

Senate Amendment to
House Amendment to
Senate File 609

H-1268

1 Amend the House amendment, S-3171, to Senate File 609, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 5, through page 24, line 1, and
4 inserting:

5 <<DIVISION I

6 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

7 GENERAL APPROPRIATION

8 Section 1. GENERAL FUND — DEPARTMENT.

9 1. There is appropriated from the general fund of the state
10 to the department of agriculture and land stewardship for the
11 fiscal year beginning July 1, 2019, and ending June 30, 2020,
12 the following amount, or so much thereof as is necessary, to be
13 used for the purposes designated:

14 For purposes of supporting the department, including its
15 divisions, for administration, regulation, and programs; for
16 salaries, support, maintenance, and miscellaneous purposes; and
17 for not more than the following full-time equivalent positions:
18 \$ 18,327,339
19 FTEs 372.00

20 2. Of the amount appropriated in subsection 1, the following
21 amount is transferred to Iowa state university of science and
22 technology, to be used for the university's midwest grape and
23 wine industry institute:

24 \$ 288,000

25 3. a. Of the amount appropriated in subsection 1, the
26 following amount is transferred to Iowa state university of
27 science and technology to be used for purposes of supporting
28 the college of veterinary medicine for the operation of the
29 veterinary diagnostic laboratory:

30 \$ 200,000

31 b. The amount transferred in paragraph "a" is contingent on
32 the enactment of 2019 Iowa Acts, Senate File 601, or successor
33 legislation.

34 4. The department shall submit a report each quarter of the
35 fiscal year to the legislative services agency, the department

1 to the department of agriculture and land stewardship for the
2 fiscal year beginning July 1, 2019, and ending June 30, 2020,
3 the following amount, or so much thereof as is necessary, to be
4 used for the purposes designated:

5 For purposes of performing functions pursuant to section
6 192.109, including conducting a survey of grade "A" milk and
7 certifying the results to the secretary of agriculture:
8 \$ 189,196

9 2. Notwithstanding [section 8.33](#), moneys appropriated in
10 this section that remain unencumbered or unobligated at the
11 close of the fiscal year shall not revert but shall remain
12 available to be used for the purposes designated until the
13 close of the succeeding fiscal year.

14 Sec. 5. LOCAL FOOD AND FARM PROGRAM.

15 1. There is appropriated from the general fund of the state
16 to the department of agriculture and land stewardship for the
17 fiscal year beginning July 1, 2019, and ending June 30, 2020,
18 the following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 For purposes of supporting the local food and farm program
21 pursuant to [chapter 267A](#):
22 \$ 75,000

23 2. The department shall enter into a cost-sharing agreement
24 with Iowa state university of science and technology to support
25 the local food and farm program coordinator position as part of
26 the university's cooperative extension service in agriculture
27 and home economics pursuant to [chapter 267A](#).

28 3. Notwithstanding [section 8.33](#), moneys appropriated in
29 this section that remain unencumbered or unobligated at the
30 close of the fiscal year shall not revert but shall remain
31 available to be used for the purposes designated until the
32 close of the succeeding fiscal year.

33 Sec. 6. AGRICULTURAL EDUCATION.

34 1. There is appropriated from the general fund of the state
35 to the department of agriculture and land stewardship for the

1 fiscal year beginning July 1, 2019, and ending June 30, 2020,
2 the following amount, or so much thereof as is necessary, to be
3 used for the purposes designated:

4 For purposes of allocating moneys to an Iowa association
5 affiliated with a national organization which promotes
6 agricultural education providing for future farmers:
7 \$ 25,000

8 2. Notwithstanding [section 8.33](#), moneys appropriated in
9 this section that remain unencumbered or unobligated at the
10 close of the fiscal year shall not revert but shall remain
11 available to be used for the purposes designated until the
12 close of the succeeding fiscal year.

13 Sec. 7. FOREIGN ANIMAL DISEASES AFFLICTING LIVESTOCK.
14 There is appropriated from the general fund of the state to the
15 department of agriculture and land stewardship for the fiscal
16 year beginning July 1, 2019, and ending June 30, 2020, the
17 following amount, or so much thereof as is necessary, to be
18 used for the purposes designated:

19 For deposit in the foreign animal disease preparedness and
20 response fund created in [section 163.3B](#):
21 \$ 500,000

22 Sec. 8. FARMERS WITH DISABILITIES PROGRAM.

23 1. There is appropriated from the general fund of the state
24 to the department of agriculture and land stewardship for the
25 fiscal year beginning July 1, 2019, and ending June 30, 2020,
26 the following amount, or so much thereof as is necessary, to be
27 used for the purposes designated:

28 For purposes of supporting a program for farmers with
29 disabilities:
30 \$ 180,000

31 2. The moneys appropriated in subsection 1 shall be used for
32 the public purpose of providing a grant to a national nonprofit
33 organization with over 80 years of experience in assisting
34 children and adults with disabilities and special needs. The
35 moneys shall be used to support a nationally recognized program

1 that began in 1986 and has been replicated in at least 30 other
2 states, but which is not available through any other entity
3 in this state, and that provides assistance to farmers with
4 disabilities in all 99 counties to allow the farmers to remain
5 in their own homes and be gainfully engaged in farming through
6 provision of agricultural worksite and home modification
7 consultations, peer support services, services to families,
8 information and referral, and equipment loan services.

9 3. Notwithstanding [section 8.33](#), moneys appropriated in
10 this section that remain unencumbered or unobligated at the
11 close of the fiscal year shall not revert but shall remain
12 available for expenditure for the purposes designated until the
13 close of the succeeding fiscal year.

14 Sec. 9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND —
15 HUNGRY CANYONS ACCOUNT.

16 1. There is appropriated from the general fund of the state
17 to the department of agriculture and land stewardship for the
18 fiscal year beginning July 1, 2019, and ending June 30, 2020,
19 the following amount, or so much thereof as is necessary, to be
20 used for the purposes designated:

21 For deposit in the hungry canyons account of the loess hills
22 development and conservation fund created pursuant to section
23 161D.2:

24 \$ 50,000

25 2. Not more than 10 percent of the moneys appropriated to
26 the hungry canyons account as provided in subsection 1 may be
27 used for administrative costs.

28 Sec. 10. AGRICULTURAL DRAINAGE WELL CLOSURES.

29 1. There is appropriated from the general fund of the state
30 to the department of agriculture and land stewardship for the
31 fiscal year beginning July 1, 2019, and ending June 30, 2020,
32 the following amount, or so much thereof as is necessary, to be
33 used for the purposes designated:

34 For deposit in the agricultural drainage well water quality
35 assistance fund created in section 460.303 for purposes

1 of supporting the agricultural drainage well water quality
2 assistance program as provided in section 460.304:
3 \$ 1,875,000

4 2. Not more than 10 percent of the moneys appropriated
5 in subsection 1 may be used for costs of administration and
6 implementation of soil conservation practices.

7 DIVISION II

8 MONEYS CREDITED TO THE WATERSHED IMPROVEMENT FUND

9 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

10 Sec. 11. FARM MANAGEMENT DEMONSTRATION PROGRAM.

11 1. Notwithstanding 2017 Iowa Acts, chapter 168, section
12 22, as amended by 2017 Iowa Acts, chapter 170, section 42,
13 of the moneys credited to the watershed improvement fund
14 that are unencumbered or unobligated and managed by and
15 otherwise appropriated to the department of agriculture and
16 land stewardship pursuant to those sections, including any of
17 these moneys transferred to the department, the department
18 shall expend the following amount, or so much thereof as is
19 necessary, for the fiscal year beginning July 1, 2019, and
20 ending June 30, 2020, for the purpose designated:

21 2. For the continuation of a statewide voluntary
22 farm management demonstration program to demonstrate the
23 effectiveness and adaptability of emerging practices in
24 agronomy that protect water resources and provide other
25 environmental benefits:
26 \$ 100,000

27 3. The amount required to be expended by the department of
28 agriculture and land stewardship pursuant to subsection 1 shall
29 be allocated by the department to an organization representing
30 soybean growers to provide for an agriculture and environment
31 performance program in the same manner as enacted in 2017 Iowa
32 Acts, chapter 168, section 17, subsection 3.

33 Sec. 12. WATER QUALITY INITIATIVE.

34 1. Notwithstanding 2017 Iowa Acts, chapter 168, section
35 22, as amended by 2017 Iowa Acts, chapter 170, section 42, of

1 the moneys credited to the watershed improvement fund that
2 are unencumbered or unobligated and managed by and otherwise
3 appropriated to the department of agriculture and land
4 stewardship pursuant to those sections, including any of those
5 moneys transferred to the department, the department shall
6 deposit the following amount in the water quality initiative
7 fund created in section 466B.45 for the fiscal year beginning
8 July 1, 2019, and ending June 30, 2020, to be used for the
9 purposes designated:

10 For purposes of supporting the water quality initiative
11 administered by the division of soil conservation and water
12 quality as provided in section 466B.42, including salaries,
13 support, maintenance, and miscellaneous purposes:

14 \$ 1,600,000

15 2. a. The moneys appropriated in subsection 1 shall be
16 used to support projects in subwatersheds as designated by the
17 division that are part of high-priority watersheds identified
18 by the water resources coordinating council established
19 pursuant to [section 466B.3](#).

20 b. The moneys appropriated in subsection 1 shall be used to
21 support projects in watersheds generally, including regional
22 watersheds, as designated by the division and high-priority
23 watersheds identified by the water resources coordinating
24 council established pursuant to section 466B.3.

25 3. In supporting projects in subwatersheds and watersheds
26 as provided in subsection 2, all of the following shall apply:

27 a. The demonstration projects shall utilize water quality
28 practices as described in the Iowa nutrient reduction strategy
29 as defined in [section 455B.171](#).

30 b. The division shall implement demonstration projects as
31 provided in paragraph "a" by providing for participation by
32 persons who hold a legal interest in agricultural land used in
33 farming. To every extent practical, the division shall provide
34 for collaborative participation by such persons who hold a
35 legal interest in agricultural land located within the same

1 subwatershed.

2 c. The division shall implement a demonstration project on
3 a cost-share basis as determined by the division. However,
4 except for edge-of-field practices, the state's share of the
5 amount shall not exceed 50 percent of the estimated cost of
6 establishing the practice as determined by the division or
7 50 percent of the actual cost of establishing the practice,
8 whichever is less.

9 d. The demonstration projects shall be used to educate other
10 persons about the feasibility and value of establishing similar
11 water quality practices. The division shall promote field day
12 events for purposes of allowing interested persons to establish
13 water quality practices on their agricultural land.

14 e. The division shall conduct water quality evaluations
15 within supported subwatersheds. Within a reasonable period
16 after accumulating information from such evaluations, the
17 division shall create an aggregated database of water quality
18 practices. Any information identifying a person holding a
19 legal interest in agricultural land or specific agricultural
20 land shall be a confidential record under [section 22.7](#).

21 4. The moneys appropriated in subsection 1 shall be used
22 to support education and outreach in a manner that encourages
23 persons who hold a legal interest in agricultural land used for
24 farming to implement water quality practices, including the
25 establishment of such practices in watersheds generally, and
26 not limited to subwatersheds or high-priority watersheds.

27 5. The moneys appropriated in subsection 1 may be used
28 to contract with persons to coordinate the implementation of
29 efforts provided in this section.

30 6. The moneys appropriated in subsection 1 may be used by
31 the department to support urban soil and water conservation
32 efforts, which may include but are not limited to management
33 practices related to bioretention, landscaping, the use of
34 permeable or pervious pavement, and soil quality restoration.
35 The moneys shall be allocated on a cost-share basis as provided

1 in chapter 161A.

2 7. Notwithstanding any other provision of law to the
3 contrary, the department may use moneys appropriated in
4 subsection 1 to carry out the provisions of this section on a
5 cost-share basis in combination with other moneys available to
6 the department from a state or federal source.

7 8. Not more than 10 percent of the moneys appropriated in
8 this section may be used to pay for the costs of administering
9 and implementing the water quality initiative by the
10 department's division of soil conservation and water quality as
11 provided in section 466B.42 and this section.

12 DIVISION III

13 GENERAL FUND

14 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

15 WATER QUALITY INITIATIVE

16 Sec. 13. WATER QUALITY INITIATIVE — GENERAL.

17 1. There is appropriated from the general fund of the state
18 to the department of agriculture and land stewardship for the
19 fiscal year beginning July 1, 2019, and ending June 30, 2020,
20 the following amount, or so much thereof as is necessary, to be
21 used for the purposes designated:

22 For deposit in the water quality initiative fund created in
23 section 466B.45, for purposes of supporting the water quality
24 initiative administered by the division of soil conservation
25 and water quality as provided in [section 466B.42](#), including
26 salaries, support, maintenance, and miscellaneous purposes:
27 \$ 3,000,000

28 2. a. The moneys appropriated in subsection 1 shall be
29 used to support projects in subwatersheds as designated by the
30 division that are part of high-priority watersheds identified
31 by the water resources coordinating council established
32 pursuant to [section 466B.3](#).

33 b. The moneys appropriated in subsection 1 shall be used to
34 support projects in watersheds generally, including regional
35 watersheds, as designated by the division and high-priority

1 watersheds identified by the water resources coordinating
2 council established pursuant to section 466B.3.

3 3. In supporting projects in subwatersheds and watersheds
4 as provided in subsection 2, all of the following shall apply:

5 a. The demonstration projects shall utilize water quality
6 practices as described in the Iowa nutrient reduction strategy
7 as defined in [section 455B.171](#).

8 b. The division shall implement demonstration projects as
9 provided in paragraph "a" by providing for participation by
10 persons who hold a legal interest in agricultural land used in
11 farming. To every extent practical, the division shall provide
12 for collaborative participation by such persons who hold a
13 legal interest in agricultural land located within the same
14 subwatershed.

15 c. The division shall implement a demonstration project on
16 a cost-share basis as determined by the division. However,
17 except for edge-of-field practices, the state's share of the
18 amount shall not exceed 50 percent of the estimated cost of
19 establishing the practice as determined by the division or
20 50 percent of the actual cost of establishing the practice,
21 whichever is less.

22 d. The demonstration projects shall be used to educate other
23 persons about the feasibility and value of establishing similar
24 water quality practices. The division shall promote field day
25 events for purposes of allowing interested persons to establish
26 water quality practices on their agricultural land.

27 e. The division shall conduct water quality evaluations
28 within supported subwatersheds. Within a reasonable period
29 after accumulating information from such evaluations, the
30 division shall create an aggregated database of water quality
31 practices. Any information identifying a person holding a
32 legal interest in agricultural land or specific agricultural
33 land shall be a confidential record under [section 22.7](#).

34 4. The moneys appropriated in subsection 1 shall be used
35 to support education and outreach in a manner that encourages

1 persons who hold a legal interest in agricultural land used for
2 farming to implement water quality practices, including the
3 establishment of such practices in watersheds generally, and
4 not limited to subwatersheds or high-priority watersheds.

5 5. The moneys appropriated in subsection 1 may be used
6 to contract with persons to coordinate the implementation of
7 efforts provided in this section.

8 6. The moneys appropriated in subsection 1 may be used by
9 the department to support urban soil and water conservation
10 efforts, which may include but are not limited to management
11 practices related to bioretention, landscaping, the use of
12 permeable or pervious pavement, and soil quality restoration.
13 The moneys shall be allocated on a cost-share basis as provided
14 in chapter 161A.

15 7. Notwithstanding any other provision of law to the
16 contrary, the department may use moneys appropriated in
17 subsection 1 to carry out the provisions of this section on a
18 cost-share basis in combination with other moneys available to
19 the department from a state or federal source.

20 8. Not more than 10 percent of the moneys appropriated in
21 this section may be used to pay for the costs of administering
22 and implementing the water quality initiative by the
23 department's division of soil conservation and water quality as
24 provided in section 466B.42 and this section.

25 DIVISION IV

26 DEPARTMENT OF NATURAL RESOURCES

27 Sec. 14. GENERAL FUND — DEPARTMENT.

28 1. There is appropriated from the general fund of the state
29 to the department of natural resources for the fiscal year
30 beginning July 1, 2019, and ending June 30, 2020, the following
31 amount, or so much thereof as is necessary, to be used for the
32 purposes designated:

33 For purposes of supporting the department, including its
34 divisions, for administration, regulation, and programs; for
35 salaries, support, maintenance, and miscellaneous purposes; and

1 for not more than the following full-time equivalent positions:
2 \$ 11,920,987
3 FTEs 1,145.95

4 2. Of the number of full-time equivalent positions
5 authorized to the department pursuant to subsection 1, 50.00
6 full-time equivalent positions shall be allocated by the
7 department for seasonal employees for purposes of providing
8 maintenance, upkeep, and sanitary services at state parks.
9 This subsection shall not impact park ranger or park manager
10 positions within the department.

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

20 Sec. 15. STATE FISH AND GAME PROTECTION FUND — REGULATION
21 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

22 1. There is appropriated from the state fish and game
23 protection fund created pursuant to section 456A.17 to the
24 department of natural resources for the fiscal year beginning
25 July 1, 2019, and ending June 30, 2020, the following amount,
26 or so much thereof as is necessary, to be used for the purposes
27 designated:

28 For purposes of supporting the regulation or advancement of
29 hunting, fishing, or trapping, or the protection, propagation,
30 restoration, management, or harvest of fish or wildlife,
31 including for administration, regulation, law enforcement, and
32 programs; and for salaries, support, maintenance, equipment,
33 and miscellaneous purposes:

34 \$ 44,007,044

35 2. Notwithstanding [section 455A.10](#), the department may use

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

6 3. Notwithstanding [section 455A.10](#), the department of
7 natural resources may use the unappropriated balance remaining
8 in the state fish and game protection fund for the fiscal
9 year beginning July 1, 2019, and ending June 30, 2020, as is
10 necessary to fund salary adjustments for departmental employees
11 for which the general assembly has made an operating budget
12 appropriation in subsection 1.

13 Sec. 16. GROUNDWATER PROTECTION FUND — WATER
14 QUALITY. There is appropriated from the groundwater protection
15 fund created in [section 455E.11](#) to the department of natural
16 resources for the fiscal year beginning July 1, 2019,
17 and ending June 30, 2020, from those moneys which are not
18 allocated pursuant to that section, the following amount, or
19 so much thereof as is necessary, to be used for the purposes
20 designated:

21 For purposes of supporting the department's protection
22 of the state's groundwater, including for administration,
23 regulation, and programs, and for salaries, support,
24 maintenance, equipment, and miscellaneous purposes:
25 \$ 3,455,832

26 DESIGNATED APPROPRIATIONS

27 MISCELLANEOUS FUNDS

28 Sec. 17. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
29 PROGRAM. There is appropriated from the special snowmobile
30 fund created under [section 321G.7](#) to the department of natural
31 resources for the fiscal year beginning July 1, 2019, and
32 ending June 30, 2020, the following amount, or so much thereof
33 as is necessary, to be used for the purpose designated:

34 For purposes of administering and enforcing the state
35 snowmobile programs:

1 \$ 100,000

2 Sec. 18. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE

3 TANKS SECTION EXPENSES. There is appropriated from the
4 unassigned revenue fund administered by the Iowa comprehensive
5 petroleum underground storage tank fund board established
6 pursuant to section 455G.4 to the department of natural
7 resources for the fiscal year beginning July 1, 2019, and
8 ending June 30, 2020, the following amount, or so much thereof
9 as is necessary, to be used for the purpose designated:

10 For purposes of paying for administration expenses of the
11 department's underground storage tanks section:

12 \$ 200,000

13 SPECIAL APPROPRIATIONS

14 GENERAL FUND

15 Sec. 19. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

16 1. There is appropriated from the general fund of the state
17 to the department of natural resources for the fiscal year
18 beginning July 1, 2019, and ending June 30, 2020, the following
19 amount, or so much thereof as is necessary, to be used for the
20 purpose designated:

21 For purposes of supporting floodplain management and dam
22 safety:

23 \$ 1,510,000

24 2. Of the amount appropriated in subsection 1, up to
25 \$400,000 may be used by the department to acquire or install
26 stream gages for purposes of tracking and predicting flood
27 events and for compiling necessary data to improve flood
28 frequency analysis.

29 3. Notwithstanding [section 8.33](#), moneys appropriated in
30 subsection 1 that remain unencumbered or unobligated at the
31 close of the fiscal year shall not revert but shall remain
32 available for expenditure for the purposes designated until the
33 close of the succeeding fiscal year.

34 Sec. 20. FORESTRY HEALTH MANAGEMENT.

35 1. There is appropriated from the general fund of the state

1 to the department of natural resources for the fiscal year
2 beginning July 1, 2019, and ending June 30, 2020, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purposes designated:

5 For purposes of providing for forestry health management
6 programs:

7 \$ 500,000

8 2. Notwithstanding [section 8.33](#), moneys appropriated in
9 this section that remain unencumbered or unobligated at the
10 close of the fiscal year shall not revert but shall remain
11 available to be used for the purposes designated until the
12 close of the succeeding fiscal year.

13 DIVISION V

14 IOWA STATE UNIVERSITY

15 SPECIAL GENERAL FUND APPROPRIATION

16 VETERINARY DIAGNOSTIC LABORATORY

17 Sec. 21. VETERINARY DIAGNOSTIC LABORATORY.

18 1. There is appropriated from the general fund of the state
19 to Iowa state university of science and technology for the
20 fiscal year beginning July 1, 2019, and ending June 30, 2020,
21 the following amount, or so much thereof as is necessary, to be
22 used for the purposes designated:

23 For purposes of supporting the college of veterinary
24 medicine for the operation of the veterinary diagnostic
25 laboratory and for not more than the following full-time
26 equivalent positions:

27 \$ 4,400,000

28 FTEs 51.00

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

33 b. Paragraph "a" does not apply to a reduction made to
34 support the college of veterinary medicine, if the same
35 percentage of reduction imposed on the college of veterinary

1 medicine is also imposed on all of Iowa state university of
2 science and technology's budget units.

3 3. If by June 30, 2020, Iowa state university of science and
4 technology fails to allocate the moneys appropriated in this
5 section to the college of veterinary medicine in accordance
6 with this section, the moneys appropriated in this section for
7 that fiscal year shall revert to the general fund of the state.

8 DIVISION VI

9 STATE UNIVERSITY OF IOWA

10 SPECIAL GENERAL FUND APPROPRIATION

11 AGRICULTURAL SAFETY AND HEALTH

12 Sec. 22. IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH
13 (I-CASH).

14 1. There is appropriated from the general fund of the state
15 to the state university of Iowa for the fiscal year beginning
16 July 1, 2019, and ending June 30, 2020, the following amount,
17 or so much thereof as is necessary, to be used for the purposes
18 designated:

19 For supporting the operations of Iowa's center for
20 agricultural safety and health, as part of the university's
21 college of public health, and in cooperation with the
22 department of agriculture and land stewardship, to anticipate,
23 recognize, and prevent occupational illness and injury among
24 members of the agricultural community:

25 \$ 130,000

26 2. As a condition of the appropriation in subsection 1,
27 the state university of Iowa shall retain the director of
28 Iowa's center for agricultural safety and health employed on
29 the effective date of this Act for at least the same number of
30 hours for the fiscal year beginning July 1, 2019, as worked by
31 the director during the fiscal year beginning July 1, 2018.

32 3. The state university of Iowa shall not reduce the amount
33 allocated to support Iowa's center for agricultural safety from
34 any other source due to the appropriation made in this division
35 of this Act.

1 4. If by June 30, 2020, the state university of Iowa fails
2 to use the moneys appropriated in subsection 1 in accordance
3 with purposes and conditions of this section, any unencumbered
4 and unobligated moneys appropriated in subsection 1 for the
5 fiscal year beginning July 1, 2019, and ending June 30, 2020,
6 shall revert to the general fund of the state. In addition, if
7 moneys are required to be reverted pursuant to section 8.33,
8 the state university of Iowa shall transfer to the general
9 fund from any otherwise unencumbered and unobligated moneys
10 from any other general fund appropriation or from any moneys
11 available from other funding sources an amount equal to the
12 amount appropriated in subsection 1 less any amount reverted to
13 the general fund of the state pursuant to this subsection.

14 DIVISION VII

15 ENVIRONMENT FIRST FUND

16 GENERAL APPROPRIATIONS

17 Sec. 23. DEPARTMENT OF AGRICULTURE AND LAND
18 STEWARDSHIP. There is appropriated from the environment first
19 fund created in [section 8.57A](#) to the department of agriculture
20 and land stewardship for the fiscal year beginning July 1,
21 2019, and ending June 30, 2020, the following amounts, or so
22 much thereof as is necessary, to be used for the purposes
23 designated:

- 24 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
- 25 a. For the conservation reserve enhancement program to
26 restore and construct wetlands for the purposes of intercepting
27 tile line runoff, reducing nutrient loss, improving water
28 quality, and enhancing agricultural production practices:
29 \$ 1,000,000
- 30 b. Not more than 10 percent of the moneys appropriated
31 in paragraph "a" may be used for costs of administration and
32 implementation of soil and water conservation practices.
- 33 c. Notwithstanding any other provision in law, the
34 department may use moneys appropriated in this subsection,
35 in combination with other appropriate environment first

1 fund appropriations, for cost sharing to match United States
2 department of agriculture, natural resources conservation
3 service, wetlands reserve enhancement program (WREP) funding
4 available to Iowa.

5 2. WATERSHED PROTECTION

6 a. For continuation of a program that provides
7 multiobjective resource protections for flood control, water
8 quality, erosion control, and natural resource conservation:
9 \$ 900,000

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

13 3. SOIL AND WATER CONSERVATION — ADMINISTRATION

14 a. For use by the department for costs of administration and
15 implementation of soil and water conservation practices:
16 \$ 3,800,000

17 b. Of the moneys appropriated in paragraph "a", \$150,000
18 is allocated to support field staff providing technical
19 assistance.

20 4. CONSERVATION RESERVE PROGRAM (CRP)

21 a. To encourage and assist farmers in enrolling in and the
22 implementation of the federal conservation reserve program and
23 to work with them to enhance their revegetation efforts to
24 improve water quality and habitat:
25 \$ 900,000

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

29 5. SOIL AND WATER CONSERVATION

30 a. For use by the department in providing for soil and water
31 conservation:
32 \$ 8,325,000

33 b. (1) Of the amount appropriated in paragraph "a", for
34 transfer to the loess hills development and conservation fund
35 created in section 161D.2:

1 \$ 490,000

2 (2) (a) Of the amount transferred to the loess hills
3 development and conservation fund in subparagraph (1), \$450,000
4 shall be allocated to the fund's hungry canyons account.

5 (b) Not more than 10 percent of the moneys allocated to
6 the fund's hungry canyons account as provided in subparagraph
7 division (a) may be used for administrative costs.

8 (3) (a) Of the amount transferred to the loess hills
9 development and conservation fund in subparagraph (1), \$40,000
10 shall be allocated to the fund's loess hills alliance account.

11 (b) Not more than 10 percent of the moneys allocated to the
12 fund's loess hills alliance account as provided in subparagraph
13 division (a) may be used for administrative costs.

14 c. Of the remaining amount appropriated in paragraph "a",
15 for use by the department in providing for soil and water
16 conservation administration, the conservation of soil and
17 water resources, or the support of soil and water conservation
18 districts:

19 \$ 7,835,000

20 d. Of the amount appropriated in paragraph "c" that the
21 department allocates to a soil and water conservation district,
22 the first \$15,000 may be expended by the district for the
23 purpose of providing financial incentives under section 161A.73
24 to establish management practices for the control of soil
25 erosion on land that is row-cropped, including but not limited
26 to nontill planting, ridge-till planting, and contouring
27 strip-cropping. Of any remaining amount of that appropriation
28 allocated by the department to a district, 30 percent may be
29 expended by the district for that same purpose.

30 e. Not more than 5 percent of the moneys appropriated in
31 paragraph "c" may be allocated for cost sharing to address
32 complaints filed under [section 161A.47](#).

33 f. Of the moneys appropriated in paragraph "c", 5 percent
34 shall be allocated for financial incentives to establish
35 practices to protect watersheds above publicly owned lakes of

1 the state from soil erosion and sediment as provided in section
2 161A.73.

3 g. The state soil conservation and water quality committee
4 established by [section 161A.4](#) may allocate moneys appropriated
5 in paragraph "c" to conduct research and demonstration projects
6 to promote conservation tillage and nonpoint source pollution
7 control practices.

8 h. The allocation of moneys as financial incentives as
9 provided in [section 161A.73](#) may be used in combination with
10 moneys allocated by the department of natural resources.

11 i. Not more than 15 percent of the moneys appropriated
12 in paragraph "c" may be used for costs of administration and
13 implementation of soil and water conservation practices.

14 Sec. 24. DEPARTMENT OF NATURAL RESOURCES. There is
15 appropriated from the environment first fund created in section
16 8.57A to the department of natural resources for the fiscal
17 year beginning July 1, 2019, and ending June 30, 2020, the
18 following amounts, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 1. STATE PARKS MAINTENANCE AND OPERATIONS

21 a. For regular maintenance and operations of state parks and
22 staff time associated with these activities:

23 \$ 6,235,000

24 b. Of the amount appropriated in paragraph "a", up to
25 \$100,000 shall be allocated for statewide coordination of
26 volunteer efforts.

27 c. Of the amount appropriated in paragraph "a", the
28 department shall use \$250,000 to support up to 3.00 full-time
29 equivalent positions as state park rangers.

30 2. GEOGRAPHIC INFORMATION SYSTEM (GIS)

31 To provide local watershed managers with geographic
32 information system data for their use in developing,
33 monitoring, and displaying results of their watershed work:

34 \$ 195,000

35 3. WATER QUALITY MONITORING

1 For continuing the establishment and operation of water
2 quality monitoring stations:
3 \$ 2,955,000

4 4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

5 For deposit in the public water supply system account of the
6 water quality protection fund created in [section 455B.183A](#):
7 \$ 500,000

8 5. REGULATION OF ANIMAL FEEDING OPERATIONS

9 For the regulation of animal feeding operations, including
10 as provided for in [chapters 459, 459A, and 459B](#):
11 \$ 1,320,000

12 6. AMBIENT AIR QUALITY

13 For the abatement, control, and prevention of ambient
14 air pollution in this state, including measures as necessary
15 to assure attainment and maintenance of ambient air quality
16 standards from particulate matter:
17 \$ 425,000

18 7. FLOODPLAIN MANAGEMENT AND DAM SAFETY

19 For supporting floodplain management and dam safety:
20 \$ 375,000

21 Sec. 25. STATE UNIVERSITY OF IOWA — IOWA GEOLOGICAL
22 SURVEY. There is appropriated from the environment first
23 fund created in [section 8.57A](#) to the state university of Iowa
24 for the fiscal year beginning July 1, 2019, and ending June
25 30, 2020, the following amounts, or so much thereof as is
26 necessary, to be used for the purposes designated:

27 1. OPERATIONS

28 For purposes of supporting the operations of the Iowa
29 geological survey of the state as created within the state
30 university of Iowa pursuant to [section 456.1](#), including but not
31 limited to providing analysis; data maintenance, collection,
32 and compilation; investigative programs; and information for
33 water supply development and protection:
34 \$ 200,000

35 2. WATER RESOURCE MANAGEMENT

1 For purposes of supporting the Iowa geological survey in
2 measuring, assessing, and evaluating the quantity of water
3 sources in this state and assisting the department of natural
4 resources in regulating water quantity as provided in chapter
5 455B, division III, part 4, pursuant to sections 455B.262B and
6 456.14:

7 \$ 495,000

8 Sec. 26. REVERSION.

9 1. a. Except as provided in paragraph "b", and
10 notwithstanding section 8.33, moneys appropriated for the
11 fiscal year beginning July 1, 2019, in this division of this
12 Act that remain unencumbered or unobligated at the close of the
13 fiscal year shall not revert but instead shall remain available
14 to be used for the purposes designated until the close of the
15 succeeding fiscal year, or until the project for which the
16 appropriation was made is completed, whichever is earlier.

17 b. Notwithstanding section 8.33, moneys appropriated for
18 the fiscal year beginning July 1, 2019, in this division of
19 this Act to the department of agriculture and land stewardship
20 to provide financial assistance for the establishment of
21 permanent soil and water conservation practices that remain
22 unencumbered or unobligated at the close of the fiscal year
23 shall not revert but instead shall remain available for
24 expenditure for the purposes designated until the close of the
25 fiscal year beginning July 1, 2022.

26 2. Subsection 1 does not apply to moneys transferred
27 pursuant to this division to the loess hills development and
28 conservation fund created in section 161D.2 which shall not
29 revert as provided in that section.

30 DIVISION VIII
31 ENVIRONMENT FIRST FUND
32 SPECIAL APPROPRIATIONS

33 Sec. 27. WATER QUALITY INITIATIVE — DEPARTMENT OF
34 AGRICULTURE AND LAND STEWARDSHIP.

35 1. There is appropriated from the environment first fund

1 created in section 8.57A to the department of agriculture
2 and land stewardship for the fiscal year beginning July 1,
3 2019, and ending June 30, 2020, the following amount, or so
4 much thereof as is necessary, to be used for the purposes
5 designated:

6 For deposit in the water quality initiative fund created in
7 section 466B.45, for purposes of supporting the water quality
8 initiative administered by the division of soil conservation
9 and water quality as provided in [section 466B.42](#), including
10 salaries, support, maintenance, and miscellaneous purposes:
11 \$ 2,375,000

12 2. a. The moneys appropriated in subsection 1 shall be
13 used to support projects in subwatersheds as designated by the
14 division that are part of high-priority watersheds identified
15 by the water resources coordinating council established
16 pursuant to [section 466B.3](#).

17 b. The moneys appropriated in subsection 1 shall be used to
18 support projects in watersheds generally, including regional
19 watersheds, as designated by the division and high-priority
20 watersheds identified by the water resources coordinating
21 council established pursuant to section 466B.3.

22 3. In supporting projects in subwatersheds and watersheds
23 as provided in subsection 2, all of the following shall apply:

24 a. The demonstration projects shall utilize water quality
25 practices as described in the Iowa nutrient reduction strategy
26 as defined in [section 455B.171](#).

27 b. The division shall implement demonstration projects as
28 provided in paragraph "a" by providing for participation by
29 persons who hold a legal interest in agricultural land used in
30 farming. To every extent practical, the division shall provide
31 for collaborative participation by such persons who hold a
32 legal interest in agricultural land located within the same
33 subwatershed.

34 c. The division shall implement a demonstration project on
35 a cost-share basis as determined by the division. However,

1 except for edge-of-field practices, the state's share of the
2 amount shall not exceed 50 percent of the estimated cost of
3 establishing the practice as determined by the division or
4 50 percent of the actual cost of establishing the practice,
5 whichever is less.

6 d. The demonstration projects shall be used to educate other
7 persons about the feasibility and value of establishing similar
8 water quality practices. The division shall promote field day
9 events for purposes of allowing interested persons to establish
10 water quality practices on their agricultural land.

11 e. The division shall conduct water quality evaluations
12 within supported subwatersheds. Within a reasonable period
13 after accumulating information from such evaluations, the
14 division shall create an aggregated database of water quality
15 practices. Any information identifying a person holding a
16 legal interest in agricultural land or specific agricultural
17 land shall be a confidential record under [section 22.7](#).

18 4. The moneys appropriated in subsection 1 shall be used
19 to support education and outreach in a manner that encourages
20 persons who hold a legal interest in agricultural land used for
21 farming to implement water quality practices, including the
22 establishment of such practices in watersheds generally, and
23 not limited to subwatersheds or high-priority watersheds.

24 5. The moneys appropriated in subsection 1 may be used
25 to contract with persons to coordinate the implementation of
26 efforts provided in this section.

27 6. The moneys appropriated in subsection 1 may be used by
28 the department to support urban soil and water conservation
29 efforts, which may include but are not limited to management
30 practices related to bioretention, landscaping, the use of
31 permeable or pervious pavement, and soil quality restoration.
32 The moneys shall be allocated on a cost-share basis as provided
33 in chapter 161A.

34 7. Notwithstanding any other provision of law to the
35 contrary, the department may use moneys appropriated in

1 subsection 1 to carry out the provisions of this section on a
2 cost-share basis in combination with other moneys available to
3 the department from a state or federal source.

4 8. Not more than 10 percent of the moneys appropriated in
5 this section may be used to pay for the costs of administering
6 and implementing the water quality initiative by the
7 department's division of soil conservation and water quality as
8 provided in section 466B.42 and this section.

9 DIVISION IX

10 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND

11 Sec. 28. REAP — IN LIEU OF GENERAL FUND APPROPRIATION. In
12 lieu of the standing appropriation in [section 455A.18](#), there is
13 appropriated from the environment first fund created in section
14 8.57A to the Iowa resources enhancement and protection fund
15 for the fiscal year beginning July 1, 2019, and ending June
16 30, 2020, the following amount, to be allocated as provided in
17 section 455A.19:

18 \$ 12,000,000

19 Sec. 29. REAP — OPEN SPACES ACCOUNT — STATE PARK
20 MAINTENANCE AND REPAIR. Notwithstanding section 455A.19,
21 subsection 1, paragraph "a", subparagraph (1), of the moneys
22 allocated to the open spaces account of the Iowa resources
23 enhancement and protection fund, up to \$1,000,000 may be
24 used by the department of natural resources for state park
25 maintenance and repair for the fiscal year beginning July 1,
26 2019, and ending on June 30, 2020.

27 Sec. 30. REAP — OPEN SPACES ACCOUNT — FLOOD DAMAGE REPAIR,
28 RESTORATION, OR REHABILITATION.

29 1. Notwithstanding section 455A.19, subsection 1, paragraph
30 "a", subparagraph (1), of the moneys allocated to the open
31 spaces account of the Iowa resources enhancement and protection
32 fund, any amount in that account that is unencumbered and
33 unobligated on the effective date of this section, are
34 appropriated to the department of natural resources for the
35 repair, restoration, or rehabilitation of property under the

1 jurisdiction or control of the department, including such
2 property located in southwestern Iowa, that has been damaged
3 by flood waters, for the fiscal year beginning July 1, 2018,
4 and ending June 30, 2019.

5 2. Nothing in this section requires the department to expend
6 any or a certain amount of moneys appropriated in subsection 1
7 for the purposes described in that subsection.

8 3. Notwithstanding section 8.33, moneys appropriated in
9 this section that remain unencumbered or unobligated at the
10 close of the fiscal year beginning July 1, 2018, and ending
11 June 30, 2019, shall not revert but shall remain available for
12 expenditure for the purposes designated until the close of the
13 succeeding fiscal year.

14 Sec. 31. EFFECTIVE DATE. The following, being deemed of
15 immediate importance, takes effect upon enactment:

16 The section of this division of this Act appropriating
17 moneys to the department of natural resources from moneys
18 allocated to the open spaces account of the Iowa resources
19 enhancement and protection fund for purposes of the repair,
20 restoration, or rehabilitation of property under the
21 jurisdiction or control of the department, for the fiscal year
22 beginning July 1, 2018, and ending June 30, 2019.

23 DIVISION X

24 RELATED CODE CHANGES — DEPARTMENT OF AGRICULTURE AND LAND
25 STEWARDSHIP — PROGRAMS TO AUDIT MOTOR FUEL

26 Sec. 32. NEW SECTION. 214A.2C Auditing programs.

27 The department shall establish and administer programs
28 for the auditing of motor fuel including biofuel processing
29 and production plants, for screening and testing motor fuel,
30 including renewable fuel, and for the inspection of motor fuel
31 sold by dealers, including retail dealers who sell and dispense
32 motor fuel from motor fuel pumps.

33 DIVISION XI

34 RELATED CODE CHANGES — STATE UNIVERSITY OF IOWA — IOWA
35 GEOLOGICAL SURVEY

1 Sec. 33. Section 352.4, subsection 4, Code 2019, is amended
2 to read as follows:

3 4. The ~~state~~ department of agriculture and land
4 stewardship, department of management, department of natural
5 resources, Iowa geological survey, state agricultural extension
6 service, and the economic development authority shall, upon
7 request, provide to each county commission any pertinent land
8 use information available to assist in the compiling of the
9 county land use inventories.

10 Sec. 34. Section 456.1, Code 2019, is amended to read as
11 follows:

12 **456.1 ~~Geological~~ Iowa geological survey created.**

13 A An Iowa geological survey of the state is created within
14 the state university of Iowa, under the jurisdiction and
15 authority of the state board of regents.

16 Sec. 35. Section 456.10, Code 2019, is amended to read as
17 follows:

18 **456.10 Distribution of reports.**

19 All publications of the Iowa geological survey shall be made
20 available electronically via an internet site maintained for
21 that purpose.

22 Sec. 36. Section 456.13, Code 2019, is amended to read as
23 follows:

24 **456.13 Maps property of state — custody — copies.**

25 The maps so delivered to the state geologist shall be the
26 property of the state and shall remain in the custody of the
27 state geologist. They shall be kept at the office of the Iowa
28 geological survey and be open to examination by all persons
29 interested in the maps; but such examination shall only be made
30 in the presence of the state geologist or a designee, and the
31 state geologist shall not permit any copies of the maps to be
32 made without the written consent of the operator or the owner
33 of the property, except as provided in [section 456.11](#) or if the
34 mine has been abandoned for at least five years.

35

DIVISION XII

1 RELATED CODE CHANGES — FUTURE REPEAL OF MERCURY THERMOSTAT
2 REGULATION

3 Sec. 37. Section 455D.16, Code 2019, is amended to read as
4 follows:

5 **455D.16 Mercury — thermostats.**

6 1. As used in [this section](#), unless the context otherwise
7 requires:

8 a. (1) *“Manufacturer”* means any person, firm, association,
9 partnership, corporation, governmental entity, organization,
10 combination, or joint venture that owns or owned the brand name
11 of the thermostat.

12 (2) This paragraph *“a”* is repealed on January 1, 2022.

13 b. *“Mercury-added thermostat”* means a product or device
14 that uses a mercury switch to sense and control room
15 temperature through communication with heating, ventilating,
16 or air-conditioning equipment. *“Mercury-added thermostat”*
17 includes thermostats used to sense and control room temperature
18 in residential, commercial, industrial, and other buildings
19 but does not include thermostats used to sense and control
20 temperature as part of a manufacturing process.

21 c. (1) *“Thermostat retailer”* means a person who sells
22 thermostats of any kind directly to homeowners or other
23 nonprofessionals through any selling or distribution mechanism,
24 including but not limited to sales using the internet or
25 catalogues. A thermostat retailer may also be a thermostat
26 wholesaler if it meets the definition of thermostat wholesaler.

27 (2) This paragraph *“c”* is repealed on January 1, 2022.

28 d. (1) *“Thermostat wholesaler”* means a person who is
29 engaged in the distribution and wholesale selling of large
30 quantities of heating, ventilation, and air-conditioning
31 components, including thermostats, to contractors who install
32 heating, ventilation, and air-conditioning components,
33 including thermostats.

34 (2) This paragraph *“d”* is repealed on January 1, 2022.

35 2. ~~Beginning July 1, 2009, a~~ A person shall not sell, offer

1 for sale, or install a mercury-added thermostat in this state.

2 3. ~~Beginning April 1, 2009, except~~ Except as otherwise
3 provided, a person who generates a discarded mercury-added
4 thermostat shall manage the mercury-added thermostat as a
5 hazardous waste or universal hazardous waste, according to all
6 applicable state and federal regulations. A contractor who
7 replaces or removes mercury-added thermostats shall assure that
8 any discarded mercury-added thermostat is subject to proper
9 separation and management as hazardous waste or universal
10 hazardous waste. A contractor who replaces a mercury-added
11 thermostat in a residence shall deliver the mercury-added
12 thermostat to an appropriate collection location for recycling.

13 4. a. Each thermostat manufacturer that has offered for
14 final sale, sold at final sale, or distributed mercury-added
15 thermostats in the state shall individually, or in conjunction
16 with other thermostat manufacturers, do all of the following:

17 ~~a.~~ (1) Not later than October 1, 2008, submit a plan to
18 the department for approval describing a collection program for
19 mercury-added thermostats. The program contained in the plan
20 shall ensure that all the following take place:

21 ~~(1)~~ (a) That an education and outreach program is
22 developed. The program shall be directed toward thermostat
23 wholesalers, thermostat retailers, contractors, and homeowners
24 and ensure a maximum rate of collection of mercury-added
25 thermostats. There shall not be a cost to thermostat
26 wholesalers or thermostat retailers for education and outreach
27 materials.

28 ~~(2)~~ (b) That handling and recycling of mercury-added
29 thermostats are accomplished in a manner that is consistent
30 with the provisions of the universal waste rules.

31 ~~(3)~~ (c) That containers for mercury-added thermostat
32 collection are provided to all thermostat wholesalers. The
33 cost to thermostat wholesalers for such containers shall be
34 limited to an initial, reasonable, one-time fee per container
35 as specified in the plan.

1 ~~(4)~~ (d) That collection points will be established to serve
2 homeowners. The collection points shall include but are not
3 limited to regional collection centers permitted under 567 IAC
4 ch. 123. Collection points may include but are not limited to
5 thermostat retailers.

6 ~~(5)~~ (e) That collection systems are provided to all
7 collection points. Collection systems may include individual
8 product mail back or multiple collection containers. The costs
9 of collection shall not be passed on to a collection point.
10 The costs to a collection point shall be limited to an initial,
11 reasonable, one-time fee per container as specified in the
12 plan.

13 ~~b. (2) Not later than April 1, 2009, implement~~ Implement
14 a mercury-added thermostat collection plan approved by the
15 department.

16 ~~e. (3)~~ Beginning in 2010, submit an annual report to the
17 department by April 1 of each year that includes, at a minimum,
18 all of the following:

19 ~~(1)~~ (a) The number of mercury-added thermostats collected
20 and recycled by that manufacturer during the previous calendar
21 year.

22 ~~(2)~~ (b) The estimated total amount of mercury contained in
23 the thermostat components collected by that manufacturer during
24 the previous calendar year.

25 ~~(3)~~ (c) A list of all participating thermostat wholesalers
26 and all collection points for homeowners.

27 ~~(4)~~ (d) An evaluation of the effectiveness of the
28 manufacturer's collection program.

29 ~~(5)~~ (e) An accounting of the administrative costs incurred
30 in the course of administering the collection and recycling
31 program.

32 b. This subsection is repealed on January 1, 2022.

33 5. a. (1) ~~By April 1, 2009, a~~ A thermostat wholesaler
34 shall do ~~both~~ all of the following:

35 ~~(1)~~ (a) Act as a collection site for mercury-added

1 thermostats.

2 ~~(2)~~ (b) Promote and utilize the collection containers
3 provided by thermostat manufacturers to facilitate a contractor
4 collection program.

5 ~~b.~~ (2) ~~By April 1, 2009,~~ a A thermostat retailer shall
6 participate in an education and outreach program to educate
7 consumers on the collection program for mercury-added
8 thermostats.

9 b. This subsection is repealed on January 1, 2022.

10 6. a. ~~Beginning April 1, 2009,~~ all All of the following
11 sales prohibitions shall apply to thermostat manufacturers,
12 thermostat wholesalers, and thermostat retailers:

13 ~~a.~~ (1) A thermostat manufacturer not in compliance with
14 this section is prohibited from offering any thermostat for
15 final sale in the state. A thermostat manufacturer not in
16 compliance with [this section](#) shall provide the necessary
17 support to thermostat wholesalers and thermostat retailers to
18 ensure the manufacturer's thermostats are not offered for final
19 sale.

20 ~~b.~~ (2) A thermostat wholesaler or thermostat retailer shall
21 not offer for final sale any thermostat of a manufacturer that
22 is not in compliance with [this section](#).

23 b. This subsection is repealed on January 1, 2022.

24 7. a. The department shall do all of the following:

25 ~~a.~~ (1) Review and grant approval of, deny, or approve with
26 modifications a manufacturer plan required under [this section](#).
27 The department shall not approve a plan unless all elements of
28 subsection 4, paragraph "a", subparagraph (1), are adequately
29 addressed and the program outlined in the plan will assure a
30 maximum rate of collection of mercury-added thermostats. In
31 reviewing a plan the department may consider consistency of
32 the plan with collection requirements in other states and
33 consider consistency between thermostat manufacturer collection
34 programs. In reviewing plans, the agency shall ensure that
35 education and outreach programs are uniform and consistent to

1 ensure ease of implementation by thermostat wholesalers and
2 thermostat retailers.

3 ~~b.~~ (2) The department shall establish a process for
4 public review and comment on all plans submitted by thermostat
5 manufacturers prior to plan approval. The department shall
6 consult with interested persons, including representatives of
7 thermostat manufacturers, environmental groups, thermostat
8 wholesalers, thermostat retailers, contractors, and local
9 government.

10 b. This subsection is repealed on January 1, 2022.

11 8. a. The goal of the collection and recycling efforts
12 under [this section](#) is to collect and recycle as many
13 mercury-added thermostats as reasonably practicable. By
14 January 1, 2009, the department shall determine collection
15 goals for the program in consultation with interested persons,
16 including the national electrical manufacturers association
17 and representatives of thermostat manufacturers, thermostat
18 wholesalers, thermostat retailers, contractors, environmental
19 groups, and local government. If collection efforts fail to
20 meet the collection goals described in [this subsection](#), the
21 department shall, in consultation with the national electrical
22 manufacturers association and other interested persons,
23 consider modifications to collection programs in an attempt to
24 improve collection rates in accordance with these goals.

25 b. This subsection is repealed on January 1, 2022.

26 DIVISION XIII

27 AGRICULTURAL DRAINAGE WELL CLOSURES

28 Sec. 38. Section 460.304, Code 2019, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 4. A person is not eligible to participate
31 in the program for a project described in this section that
32 involves an agricultural drainage well that has not been
33 registered with the department of natural resources pursuant to
34 section 460.302 by January 1, 2019.>>