive order 16).	Environmental Protection: Hanson Chair, Olson, D., and Olson, S..
SF	2088	An act concerning state government reorganization and efficiency.	Awaiting signature from the Governor.
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.	Sent to Appropriations Committee
SF	2243	Also HF 2457. The annual DNR policy clean-up bill. Allows DNR to apply for loans for drinking water systems	Passed Senate
SF	2248	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	Passed Senate and House. Awaiting Governor's signature.
SF	2313	Modifies provisions in the Iowa Code that allow utilities to form electric power agencies (specifically municipal and cooperative utilities). House companion bill HF 2411.	Signed by the Governor.
SF	2314	An act modifying provisions applicable to electric generating and transmission facilities. New language from House (HF 2399) includes two provisions: 1) A specific rate-regulated utility (MidAmerican Energy) is required to conduct an analysis of and prepare for possible construction of new nuclear generating facilities and is allowed to recover a capped amount of revenue from ratepayers between now and year 2013 (approximately \$15M total for the study). 2) Rate regulated utilities could receive regulatory incentives to convert existing electrical generation (e.g., coal plants) to use natural gas, biomass, or carbon capture and storage (will attach HF 2399).	On Senate Debate calendar
SSB	3226	A bill relating to the administration of the utility replacement tax for new cogeneration facilities.	In Senate Ways and Means. Sub: Jochum, Bolkcom, Ward

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

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HF	2206	The bill extends for 10 years 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 new deadline for compliance with Ag drainage well permit conditions would be December 31, 2020.	On House debate calendar
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

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>