

Senate File 509

S-3356

1 Amend the House amendment, S-3227, to Senate File
2 509, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 5, through page 21,
5 line 38, and inserting:

6 <<DIVISION I

7 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

8 GENERAL APPROPRIATIONS FOR FY 2011-2012

9 Section 1. GENERAL FUND — DEPARTMENT.

10 1. There is appropriated from the general fund of
11 the state to the department of agriculture and land
12 stewardship for the fiscal year beginning July 1, 2011,
13 and ending June 30, 2012, the following amount, or
14 so much thereof as is necessary, to be used for the
15 purposes designated:

16 For purposes of supporting the department, including
17 its divisions, for administration, regulation, and
18 programs; for salaries, support, maintenance, and
19 miscellaneous purposes; and for not more than the
20 following full-time equivalent positions:

21 \$ 16,497,308
22 FTEs 345.00

23 2. The department shall submit a report each
24 quarter of the fiscal year to the legislative services
25 agency, the department of management, the members of
26 the joint appropriations subcommittee on agriculture
27 and natural resources, and the chairpersons and
28 ranking members of the senate and house committees on
29 appropriations. The report shall describe in detail
30 the expenditure of moneys appropriated in this section
31 to support the department's administration, regulation,
32 and programs.

33 3. Of the amount appropriated in this section,
34 \$238,000 is transferred to Iowa state university of
35 science and technology, to be used for the university's
36 midwest grape and wine industry institute.

37 DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

38 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
39 HORSE AND DOG RACING. There is appropriated from the
40 moneys available under section 99D.13 to the department
41 of agriculture and land stewardship for the fiscal year
42 beginning July 1, 2011, and ending June 30, 2012, the
43 following amount, or so much thereof as is necessary,
44 to be used for the purposes designated:

45 For purposes of supporting the department's
46 administration and enforcement of horse and dog racing
47 law pursuant to section 99D.22, including for salaries,
48 support, maintenance, and miscellaneous purposes:
49 \$ 305,516

50 DESIGNATED APPROPRIATIONS — MOTOR FUEL

1 association affiliated with a national organization
2 which promotes agricultural education providing for
3 future farmers:

4 \$ 25,000

5 DIVISION II

6 DEPARTMENT OF NATURAL RESOURCES

7 GENERAL APPROPRIATIONS FOR FY 2011-2012

8 Sec. 6. GENERAL FUND — DEPARTMENT.

9 1. There is appropriated from the general fund of
10 the state to the department of natural resources for
11 the fiscal year beginning July 1, 2011, and ending June
12 30, 2012, the following amount, or so much thereof as
13 is necessary, to be used for the purposes designated:

14 For purposes of supporting the department, including
15 its divisions, for administration, regulation, and
16 programs; for salaries, support, maintenance, and
17 miscellaneous purposes; and for not more than the
18 following full-time equivalent positions:

19 \$ 12,291,688

20 FTEs 1,145.95

21 2. Of the number of full-time equivalent positions
22 authorized to the department pursuant to subsection 1,
23 50.00 full-time equivalent positions shall be allocated
24 by the department for seasonal employees for purposes
25 of providing maintenance, upkeep, and sanitary services
26 at state parks.

27 3. The department shall submit a report each
28 quarter of the fiscal year to the legislative services
29 agency, the department of management, the members of
30 the joint appropriations subcommittee on agriculture
31 and natural resources, and the chairpersons and
32 ranking members of the senate and house committees on
33 appropriations. The report shall describe in detail
34 the expenditure of moneys appropriated under this
35 section to support the department's administration,
36 regulation, and programs.

37 Sec. 7. STATE FISH AND GAME PROTECTION FUND —
38 DIVISION OF FISH AND WILDLIFE.

39 1. There is appropriated from the state fish and
40 game protection fund to the department of natural
41 resources for the fiscal year beginning July 1, 2011,
42 and ending June 30, 2012, the following amount, or
43 so much thereof as is necessary, to be used for the
44 purposes designated:

45 For purposes of supporting the division of fish and
46 wildlife, including for administration, regulation,
47 and programs; and for salaries, support, maintenance,
48 equipment, and miscellaneous purposes:

49 \$ 38,793,154

50 2. Notwithstanding section 455A.10, the department

1 may use the unappropriated balance remaining in the
2 state fish and game protection fund to provide for the
3 funding of health and life insurance premium payments
4 from unused sick leave balances of conservation peace
5 officers employed in a protection occupation who
6 retire, pursuant to section 97B.49B.

7 3. Notwithstanding section 455A.10, the department
8 of natural resources may use the unappropriated
9 balance remaining in the state fish and game protection
10 fund for the fiscal year beginning July 1, 2011,
11 and ending June 30, 2012, as is necessary to fund
12 salary adjustments for departmental employees which
13 the general assembly has made an operating budget
14 appropriation for in subsection 1.

15 Sec. 8. GROUNDWATER PROTECTION FUND — WATER
16 QUALITY. There is appropriated from the groundwater
17 protection fund created in section 455E.11 to the
18 department of natural resources for the fiscal year
19 beginning July 1, 2011, and ending June 30, 2012, from
20 those moneys which are not allocated pursuant to that
21 section, the following amount, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 For purposes of supporting the department's
24 protection of the state's groundwater, including
25 for administration, regulation, and programs, and
26 for salaries, support, maintenance, equipment, and
27 miscellaneous purposes:

28 \$ 3,455,832

29 DESIGNATED APPROPRIATIONS — MISCELLANEOUS

30 Sec. 9. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
31 PROGRAM. There is appropriated from the special
32 snowmobile fund created under section 321G.7 to the
33 department of natural resources for the fiscal year
34 beginning July 1, 2011, and ending June 30, 2012, the
35 following amount, or so much thereof as is necessary,
36 to be used for the purpose designated:

37 For purposes of administering and enforcing the
38 state snowmobile programs:

39 \$ 100,000

40 Sec. 10. UNASSIGNED REVENUE FUND — UNDERGROUND
41 STORAGE TANK SECTION EXPENSES. There is appropriated
42 from the unassigned revenue fund administered by the
43 Iowa comprehensive underground storage tank fund
44 board to the department of natural resources for the
45 fiscal year beginning July 1, 2011, and ending June 30,
46 2012, the following amount, or so much thereof as is
47 necessary, to be used for the purpose designated:

48 For purposes of paying for administration expenses
49 of the department's underground storage tank section:
50 \$ 200,000

1 Sec. 11. STORM WATER DISCHARGE PERMIT FEES —
2 SUPPORT FOR SPECIAL PURPOSES. Notwithstanding any
3 contrary provision of state law, for the fiscal year
4 beginning July 1, 2011, and ending June 30, 2012, the
5 department of natural resources may use additional
6 moneys available to the department collected from
7 storm water discharge permit fees as provided in
8 sections 455B.103A and 455B.197 for the staffing of the
9 following additional full-time equivalent positions for
10 the purposes designated:

- 11 1. For purposes of reducing the department's
12 floodplain permit backlog:
13 FTEs 2.00
14 2. For purposes of implementing the federal total
15 maximum daily load program:
16 FTEs 2.00

17 DIVISION III
18 IOWA STATE UNIVERSITY
19 APPROPRIATION FOR FY 2011-2012

20 Sec. 12. GENERAL FUND — VETERINARY DIAGNOSTIC
21 LABORATORY.

22 1. There is appropriated from the general fund
23 of the state to Iowa state university of science and
24 technology for the fiscal year beginning July 1, 2011,
25 and ending June 30, 2012, the following amount, or
26 so much thereof as is necessary, to be used for the
27 purposes designated:

- 28 For purposes of supporting the college of veterinary
29 medicine for the operation of the veterinary diagnostic
30 laboratory and for not more than the following
31 full-time equivalent positions:
32 \$ 3,237,636
33 FTEs 50.00

34 2. a. Iowa state university of science and
35 technology shall not reduce the amount that it
36 allocates to support the college of veterinary medicine
37 from any other source due to the appropriation made in
38 this section.

39 b. Paragraph "a" does not apply to a reduction made
40 to support the college of veterinary medicine, if the
41 same percentage of reduction imposed on the college
42 of veterinary medicine is also imposed on all of Iowa
43 state university's budget units.

44 3. If by June 30, 2012, Iowa state university
45 of science and technology fails to allocate the
46 moneys appropriated in this section to the college of
47 veterinary medicine in accordance with this section,
48 the moneys appropriated in this section for that fiscal
49 year shall revert to the general fund of the state.

50 Sec. 13. VETERINARY DIAGNOSTIC LABORATORY —

1 FUTURE YEAR. This section applies if appropriations
2 made in this Act and all other Acts enacted by the
3 Eighty-fourth General Assembly during the 2011 regular
4 session and all extraordinary sessions, for the
5 fiscal year beginning July 1, 2011, and ending June
6 30, 2012, for purposes of supporting the operation
7 of the veterinary diagnostic laboratory associated
8 with the college of veterinary medicine at Iowa state
9 university, total less than \$4,000,000. It is the
10 intent of the general assembly that the amount of any
11 deficit will be appropriated by the general assembly
12 during its 2012 regular session for purposes of
13 supporting the operation of the veterinary diagnostic
14 laboratory for the fiscal year beginning July 1, 2012,
15 and ending June 30, 2013.

16 DIVISION IV

17 ENVIRONMENT FIRST FUND

18 GENERAL APPROPRIATIONS FOR FY 2011-2012

19 Sec. 14. DEPARTMENT OF AGRICULTURE AND LAND

20 STEWARDSHIP. There is appropriated from the
21 environment first fund created in section 8.57A to the
22 department of agriculture and land stewardship for the
23 fiscal year beginning July 1, 2011, and ending June 30,
24 2012, the following amounts, or so much thereof as is
25 necessary, to be used for the purposes designated:

26 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

27 a. For the conservation reserve enhancement program
28 to restore and construct wetlands for the purposes of
29 intercepting tile line runoff, reducing nutrient loss,
30 improving water quality, and enhancing agricultural
31 production practices:

32 \$ 1,000,000

33 b. Not more than 10 percent of the moneys
34 appropriated in paragraph "a" may be used for costs of
35 administration and implementation of soil and water
36 conservation practices.

37 c. Notwithstanding any other provision in law,
38 the department may provide state resources from this
39 appropriation, in combination with other appropriate
40 environment first fund appropriations, for cost sharing
41 to match United States department of agriculture,
42 natural resources conservation service, wetlands
43 reserve enhancement program (WREP) funding available
44 to Iowa.

45 2. WATERSHED PROTECTION

46 a. For continuation of a program that provides
47 multiobjective resource protections for flood control,
48 water quality, erosion control, and natural resource
49 conservation:

50 \$ 900,000

1 b. Not more than 10 percent of the moneys
2 appropriated in paragraph "a" may be used for costs of
3 administration and implementation of soil and water
4 conservation practices.

5 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

6 a. For continuation of a statewide voluntary farm
7 management demonstration program to demonstrate the
8 effectiveness and adaptability of emerging practices in
9 agronomy that protect water resources and provide other
10 environmental benefits:
11 \$ 525,000

12 b. Not more than 10 percent of the moneys
13 appropriated in paragraph "a" may be used for costs of
14 administration and implementation of soil and water
15 conservation practices.

16 c. The department of agriculture and land
17 stewardship shall allocate an amount of moneys
18 appropriated in paragraph "a" to an organization
19 representing soybean growers for purposes of supporting
20 an agriculture and environment performance program in
21 order to carry out the purposes of this subsection as
22 specified in paragraph "a". The amount of the moneys
23 allocated shall be determined by the secretary of
24 agriculture.

25 4. SOIL AND WATER CONSERVATION — ADMINISTRATION

26 For use by the department for costs of
27 administration and implementation of soil and water
28 conservation practices:
29 \$ 2,000,000

30 5. CONSERVATION RESERVE PROGRAM (CRP)

31 a. To encourage and assist farmers in enrolling
32 in and the implementation of the federal conservation
33 reserve program and to work with them to enhance their
34 revegetation efforts to improve water quality and
35 habitat:
36 \$ 1,000,000

37 b. Not more than 10 percent of the moneys
38 appropriated in paragraph "a" may be used for costs of
39 administration and implementation of soil and water
40 conservation practices.

41 6. SOIL AND WATER CONSERVATION

42 a. For use by the department in providing for soil
43 and water conservation administration, the conservation
44 of soil and water resources, or the support of soil and
45 water conservation district commissioners:
46 \$ 6,300,000

47 b. Not more than 5 percent of the moneys
48 appropriated in paragraph "a" may be allocated for
49 cost sharing to address complaints filed under section
50 161A.47.

1 c. Of the moneys appropriated in paragraph "a",
2 5 percent shall be allocated for financial incentives
3 to establish practices to protect watersheds above
4 publicly owned lakes of the state from soil erosion and
5 sediment as provided in section 161A.73.

6 d. Not more than 30 percent of a soil and water
7 conservation district's allocation of moneys as
8 financial incentives may be provided for the purpose
9 of establishing management practices to control soil
10 erosion on land that is row cropped, including but
11 not limited to no-till planting, ridge-till planting,
12 contouring, and contour strip-cropping as provided in
13 section 161A.73.

14 e. The state soil conservation committee
15 established by section 161A.4 may allocate moneys
16 appropriated in paragraph "a" to conduct research and
17 demonstration projects to promote conservation tillage
18 and nonpoint source pollution control practices.

19 f. The allocation of moneys as financial incentives
20 as provided in section 161A.73 may be used in
21 combination with moneys allocated by the department of
22 natural resources.

23 g. Not more than 15 percent of the moneys
24 appropriated in paragraph "a" may be used for costs of
25 administration and implementation of soil and water
26 conservation practices.

27 h. In lieu of moneys appropriated in section
28 466A.5, not more than \$50,000 of the moneys
29 appropriated in paragraph "a" shall be used by the soil
30 conservation division of the department of agriculture
31 and land stewardship to provide administrative support
32 to the watershed improvement review board established
33 in section 466A.3.

34 Sec. 15. DEPARTMENT OF NATURAL RESOURCES. There is
35 appropriated from the environment first fund created in
36 section 8.57A to the department of natural resources
37 for the fiscal year beginning July 1, 2011, and ending
38 June 30, 2012, the following amounts, or so much
39 thereof as is necessary, to be used for the purposes
40 designated:

- 41 1. KEEPERS OF THE LAND
- 42 For statewide coordination of volunteer efforts
- 43 under the water quality and keepers of the land
- 44 programs:
- 45 \$ 100,000
- 46 2. STATE PARKS MAINTENANCE AND OPERATIONS
- 47 For regular maintenance of state parks and staff
- 48 time associated with these activities:
- 49 \$ 3,410,000
- 50 3. FORESTRY HEALTH MANAGEMENT

1 To provide for forestry health management programs:
2 \$ 100,000
3 4. GEOGRAPHIC INFORMATION SYSTEM (GIS)
4 To provide local watershed managers with geographic
5 information system data for their use in developing,
6 monitoring, and displaying results of their watershed
7 work:
8 \$ 195,000
9 5. WATER QUALITY MONITORING
10 For continuing the establishment and operation of
11 water quality monitoring stations:
12 \$ 2,955,000
13 6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
14 For deposit in the public water supply system
15 account of the water quality protection fund created
16 in section 455B.183A:
17 \$ 500,000
18 7. REGULATION OF ANIMAL FEEDING OPERATIONS
19 For the regulation of animal feeding operations,
20 including as provided for in chapters 459 through 459B:
21 \$ 520,000
22 8. AMBIENT AIR QUALITY
23 For the abatement, control, and prevention of
24 ambient air pollution in this state, including measures
25 as necessary to assure attainment and maintenance of
26 ambient air quality standards from particulate matter:
27 \$ 425,000
28 9. WATER QUANTITY REGULATION
29 For regulating water quantity from surface and
30 subsurface sources by providing for the allocation and
31 use of water resources, the protection and management
32 of water resources, and the preclusion of conflicts
33 among users of water resources, including as provided
34 in chapter 455B, division III, part 4:
35 \$ 495,000
36 10. GEOLOGICAL AND WATER SURVEY
37 For continuing the operations of the department's
38 geological and water survey including but not limited
39 to providing analysis, data collection, investigative
40 programs, and information for water supply development
41 and protection:
42 \$ 200,000
43 Sec. 16. REVERSION. Notwithstanding section 8.33,
44 moneys appropriated for the fiscal year beginning
45 July 1, 2011, in this division of this Act that remain
46 unencumbered or unobligated at the close of the fiscal
47 year shall not revert but shall remain available to
48 be used for the purposes designated until the close
49 of the fiscal year beginning July 1, 2012, or until
50 the project for which the appropriation was made is

1 completed, whichever is earlier.

2 DIVISION V
3 RESOURCES ENHANCEMENT AND PROTECTION
4 (REAP) FUND FOR FY 2011-2012
5 GENERAL APPROPRIATIONS

6 Sec. 17. ENVIRONMENT FIRST FUND. Notwithstanding
7 the amount of the standing appropriation from the
8 general fund of the state to the Iowa resources
9 enhancement and protection fund as provided in section
10 455A.18, there is appropriated from the environment
11 first fund created in section 8.57A to the Iowa
12 resources enhancement and protection fund, in lieu of
13 the appropriation made in section 455A.18, for the
14 fiscal year beginning July 1, 2011, and ending June 30,
15 2012, the following amount, to be allocated as provided
16 in section 455A.19:

17 \$ 12,375,000

18 DIVISION VI
19 AGRICULTURAL DRAINAGE WELL CLOSURE

20 Sec. 18. REPORT. The department of agriculture
21 and land stewardship shall prepare a report regarding
22 agricultural drainage wells that have not been closed
23 as provided in chapter 460. The report shall include
24 an inventory of agricultural drainage wells that
25 remain unclosed, a projected timeline for closing the
26 agricultural drainage wells, and an estimate of the
27 costs for closing each agricultural drainage well. The
28 department shall submit the report to the governor and
29 fiscal services division of the legislative services
30 agency not later than November 15, 2011.

31 DIVISION VII
32 SOIL NUTRIENT MASS STUDY

33 Sec. 19. WATERSHED IMPROVEMENT REVIEW BOARD.
34 1. Notwithstanding any provision to the contrary in
35 chapter 466A, the watershed improvement review board
36 established in section 466A.3 may authorize up to fifty
37 thousand dollars of moneys available in the watershed
38 improvement fund created in section 466A.2, for the
39 fiscal period beginning July 1, 2011, and ending
40 January 1, 2013, to finance a study of soil nutrient
41 mass balance issues.

42 2. The study financed by the board under this
43 section shall be conducted by the department of
44 agriculture and land stewardship in cooperation with
45 the Iowa state university college of agriculture.
46 The department, in cooperation with the college of
47 agriculture, shall study the leaching of nutrients from
48 the soil; the related impacts on soil sustainability;
49 productivity; water quality, including erosion,
50 sediment, and phosphorus attached to sediment; and the

1 soil's capacity to absorb and hold water.

2 3. The department of agriculture and land
3 stewardship shall submit the results of the study
4 financed by the board under this section to the board,
5 the governor, and general assembly by January 10, 2013.

6 DIVISION VIII

7 ELIMINATION OF POSITION AND EXPENDITURE OF MONEYS

8 Sec. 20. ELIMINATION OF CHIEF AND ASSISTANT CHIEF
9 OF THE LAW ENFORCEMENT BUREAU OF THE DEPARTMENT OF
10 NATURAL RESOURCES. Effective August 1, 2011, the
11 position of assistant chief of the law enforcement
12 bureau of the department of natural resources is
13 eliminated.

14 Sec. 21. USE OF MONEYS SAVED FROM THE ELIMINATION
15 OF POSITION — ADDITIONAL CONSERVATION OFFICER. For
16 the fiscal year beginning July 1, 2011, and ending June
17 30, 2012, the department of natural resources shall
18 use moneys saved by the elimination of the position
19 of assistant chief of the law enforcement bureau of
20 the department of natural resources as provided in
21 this division for purposes of supporting an additional
22 full-time equivalent position including salaries,
23 support, maintenance, and miscellaneous purposes. The
24 full-time equivalent position shall be a conservation
25 officer assigned to field duties.

26 DIVISION IX

27 AGRICULTURE AND NATURAL RESOURCES

28 DEPARTMENT OF NATURAL RESOURCES

29 USE OF MONEYS IN THE STATE FISH AND GAME PROTECTION
30 FUND FOR FY 2010-2011

31 Sec. 22. USE OF MONEYS — RADIOS.

32 1. Notwithstanding 2010 Iowa Acts, chapter 1191,
33 section 7, the department of natural resources may use
34 the unappropriated balance remaining in the state fish
35 and game protection fund for the fiscal year beginning
36 July 1, 2010, and ending June 30, 2011, to purchase
37 mobile radios to meet federal and state requirements
38 for homeland security and public safety. This section
39 applies to those moneys in the fund that are not
40 otherwise used, obligated, or encumbered for payment
41 of health and life insurance premium payments for
42 conservation peace officer retirements for that fiscal
43 year. The department may use such moneys until October
44 31, 2011.

45 2. Of the amount appropriated in subsection 1,
46 the department of natural resources may enter into
47 a public-private partnership, through a competitive
48 bidding process, for the provision of the statewide
49 network and the purchase of compatible equipment.

50 3. On or before January 13, 2012, the department of

1 natural resources in cooperation with the department of
2 public safety shall provide a report to the legislative
3 services agency and the department of management.
4 The report shall detail the status of the moneys
5 appropriated in subsection 1 and shall include the
6 estimated needs of the department of natural resources
7 to achieve interoperability and to meet the federal
8 narrowbanding mandate, any changes in estimated costs
9 to meet those needs, and the status of requests for
10 proposals to develop a public-private partnership.

11 Sec. 23. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
12 APPLICABILITY. This division of this Act, being deemed
13 of immediate importance, takes effect upon enactment
14 and, if approved by the governor on or after July 1,
15 2011, shall apply retroactively to June 30, 2011.

16 DIVISION X

17 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011

18 RURAL IMPROVEMENT ZONES

19 Sec. 24. Section 357H.7, Code 2011, is amended to
20 read as follows:

21 **357H.7 Board of trustees — power.**

22 The trustees of a rural improvement zone elected
23 pursuant to section 357H.6 shall constitute the board
24 of trustees of the zone and shall manage and control
25 the affairs, property, and facilities of the zone. The
26 board of trustees shall elect a president, a clerk,
27 and a treasurer from its membership. The trustees
28 may authorize construction, reconstruction, or repair
29 of improvements ~~within the zone~~ following procedures
30 set out in section 331.341. For these purposes, the
31 trustees may purchase material, employ personnel,
32 acquire real estate and interests in real estate, and
33 perform all other acts necessary to properly maintain
34 and operate the zone. The trustees are allowed
35 necessary expenses in the discharge of their duties,
36 but they shall not receive salaries.

37 DIVISION XI

38 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011

39 GROUNDWATER PROTECTION FUND

40 Sec. 25. Section 455E.11, subsection 2, paragraph
41 a, subparagraph (1), subparagraph division (a),
42 subparagraph subdivision (ii), subparagraph part (B),
43 Code 2011, is amended to read as follows:

44 (B) Expend not more than fifty percent of the
45 moneys for a community partnership program designed to
46 support community beautification projects ~~including~~
47 ~~the deconstruction, renovation, or removal of derelict~~
48 ~~buildings. Eligible communities are limited to cities~~
49 ~~of five thousand or fewer in population. Eligible~~
50 ~~costs shall include but are not limited to asbestos~~

1 ~~abatement and removal, the recovery and processing~~
2 ~~of recyclable or reusable material from derelict~~
3 ~~buildings, and reimbursement for purchased recycled~~
4 ~~content materials used in the renovation of buildings.~~
5 ~~Special consideration may be given to communities that~~
6 ~~hire the unemployed to deconstruct structures, clean~~
7 ~~up the properties, and, if there is no immediate buyer~~
8 ~~for the properties, turn the properties into green~~
9 ~~spaces. Any business entity or individual engaged in~~
10 ~~the removal or abatement of asbestos must have obtained~~
11 ~~a valid license or permit as required in chapter 88B.~~

12 Sec. 26. Section 455E.11, subsection 2, paragraph
13 a, subparagraph (1), Code 2011, is amended by adding
14 the following new subparagraph division:

15 NEW SUBPARAGRAPH DIVISION. (0e) Not more than
16 four hundred thousand dollars to the department for
17 purposes of providing funding assistance to eligible
18 communities to address abandoned buildings by promoting
19 waste abatement, diversion, selective dismantlement
20 of building components, and recycling. Eligible
21 communities include a city with a population of
22 five thousand or fewer. Eligible costs for program
23 assistance include but are not limited to asbestos and
24 other hazardous material abatement and removal, the
25 recovery processing of recyclable or reusable material
26 through the selective dismantlement of abandoned
27 buildings, and reimbursement for purchased recycled
28 content materials used in the renovation of buildings.
29 For projects that support community beautification, the
30 department may elect to administer funding to eligible
31 communities in collaboration with the organization
32 awarded the beautification grant in accordance with
33 subparagraph division (a), subparagraph subdivision
34 (i).

35 DIVISION XII

36 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011
37 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK
38 FUND

39 Sec. 27. Section 455G.3, subsections 6 through 8,
40 Code 2011, are amended to read as follows:

41 6. a. For the fiscal year beginning July 1,
42 2010, and each fiscal year thereafter, there is
43 appropriated from the Iowa comprehensive petroleum
44 underground storage tank fund to the department of
45 natural resources two hundred thousand dollars for
46 purposes of technical review support to be conducted
47 by nongovernmental entities for leaking underground
48 storage tank assessments.

49 b. Notwithstanding section 8.33, moneys
50 appropriated in this subsection that remain

1 unencumbered or unobligated at the close of the fiscal
2 year shall not revert but shall remain available for
3 expenditure for the purposes designated until the close
4 of the succeeding fiscal year.

5 7. a. For the fiscal year beginning July 1, 2010,
6 there is appropriated from the Iowa comprehensive
7 petroleum underground storage tank fund to the
8 department of natural resources one hundred thousand
9 dollars for purposes of database modifications
10 necessary to accept batched external data regarding
11 underground storage tank inspections conducted by
12 nongovernmental entities.

13 b. Notwithstanding section 8.33, moneys
14 appropriated in this subsection that remain
15 unencumbered or unobligated at the close of the fiscal
16 year shall not revert but shall remain available for
17 expenditure for the purposes designated until the close
18 of the succeeding fiscal year.

19 8. a. For the fiscal year beginning July 1, 2010,
20 and each fiscal year thereafter, there is appropriated
21 from the Iowa comprehensive petroleum underground
22 storage tank fund to the department of agriculture and
23 land stewardship two hundred fifty thousand dollars
24 for the sole and exclusive purpose of inspecting
25 fuel quality at pipeline terminals and renewable fuel
26 production facilities, including salaries, support,
27 maintenance, and miscellaneous purposes.

28 b. Notwithstanding section 8.33, moneys
29 appropriated in this subsection that remain
30 unencumbered or unobligated at the close of the fiscal
31 year shall not revert but shall remain available for
32 expenditure for the purposes designated until the close
33 of the succeeding fiscal year.

34 Sec. 28. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
35 APPLICABILITY. This division of this Act, being deemed
36 of immediate importance, takes effect upon enactment
37 and, if approved by the governor on or after July 1,
38 2011, shall apply retroactively to June 30, 2011.

39 DIVISION XIII
40 AGRICULTURE AND NATURAL RESOURCES
41 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011 —
42 LOCAL FOOD AND FARM INITIATIVE

43 Sec. 29. NEW SECTION. 267A.1 Purpose and goals.

44 1. The purpose of this chapter is to empower
45 farmers and food entrepreneurs to provide for strong
46 local food economies that promote self-sufficiency
47 and job growth in the agricultural sector and allied
48 sectors of the economy.

49 2. The goals of this chapter are to accomplish all
50 of the following:

1 a. Promote the expansion of the production of local
2 foods, including all of the following:

3 (1) The production of Iowa-grown food, including
4 but not limited to livestock, eggs, milk, fruit,
5 vegetables, grains, herbs, honey, and nuts.

6 (2) The processing of Iowa-grown agricultural
7 products into food products, including canning,
8 freezing, dehydrating, bottling, or otherwise packaging
9 and preserving such products.

10 (3) The distribution and marketing of fresh and
11 processed Iowa-grown agricultural food products to
12 markets in this state and neighboring states.

13 b. Increase consumer and institutional spending on
14 Iowa-produced and marketed foods.

15 c. Increase the profitability of farmers and
16 businesses engaged in enterprises related to producing,
17 processing, distributing, and marketing local food.

18 d. Increase the number of jobs in this state's
19 farm and business economies associated with producing,
20 processing, distributing, and marketing local food.

21 Sec. 30. NEW SECTION. 267A.2 Definitions.

22 As used in this section, unless the context
23 otherwise requires:

24 1. "*Coordinator*" means the local food and farm
25 program coordinator created in section 267A.4.

26 2. "*Council*" means the local food and farm program
27 council established in section 267A.3.

28 3. "*Department*" means the department of agriculture
29 and land stewardship.

30 4. "*Fund*" means the local food and farm program
31 fund created in section 267A.5.

32 Sec. 31. NEW SECTION. 267A.3 Local food and farm
33 program council.

34 1. A local food and farm program council is
35 established to advise the local food and farm program
36 coordinator carrying out the purpose and goals of this
37 chapter as provided in section 267A.1.

38 2. The council shall be composed of the following
39 voting members:

40 a. The secretary of agriculture or the secretary's
41 designee.

42 b. Members appointed by the designated
43 organizations, at the discretion of the organization,
44 to represent the private sector as follows:

45 (1) One person by the practical farmers of Iowa who
46 is involved in local food production.

47 (2) One person by the Iowa farmers market
48 association.

49 c. Members appointed by the governor to represent
50 public or private entities involved in local food

1 distribution, marketing, or processing as follows:

- 2 (1) One person who is associated with a resource
- 3 conservation and development office in this state.
- 4 (2) One person actively engaged in the distribution
- 5 of local food to processors, wholesalers, or retailers.
- 6 (3) One person from the regional food systems
- 7 working group who is actively engaged or an expert in
- 8 local food.

9 3. A member designated by the secretary of
10 agriculture shall serve at the pleasure of the
11 secretary. A member appointed by an organization shall
12 serve at the pleasure of that organization. A member
13 appointed by the governor shall serve at the pleasure
14 of the governor.

15 4. The council shall be part of the department.
16 The department shall perform administrative functions
17 necessary for the operation of the council.

18 5. The council shall elect a chairperson from among
19 its members each year on a rotating basis as provided
20 by the council. The council shall meet on a regular
21 basis and at the call of the chairperson or upon the
22 written request to the chairperson of a majority of the
23 members.

24 6. The members of the council shall not receive
25 compensation for their services including as provided
26 in section 7E.6. However, the members may be
27 reimbursed for their actual and necessary expenses
28 incurred in the performance of their duties as members
29 of the council if allowed by the council.

30 7. A majority of the members constitutes a quorum
31 and the affirmative vote of a majority of the members
32 present is necessary for any substantive action to
33 be taken by the council. The majority shall not
34 include any member who has a conflict of interest and a
35 statement by a member that the member has a conflict
36 of interest is conclusive for this purpose. A vacancy
37 in the membership does not impair the duties of the
38 council.

39 **Sec. 32. NEW SECTION. 267A.4 Local food and farm**
40 **program coordinator.**

41 The position of local food and farm program
42 coordinator is created within Iowa state university
43 as part of its cooperative extension service in
44 agriculture and home economics. The coordinator shall
45 be the primary state official charged with carrying out
46 the purposes and goals of this chapter.

47 **Sec. 33. NEW SECTION. 267A.5 Local food and farm**
48 **program fund.**

49 A local food and farm program fund is created in the
50 state treasury under the control of the department.

1 The fund is separate from the general fund of the
2 state. The fund is composed of moneys appropriated
3 by the general assembly and moneys available to and
4 obtained or accepted by the local food and farm program
5 from the United States government or private sources
6 for placement in the fund. Moneys in the fund shall
7 be used to carry out the purpose and goals of this
8 chapter as provided in section 267A.1, including but
9 not limited to administering the local food and farm
10 program as provided in section 267A.6. The fund shall
11 be managed by the department in consultation with the
12 local food and farm coordinator, under the supervision
13 of the local food and farm program council.

14 **Sec. 34. NEW SECTION. 267A.6 Local food and farm**
15 **program.**

16 The local food and farm program coordinator, with
17 advice from the local food and farm program council,
18 shall develop and administer a local food and farm
19 program necessary to carry out the purpose and goals of
20 this chapter as provided in section 267A.1, including
21 but not limited to by improving any of the following:

22 1. Communication and cooperation between and among
23 farmers, food entrepreneurs, and consumers.

24 2. Coordination between and among government
25 agencies, public universities and community colleges,
26 organizations, and private-sector firms working on
27 local food and farm-related issues.

28 **Sec. 35. NEW SECTION. 267A.7 Local food and farm**
29 **program report.**

30 The local food and farm program coordinator shall
31 prepare an annual report dated June 30, which shall
32 evaluate the state's progress in accomplishing the
33 purpose and goals of this chapter. The report shall
34 be delivered to the governor and general assembly not
35 later than October 1 of each year.

36 DIVISION XIV

37 AGRICULTURE AND NATURAL RESOURCES

38 RELATED STATUTORY CHANGES FOR CODIFICATION

39 IN 2011 — ANIMAL AGRICULTURE

40 COMPLIANCE CIVIL PENALTIES

41 **Sec. 36. Section 455B.109, subsection 5, Code 2011,**
42 **is amended by striking the subsection and inserting in**
43 **lieu thereof the following:**

44 5. *a.* Except as provided in paragraph "b", all
45 civil penalties assessed by the department and interest
46 on the civil penalties shall be deposited in the
47 general fund of the state.

48 *b.* Civil penalties assessed and collected by or
49 on behalf of the department and interest on the civil
50 penalties as provided in sections 459.602, 459.603,

1 459.604, 459A.502, and 459B.402 shall be deposited
2 into the watershed improvement fund created in section
3 466A.2.

4 Sec. 37. Section 459.401, subsection 2, paragraph
5 a, subparagraph (5), Code 2011, is amended by striking
6 the subparagraph.

7 Sec. 38. Section 459.602, Code 2011, is amended to
8 read as follows:

9 **459.602 Air quality violations — civil penalty.**

10 A person who violates subchapter II shall be
11 subject to a civil penalty which shall be established,
12 assessed, and collected in the same manner as provided
13 in section 455B.109. Any civil penalty collected shall
14 be deposited ~~in the animal agriculture compliance~~
15 ~~fund created in section 459.401~~ into the watershed
16 improvement fund created in section 466A.2.

17 Sec. 39. Section 459.603, Code 2011, is amended to
18 read as follows:

19 **459.603 Water quality violations — civil penalty.**

20 A person who violates subchapter III shall be
21 subject to a civil penalty which shall be established,
22 assessed, and collected in the same manner as provided
23 in section 455B.109 or 455B.191. Any civil penalty
24 collected shall be deposited ~~in the animal agriculture~~
25 ~~compliance fund created in section 459.401~~ into the
26 watershed improvement fund created in section 466A.2.

27 Sec. 40. Section 459.604, subsection 2, Code 2011,
28 is amended to read as follows:

29 2. Moneys assessed and collected in civil penalties
30 and interest earned on civil penalties, arising out
31 of a violation involving an animal feeding operation,
32 shall be deposited ~~in the animal agriculture compliance~~
33 ~~fund as created in section 459.401~~ into the watershed
34 improvement fund created in section 466A.2.

35 Sec. 41. Section 459A.502, Code 2011, is amended to
36 read as follows:

37 **459A.502 Violations — civil penalty.**

38 A person who violates this chapter shall be subject
39 to a civil penalty which shall be established,
40 assessed, and collected in the same manner as provided
41 in section 455B.191. Any civil penalty collected and
42 interest on a civil penalty shall be deposited ~~in the~~
43 ~~animal agriculture compliance fund created in section~~
44 ~~459.401~~ into the watershed improvement fund created in
45 section 466A.2. A person shall not be subject to a
46 penalty under this section and a penalty under section
47 459.603 for the same violation.

48 Sec. 42. Section 459B.402, Code 2011, is amended to
49 read as follows:

50 **459B.402 Violations — civil penalty.**

1 A person who violates section 459B.301 shall be
2 subject to the same penalty as provided in section
3 459.602, and a person who violates any other provision
4 of this chapter shall be subject to the same penalty
5 as provided in section 459.603. Any civil penalty
6 collected shall be deposited ~~in the animal agriculture~~
7 ~~compliance fund created in section 459.401~~ into the
8 watershed improvement fund created in section 466A.2.

9 Sec. 43. Section 466A.2, subsection 1, Code 2011,
10 is amended to read as follows:

11 1. a. A watershed improvement fund is created in
12 the state treasury which shall be administered by the
13 treasurer of state ~~upon direction~~ under the supervision
14 of the watershed improvement review board. Moneys in
15 the fund are appropriated to the treasurer of state for
16 expenditure as authorized by the board to carry out the
17 purposes of this chapter.

18 b. The fund shall include a general account and
19 special account.

20 (1) Moneys Other than as provided in subparagraph
21 (2), the general account shall include all moneys
22 appropriated to the fund and any other moneys available
23 to and obtained or accepted by the treasurer of state
24 for placement in the fund shall be deposited in the
25 fund. Additionally, payments of interest, recaptures
26 of awards, and other repayments to the fund account
27 shall be deposited in the fund account.

28 (2) The special account shall exclusively include
29 moneys assessed and collected by or on behalf of
30 the department of natural resources as provided in
31 sections 455B.109, 459.602, 459.603, 459.604, 459A.502,
32 and 459B.402. Additionally, payments of interest,
33 recaptures of awards, and other repayments to the
34 account shall be deposited in the account.

35 c. Notwithstanding section 12C.7, subsection 2,
36 interest or earnings on moneys in the fund an account
37 of the fund that shall be credited to the fund that
38 account.

39 d. Notwithstanding section 8.33, moneys in the fund
40 that remain unencumbered or unobligated at the end of
41 the fiscal year shall not revert, but shall remain
42 available for the same purpose in the succeeding fiscal
43 year.

44 e. ~~The moneys~~ Moneys in the fund general account of
45 the fund shall be used exclusively for carrying out the
46 purposes of the fund as provided in this section this
47 chapter. Moneys in the special account of the fund
48 shall be used exclusively by the board for purposes
49 of awarding local watershed improvement grants and
50 monitoring the progress of local watershed improvement

1 projects awarded grants as provided in section 466A.3.

2 ~~f. Moneys appropriated to the treasurer of state~~
3 ~~and deposited in the fund shall not be used by the~~
4 ~~treasurer of state for its administrative purposes.~~

5 Sec. 44. Section 466A.3, subsection 4, unnumbered
6 paragraph 1, Code 2011, is amended to read as follows:

7 The watershed improvement review board shall carry
8 out the purposes of this chapter as provided in section
9 466A.2, including by determining how moneys are to
10 be expended from the watershed improvement fund and
11 authorizing the expenditure of moneys from the fund.
12 In carrying out those purposes, the board shall do all
13 of the following:

14 Sec. 45. Section 466A.3, subsection 4, paragraph a,
15 Code 2011, is amended to read as follows:

16 a. Award local watershed improvement grants and
17 monitor the progress of local watershed improvement
18 projects awarded grants.

19 (1) A local watershed improvement grant may be
20 awarded for an original period not to exceed five
21 years. However, during those five years, the board
22 may extend the period of the award for up to five
23 additional years after the date that the original
24 period would have ended.

25 (2) Each local watershed improvement grant awarded
26 shall not exceed ten percent of the moneys appropriated
27 for the grants during a fiscal year.

28 (3) Moneys deposited into the fund's special
29 account shall be used exclusively for awarding local
30 watershed improvement grants and monitoring the
31 progress of local watershed improvement projects
32 awarded grants as provided in this paragraph "a".
33 However, any other moneys may also be used for awarding
34 grants and monitoring the progress of projects.

35 Sec. 46. Section 466A.5, Code 2011, is amended to
36 read as follows:

37 **466A.5 Administration.**

38 The soil conservation division of the department
39 of agriculture and land stewardship shall provide
40 administrative support to the board. Not more than one
41 percent of the total moneys deposited in the general
42 account of the watershed improvement fund on July 1 of
43 a fiscal year or fifty thousand dollars, whichever is
44 less, is appropriated each fiscal year to the division
45 for the purposes of assisting the watershed improvement
46 review board in administering this chapter.

47 **DIVISION XV**

48 **DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP**

49 **GENERAL APPROPRIATIONS FOR FY 2012-2013**

50 **Sec. 47. GENERAL FUND — DEPARTMENT.**

1 1. There is appropriated from the general fund of
2 the state to the department of agriculture and land
3 stewardship for the fiscal year beginning July 1, 2012,
4 and ending June 30, 2013, the following amount, or
5 so much thereof as is necessary, to be used for the
6 purposes designated:

7 For purposes of supporting the department, including
8 its divisions, for administration, regulation, and
9 programs; for salaries, support, maintenance, and
10 miscellaneous purposes; and for not more than the
11 following full-time equivalent positions:

12 \$ 8,343,252
13 FTEs 347.00

14 2. The department shall submit a report each
15 quarter of the fiscal year to the legislative services
16 agency, the department of management, the members of
17 the joint appropriations subcommittee on agriculture
18 and natural resources, and the chairpersons and
19 ranking members of the senate and house committees on
20 appropriations. The report shall describe in detail
21 the expenditure of moneys appropriated in this section
22 to support the department's administration, regulation,
23 and programs.

24 3. Of the amount appropriated in this section,
25 \$119,000 is transferred to Iowa state university of
26 science and technology, to be used for the university's
27 midwest grape and wine industry institute.

28 DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

29 Sec. 48. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
30 HORSE AND DOG RACING. There is appropriated from the
31 moneys available under section 99D.13 to the department
32 of agriculture and land stewardship for the fiscal year
33 beginning July 1, 2012, and ending June 30, 2013, the
34 following amount, or so much thereof as is necessary,
35 to be used for the purposes designated:

36 For purposes of supporting the department's
37 administration and enforcement of horse and dog racing
38 law pursuant to section 99D.22, including for salaries,
39 support, maintenance, and miscellaneous purposes:
40 \$ 152,758

41 DESIGNATED APPROPRIATIONS — MOTOR FUEL

42 Sec. 49. RENEWABLE FUEL INFRASTRUCTURE FUND —
43 MOTOR FUEL INSPECTION. There is appropriated from
44 the renewable fuel infrastructure fund created in
45 section 15G.205 to the department of agriculture and
46 land stewardship for the fiscal year beginning July 1,
47 2012, and ending June 30, 2013, the following amount,
48 or so much thereof as is necessary, to be used for the
49 purposes designated:

50 For purposes of the inspection of motor fuel,

1 including salaries, support, maintenance, and
2 miscellaneous purposes:

3 \$ 250,000

4 The department shall establish and administer
5 programs for the auditing of motor fuel including
6 biofuel processing and production plants, for screening
7 and testing motor fuel, including renewable fuel,
8 and for the inspection of motor fuel sold by dealers
9 including retail dealers who sell and dispense motor
10 fuel from motor fuel pumps.

11 DESIGNATED APPROPRIATIONS — LOCAL FOOD AND FARM
12 COORDINATOR

13 Sec. 50. APPROPRIATION — DEPARTMENT OF AGRICULTURE
14 AND LAND STEWARDSHIP — LOCAL FOOD AND FARM PROGRAM
15 COORDINATOR.

16 1. There is appropriated from the general fund of
17 the state to the department of agriculture and land
18 stewardship for the fiscal year beginning July 1, 2012,
19 and ending June 30, 2013, the following amount, or
20 so much thereof as is necessary, to be used for the
21 purposes designated:

22 For purposes of supporting a local food and farm
23 program coordinator as provided in chapter 267A,
24 as enacted by this Act, for salaries, support,
25 maintenance, and miscellaneous purposes, and for not
26 more than the following full-time equivalent positions:
27 \$ 37,500
28 FTEs 1.00

29 2. The department shall enter into a cost-sharing
30 agreement with Iowa state university to support
31 the local food and farm program coordinator. The
32 coordinator shall be stationed at Iowa state university
33 as provided in chapter 267A, as enacted by this Act.

34 DESIGNATED APPROPRIATIONS — AGRICULTURAL EDUCATION

35 Sec. 51. AGRICULTURAL EDUCATION. There is
36 appropriated from the general fund of the state to the
37 department of agriculture and land stewardship for the
38 fiscal year beginning July 1, 2012, and ending June 30,
39 2013, the following amount, or so much thereof as is
40 necessary, to be used for the purposes designated:

41 For purposes of allocating moneys to an Iowa
42 association affiliated with a national organization
43 which promotes agricultural education providing for
44 future farmers:
45 \$ 12,500

46 DIVISION XVI
47 DEPARTMENT OF NATURAL RESOURCES
48 GENERAL APPROPRIATIONS FOR FY 2012-2013

49 Sec. 52. GENERAL FUND — DEPARTMENT.

50 1. There is appropriated from the general fund of

1 the state to the department of natural resources for
2 the fiscal year beginning July 1, 2012, and ending June
3 30, 2013, the following amount, or so much thereof as
4 is necessary, to be used for the purposes designated:

5 For purposes of supporting the department, including
6 its divisions, for administration, regulation, and
7 programs; for salaries, support, maintenance, and
8 miscellaneous purposes; and for not more than the
9 following full-time equivalent positions:

10 \$ 6,145,844
11 FTEs 1,145.95

12 2. Of the number of full-time equivalent positions
13 authorized to the department pursuant to subsection 1,
14 50.00 full-time equivalent positions shall be allocated
15 by the department for seasonal employees for purposes
16 of providing maintenance, upkeep, and sanitary services
17 at state parks.

18 3. The department shall submit a report each
19 quarter of the fiscal year to the legislative services
20 agency, the department of management, the members of
21 the joint appropriations subcommittee on agriculture
22 and natural resources, and the chairpersons and
23 ranking members of the senate and house committees on
24 appropriations. The report shall describe in detail
25 the expenditure of moneys appropriated under this
26 section to support the department's administration,
27 regulation, and programs.

28 Sec. 53. STATE FISH AND GAME PROTECTION FUND —
29 DIVISION OF FISH AND WILDLIFE.

30 1. There is appropriated from the state fish and
31 game protection fund to the department of natural
32 resources for the fiscal year beginning July 1, 2012,
33 and ending June 30, 2013, the following amount, or
34 so much thereof as is necessary, to be used for the
35 purposes designated:

36 For purposes of supporting the division of fish and
37 wildlife, including for administration, regulation,
38 and programs; and for salaries, support, maintenance,
39 equipment, and miscellaneous purposes:

40 \$ 19,396,577

41 2. Notwithstanding section 455A.10, the department
42 may use the unappropriated balance remaining in the
43 state fish and game protection fund to provide for the
44 funding of health and life insurance premium payments
45 from unused sick leave balances of conservation peace
46 officers employed in a protection occupation who
47 retire, pursuant to section 97B.49B.

48 3. Notwithstanding section 455A.10, the department
49 of natural resources may use the unappropriated
50 balance remaining in the state fish and game protection

1 fund for the fiscal year beginning July 1, 2012,
2 and ending June 30, 2013, as is necessary to fund
3 salary adjustments for departmental employees which
4 the general assembly has made an operating budget
5 appropriation for in subsection 1.

6 Sec. 54. GROUNDWATER PROTECTION FUND — WATER
7 QUALITY. There is appropriated from the groundwater
8 protection fund created in section 455E.11 to the
9 department of natural resources for the fiscal year
10 beginning July 1, 2012, and ending June 30, 2013, from
11 those moneys which are not allocated pursuant to that
12 section, the following amount, or so much thereof as is
13 necessary, to be used for the purposes designated:

14 For purposes of supporting the department's
15 protection of the state's groundwater, including
16 for administration, regulation, and programs, and
17 for salaries, support, maintenance, equipment, and
18 miscellaneous purposes:
19 \$ 1,727,916

20 DESIGNATED APPROPRIATIONS — MISCELLANEOUS

21 Sec. 55. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
22 PROGRAM. There is appropriated from the special
23 snowmobile fund created under section 321G.7 to the
24 department of natural resources for the fiscal year
25 beginning July 1, 2012, and ending June 30, 2013, the
26 following amount, or so much thereof as is necessary,
27 to be used for the purpose designated:

28 For purposes of administering and enforcing the
29 state snowmobile programs:
30 \$ 50,000

31 Sec. 56. UNASSIGNED REVENUE FUND — UNDERGROUND
32 STORAGE TANK SECTION EXPENSES. There is appropriated
33 from the unassigned revenue fund administered by the
34 Iowa comprehensive underground storage tank fund
35 board to the department of natural resources for the
36 fiscal year beginning July 1, 2012, and ending June 30,
37 2013, the following amount, or so much thereof as is
38 necessary, to be used for the purpose designated:

39 For purposes of paying for administration expenses
40 of the department's underground storage tank section:
41 \$ 100,000

42 Sec. 57. STORM WATER DISCHARGE PERMIT FEES —
43 SUPPORT FOR SPECIAL PURPOSES. Notwithstanding any
44 contrary provision of state law, for the fiscal year
45 beginning July 1, 2012, and ending June 30, 2013, the
46 department of natural resources may use additional
47 moneys available to the department collected from
48 storm water discharge permit fees as provided in
49 sections 455B.103A and 455B.197 for the staffing of the
50 following additional full-time equivalent positions for

1 the purposes designated:
 2 1. For purposes of reducing the department's
 3 floodplain permit backlog:
 4 FTEs 2.00
 5 2. For purposes of implementing the federal total
 6 maximum daily load program:
 7 FTEs 2.00

8 DIVISION XVII
 9 IOWA STATE UNIVERSITY
 10 APPROPRIATION FOR FY 2012-2013

11 Sec. 58. GENERAL FUND — VETERINARY DIAGNOSTIC
 12 LABORATORY.

13 1. There is appropriated from the general fund
 14 of the state to Iowa state university of science and
 15 technology for the fiscal year beginning July 1, 2012,
 16 and ending June 30, 2013, the following amount, or
 17 so much thereof as is necessary, to be used for the
 18 purposes designated:

19 For purposes of supporting the college of veterinary
 20 medicine for the operation of the veterinary diagnostic
 21 laboratory and for not more than the following
 22 full-time equivalent positions:
 23 \$ 1,618,818
 24 FTEs 50.00

25 2. a. Iowa state university of science and
 26 technology shall not reduce the amount that it
 27 allocates to support the college of veterinary medicine
 28 from any other source due to the appropriation made in
 29 this section.

30 b. Paragraph "a" does not apply to a reduction made
 31 to support the college of veterinary medicine, if the
 32 same percentage of reduction imposed on the college
 33 of veterinary medicine is also imposed on all of Iowa
 34 state university's budget units.

35 3. If by June 30, 2013, Iowa state university
 36 of science and technology fails to allocate the
 37 moneys appropriated in this section to the college of
 38 veterinary medicine in accordance with this section,
 39 the moneys appropriated in this section for that fiscal
 40 year shall revert to the general fund of the state.

41 Sec. 59. VETERINARY DIAGNOSTIC LABORATORY —
 42 FUTURE YEAR. This section applies if appropriations
 43 made in this Act and all other Acts enacted by the
 44 Eighty-fourth General Assembly during the 2012 regular
 45 session and all extraordinary sessions, for the
 46 fiscal year beginning July 1, 2012, and ending June
 47 30, 2013, for purposes of supporting the operation
 48 of the veterinary diagnostic laboratory associated
 49 with the college of veterinary medicine at Iowa state
 50 university, total less than \$4,000,000. It is the

1 intent of the general assembly that the amount of any
2 deficit will be appropriated by the general assembly
3 during its 2013 regular session for purposes of
4 supporting the operation of the veterinary diagnostic
5 laboratory for the fiscal year beginning July 1, 2013,
6 and ending June 30, 2014.

7 DIVISION XVIII

8 ENVIRONMENT FIRST FUND

9 GENERAL APPROPRIATIONS FOR FY 2012-2013

10 Sec. 60. DEPARTMENT OF AGRICULTURE AND LAND

11 STEWARDSHIP. There is appropriated from the
12 environment first fund created in section 8.57A to the
13 department of agriculture and land stewardship for the
14 fiscal year beginning July 1, 2012, and ending June 30,
15 2013, the following amounts, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

18 a. For the conservation reserve enhancement program
19 to restore and construct wetlands for the purposes of
20 intercepting tile line runoff, reducing nutrient loss,
21 improving water quality, and enhancing agricultural
22 production practices:

23 \$ 500,000

24 b. Not more than 10 percent of the moneys
25 appropriated in paragraph "a" may be used for costs of
26 administration and implementation of soil and water
27 conservation practices.

28 c. Notwithstanding any other provision in law,
29 the department may provide state resources from this
30 appropriation, in combination with other appropriate
31 environment first fund appropriations, for cost sharing
32 to match United States department of agriculture,
33 natural resources conservation service, wetlands
34 reserve enhancement program (WREP) funding available
35 to Iowa.

36 2. WATERSHED PROTECTION

37 a. For continuation of a program that provides
38 multiobjective resource protections for flood control,
39 water quality, erosion control, and natural resource
40 conservation:

41 \$ 450,000

42 b. Not more than 10 percent of the moneys
43 appropriated in paragraph "a" may be used for costs of
44 administration and implementation of soil and water
45 conservation practices.

46 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

47 a. For continuation of a statewide voluntary farm
48 management demonstration program to demonstrate the
49 effectiveness and adaptability of emerging practices in
50 agronomy that protect water resources and provide other

1 environmental benefits:
2 \$ 262,500
3 b. Not more than 10 percent of the moneys
4 appropriated in paragraph "a" may be used for costs of
5 administration and implementation of soil and water
6 conservation practices.
7 c. The department of agriculture and land
8 stewardship shall allocate an amount of moneys
9 appropriated in paragraph "a" to an organization
10 representing soybean growers for purposes of supporting
11 an agriculture and environment performance program in
12 order to carry out the purposes of this subsection as
13 specified in paragraph "a". The amount of the moneys
14 allocated shall be determined by the secretary of
15 agriculture.

16 4. SOIL AND WATER CONSERVATION — ADMINISTRATION
17 For use by the department for costs of
18 administration and implementation of soil and water
19 conservation practices:
20 \$ 1,000,000

21 5. CONSERVATION RESERVE PROGRAM (CRP)
22 a. To encourage and assist farmers in enrolling
23 in and the implementation of the federal conservation
24 reserve program and to work with them to enhance their
25 revegetation efforts to improve water quality and
26 habitat:
27 \$ 500,000

28 b. Not more than 10 percent of the moneys
29 appropriated in paragraph "a" may be used for costs of
30 administration and implementation of soil and water
31 conservation practices.

32 6. SOIL AND WATER CONSERVATION
33 a. For use by the department in providing for soil
34 and water conservation administration, the conservation
35 of soil and water resources, or the support of soil and
36 water conservation district commissioners:
37 \$ 3,150,000

38 b. Not more than 5 percent of the moneys
39 appropriated in paragraph "a" may be allocated for
40 cost sharing to address complaints filed under section
41 161A.47.

42 c. Of the moneys appropriated in paragraph "a",
43 5 percent shall be allocated for financial incentives
44 to establish practices to protect watersheds above
45 publicly owned lakes of the state from soil erosion and
46 sediment as provided in section 161A.73.

47 d. Not more than 30 percent of a soil and water
48 conservation district's allocation of moneys as
49 financial incentives may be provided for the purpose
50 of establishing management practices to control soil

1 erosion on land that is row cropped, including but
2 not limited to no-till planting, ridge-till planting,
3 contouring, and contour strip-cropping as provided in
4 section 161A.73.

5 e. The state soil conservation committee
6 established by section 161A.4 may allocate moneys
7 appropriated in paragraph "a" to conduct research and
8 demonstration projects to promote conservation tillage
9 and nonpoint source pollution control practices.

10 f. The allocation of moneys as financial incentives
11 as provided in section 161A.73 may be used in
12 combination with moneys allocated by the department of
13 natural resources.

14 g. Not more than 15 percent of the moneys
15 appropriated in paragraph "a" may be used for costs of
16 administration and implementation of soil and water
17 conservation practices.

18 h. In lieu of moneys appropriated in section
19 466A.5, not more than \$50,000 of the moneys
20 appropriated in paragraph "a" shall be used by the soil
21 conservation division of the department of agriculture
22 and land stewardship to provide administrative support
23 to the watershed improvement review board established
24 in section 466A.3.

25 Sec. 61. DEPARTMENT OF NATURAL RESOURCES. There is
26 appropriated from the environment first fund created in
27 section 8.57A to the department of natural resources
28 for the fiscal year beginning July 1, 2012, and ending
29 June 30, 2013, the following amounts, or so much
30 thereof as is necessary, to be used for the purposes
31 designated:

32 1. KEEPERS OF THE LAND

33 For statewide coordination of volunteer efforts
34 under the water quality and keepers of the land
35 programs:

36 \$ 50,000

37 2. STATE PARKS MAINTENANCE AND OPERATIONS

38 For regular maintenance of state parks and staff
39 time associated with these activities:

40 \$ 1,705,000

41 3. FORESTRY HEALTH MANAGEMENT

42 To provide for forestry health management programs:

43 \$ 50,000

44 4. GEOGRAPHIC INFORMATION SYSTEM (GIS)

45 To provide local watershed managers with geographic
46 information system data for their use in developing,
47 monitoring, and displaying results of their watershed
48 work:

49 \$ 97,500

50 5. WATER QUALITY MONITORING

1 For continuing the establishment and operation of
2 water quality monitoring stations:
3 \$ 1,477,500
4 6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
5 For deposit in the public water supply system
6 account of the water quality protection fund created
7 in section 455B.183A:
8 \$ 250,000
9 7. REGULATION OF ANIMAL FEEDING OPERATIONS
10 For the regulation of animal feeding operations,
11 including as provided for in chapters 459 through 459B:
12 \$ 260,000
13 8. AMBIENT AIR QUALITY
14 For the abatement, control, and prevention of
15 ambient air pollution in this state, including measures
16 as necessary to assure attainment and maintenance of
17 ambient air quality standards from particulate matter:
18 \$ 212,500
19 9. WATER QUANTITY REGULATION
20 For regulating water quantity from surface and
21 subsurface sources by providing for the allocation and
22 use of water resources, the protection and management
23 of water resources, and the preclusion of conflicts
24 among users of water resources, including as provided
25 in chapter 455B, division III, part 4:
26 \$ 247,500
27 10. GEOLOGICAL AND WATER SURVEY
28 For continuing the operations of the department's
29 geological and water survey including but not limited
30 to providing analysis, data collection, investigative
31 programs, and information for water supply development
32 and protection:
33 \$ 100,000

34 Sec. 62. REVERSION. Notwithstanding section 8.33,
35 moneys appropriated for the fiscal year beginning
36 July 1, 2012, in this division of this Act that remain
37 unencumbered or unobligated at the close of the fiscal
38 year shall not revert but shall remain available to
39 be used for the purposes designated until the close
40 of the fiscal year beginning July 1, 2013, or until
41 the project for which the appropriation was made is
42 completed, whichever is earlier.

43 DIVISION XIX
44 RESOURCES ENHANCEMENT AND PROTECTION
45 (REAP) FUND FOR FY 2012-2013
46 GENERAL APPROPRIATIONS

47 Sec. 63. ENVIRONMENT FIRST FUND. Notwithstanding
48 the amount of the standing appropriation from the
49 general fund of the state to the Iowa resources
50 enhancement and protection fund as provided in section

1 455A.18, there is appropriated from the environment
2 first fund created in section 8.57A to the Iowa
3 resources enhancement and protection fund, in lieu of
4 the appropriation made in section 455A.18, for the
5 fiscal year beginning July 1, 2012, and ending June 30,
6 2013, the following amount, to be allocated as provided
7 in section 455A.19:

8 \$ 15,000,000

9 DIVISION XX

10 CONDITIONAL RETROACTIVE APPLICABILITY

11 Sec. 64. EFFECTIVE DATE AND RETROACTIVE

12 APPLICABILITY. Unless otherwise provided, this Act,
13 if approved by the governor on or after July 1, 2011,
14 takes effect upon enactment and applies retroactively
15 to July 1, 2011.>

16 2. Title page, line 4, after <effective date> by
17 inserting <and retroactive and other applicability>

18 3. By renumbering as necessary.>

DENNIS H. BLACK