

# IOWA ENVIRONMENTAL COUNCIL LEGISLATIVE NEWS BULLETIN

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

**March 22, 2010**

We are getting to the final week, or close to it, of the session. Things are happening quickly, and sometimes without much notice. We will continue to work to include adequate floodplain protection language wherever it is most appropriate. As is always the case, many of the bills which we supported, but that did not make the funnels, can be added as amendments to active legislation. This is the time of year when things need to be watched very closely and opportunities seized as they arise.

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	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. On Senate unfinished business calendar
HF	2418	The bill directs the DNR to complete its stakeholder process within two years of finalization of a new EPA criteria pollutant standard. The total EPA-mandated finalization period of three years applies. The effect is to expedite the state response, including rule promulgation and public comment.	Passed House. Passed Senate. Awaits gubernatorial signature.
HF	2459	Watershed Quality Planning advisory council- requires the Water Quality Planning Task Force to reorganize and prepare a report. Amended in Senate to add language from SF 2317 to create Watershed Management Authorities.	Passed House. Passed Senate with an amendment to allow for the creation of Watershed Management Authorities.
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 unfinished business calendar
HF	2504	An Act that doubles the criminal fines and penalties in disaster areas, including illegal dumping	On House unfinished business calendar for debate
HSB	739	Establishes a property assessed clean energy (PACE) financing program. Allows cities and counties to issue bonds or otherwise raise revenue to provide financing to property owners to conduct energy improvements on their property (renewable energy or energy efficiency). Property owners would pay back the financing with a special assessment on the their property tax. Re-introduced in House Ways and Means (was HSB 602 in House Commerce).	In House Ways and Means. Subcommittee: Isenhart, D. Olson, Helland.

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.	Dead
SF	404	Establishing a local food and farm task force	Passed Senate in 2009. On House calendar for debate
SF	2265	Also HF 2476. A very basic planning proposal that outlines "Smart Planning Principles." The bill also creates a Smart Planning Task Force. Amendment H 8369, a strike-after amendment, replaces most of the bills substantive content. It fails to mention air or air quality as one of the resources to be included. H 8383, also a strike-after amendment, mentions "pollution" but also does not specify air or air quality.	Passed Senate. On House unfinished business debate calendar
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. House File on House debate calendar
SF	2317	This bill authorizes the creation of watershed management authorities composed of one or more cities, counties, and soil and water conservation districts.	This bill is dead, but added to HF 2459 as an amendment by Senate.
SF	2316	Flood Plain Management Policy-contains some of the Water Resources Coordinating Council recommendations affecting redevelopment in the floodplain. Seeks to establish a task force to create model ordinance language and ensure that critical facilities, such as hospitals, fire and police stations, etc. are not located in the .02 floodplain, or if they are, they are constructed to withstand a flood or be shut down safely.	Passed Senate, but died in house in last funnel. Working to get bill language added as amendment to other bills.

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

HF	2496	Comprehensive Recycling Task Force recommendations	Passed House. On Senate unfinished business calendar
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## The Iowa Environmental Council is currently *Monitoring* the following bills

HF	823	Also SF 2335 – 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.	Passed House. Passed Senate.
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 SF 2314-withdrawn).	Passed House and Senate. Awaiting Governor's Action
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. Passed Senate.

HF	2457	Also SF 2243. Requires the DNR to coordinate efforts to collect information from greenhouse gas producers with EPA. Moves reporting deadline to the Governor to 12/31. Authorizes the DNR to apply for loans for drinking water projects.	Passed Senate and House. Signed by Governor as SF 2243
HF	2525	Also SSB 3239 – FY 2011 Agriculture and Natural Resources Budget bill. HF proposes to reduce the DNR budget by \$367,700, attributed to expected savings from office consolidation in Des Moines. In reality office space is not ready and the cost of the move is not considered. This would effectively result in reducing the DNR budget further without the expected savings being realized.	Passed House. On Senate debate calendar
HF	2527	Formerly HSB 738. Overhaul of tax credit programs. Creates a permanent legislative tax expenditure review committee and makes changes to, and reductions in, a number of tax credit programs. The wind energy and renewable energy tax credits programs under 476B and 476C are not directly affected, as are the Conservation Contributions tax credits. These programs will be reviewed by the review committee in year 2014.	On House debate calendar
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. Passage look very unlikely
SF	2088	An act concerning state government reorganization and efficiency.	Signed by the Governor.
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.	In Senate Appropriations

SF	2243	Also HF 2457. Requires the DNR to coordinate efforts to collect information from greenhouse gas producers with EPA. Moves reporting deadline to the Governor to 12/31. Authorizes the DNR to apply for loans for drinking water projects.	Signed by the Governor.
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	Signed by the Governor.
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	2373	(formerly SSB 3226) A bill relating to the administration of the utility replacement tax for new cogeneration facilities.	Passed Senate. On House debate calendar
SF	2380	Also HF2527. Overhaul of tax credit programs. Creates a permanent legislative tax expenditure review committee and makes changes to, and reductions in, a number of tax credit programs. The wind energy and renewable energy tax credits programs under 476B and 476C are not directly affected, as is the Conservation Contributions tax credits. These programs will be reviewed by the review committee in year 2014.	Passed Senate.

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

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

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.	Dead – but closely watching for this proposal to come back as an amendment
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.	Dead – but closely watching for this proposal to come back as an amendment

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>