

**EIGHTY-EIGHTH GENERAL ASSEMBLY
2019 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

April 11, 2019

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
HF 489	H-1210		BEST of Carroll
HF 535	H-1202		HINSON of Linn
HF 669	H-1207		PAUSTIAN of Scott, et al
HF 669	H-1208		KLEIN of Washington, et al
HF 746	H-1203		JONES of Clay
HF 746	H-1205		JONES of Clay
HF 760	H-1204		HITE of Mahaska
SF 267	H-1209		KONFRST of Polk
SF 502	H-1201		COMMITTEE ON STATE GOVERNMENT, et al
SF 609	H-1206		COMMITTEE ON APPROPRIATIONS, et al

Fiscal Notes

[HF 768](#) — [Beginning Farmer Tax Credit](#) (LSB1882HZ)

H-1210

1 Amend House File 489 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 510C.1 Definitions.

5 As used in this chapter unless the context otherwise
6 requires:

7 1. "*Administrative fees*" means a fee or payment, other than
8 a rebate, under a contract between a pharmacy benefit manager
9 and a pharmaceutical drug manufacturer in connection with the
10 pharmacy benefit manager's management of a health carrier's
11 prescription drug benefit, that is paid by a pharmaceutical
12 drug manufacturer to a pharmacy benefit manager or is retained
13 by the pharmacy benefit manager.

14 2. "*Aggregate retained rebate percentage*" means the
15 percentage of all rebates received by a pharmacy benefit
16 manager that is not passed on to the pharmacy benefit manager's
17 health carrier clients.

18 3. "*Commissioner*" means the commissioner of insurance.

19 4. "*Covered person*" means the same as defined in section
20 514J.102.

21 5. "*Formulary*" means a complete list of prescription drugs
22 eligible for coverage under a health benefit plan.

23 6. "*Health benefit plan*" means the same as defined in
24 section 514J.102.

25 7. "*Health carrier*" means the same as defined in section
26 514J.102.

27 8. "*Health carrier administrative service fee*" means a fee
28 or payment under a contract between a pharmacy benefit manager
29 and a health carrier in connection with the pharmacy benefit
30 manager's administration of the health carrier's prescription
31 drug benefit that is paid by a health carrier to a pharmacy
32 benefit manager or is otherwise retained by a pharmacy benefit
33 manager.

34 9. "*Pharmacy benefit manager*" means a person who, pursuant
35 to a contract or other relationship with a health carrier,

1 either directly or through an intermediary, manages a
2 prescription drug benefit provided by the health carrier.

3 10. "Prescription drug benefit" means a health benefit
4 plan providing for third-party payment or prepayment for
5 prescription drugs.

6 11. "Rebate" means all discounts and other negotiated price
7 concessions paid directly or indirectly by a pharmaceutical
8 manufacturer or other entity, other than a covered person,
9 in the prescription drug supply chain to a pharmacy benefit
10 manager, and which may be based on any of the following:

11 a. A pharmaceutical manufacturer's list price for a
12 prescription drug.

13 b. Utilization.

14 c. To maintain a net price for a prescription drug for
15 a specified period of time for the pharmacy benefit manager
16 in the event the pharmaceutical manufacturer's list price
17 increases.

18 d. Reasonable estimates of the volume of a prescribed drug
19 that will be dispensed by a pharmacy to covered persons.

20 Sec. 2. NEW SECTION. 510C.2 Annual report to the
21 commissioner.

22 1. Each pharmacy benefit manager shall provide a report
23 annually by February 15 to the commissioner that contains
24 all of the following information regarding prescription drug
25 benefits provided to covered persons of each health carrier
26 with whom the pharmacy manager has contracted during the prior
27 calendar year:

28 a. The aggregate dollar amount of all rebates received by
29 the pharmacy benefit manager.

30 b. The aggregate dollar amount of all administrative fees
31 received by the pharmacy benefit manager.

32 c. The aggregate dollar amount of all health carrier
33 administrative service fees received by the pharmacy benefit
34 manager.

35 d. The aggregate dollar amount of all rebates received by

1 the pharmacy benefit manager that the pharmacy benefit manager
2 did not pass through to the health carrier.

3 e. The aggregate amount of all administrative fees received
4 by the pharmacy benefit manager that the pharmacy benefit
5 manager did not pass through to the health carrier.

6 f. The aggregate retained rebate percentage as calculated by
7 dividing the dollar amount in paragraph "d" by the dollar amount
8 in paragraph "a".

9 g. Across all health carrier clients with whom the pharmacy
10 manager was contracted, the highest and the lowest aggregate
11 retained rebate percentages.

12 2. a. A pharmacy benefit manager shall provide the
13 information pursuant to subsection 1 to the commissioner in a
14 format approved by the commissioner that does not directly or
15 indirectly disclose any of the following:

16 (1) The identity of a specific health carrier.

17 (2) The price charged by a specific pharmaceutical
18 manufacturer for a specific prescription drug or for a class
19 of prescription drugs.

20 (3) The amount of rebates provided for a specific
21 prescription drug or class of prescription drugs.

22 b. Information provided under this section by a pharmacy
23 benefit manager to the commissioner that may reveal the
24 identity of a specific health carrier, the price charged
25 by a specific pharmaceutical manufacturer for a specific
26 prescription drug or class of prescription drugs, or the amount
27 of rebates provided for a specific prescription drug or class
28 of prescription drugs shall be considered a confidential record
29 and be recognized and protected as a trade secret pursuant to
30 section 22.7, subsection 3.

31 3. The commissioner shall publish, within sixty calendar
32 days of receipt, the nonconfidential information received by
33 the commissioner on a publicly accessible internet site. The
34 information shall be made available to the public in a format
35 that complies with subsection 2, paragraph "a".

H-1210 (Continued)

1 Sec. 3. NEW SECTION. **510C.3 Rules.**

2 The commissioner of insurance shall adopt rules pursuant to
3 chapter 17A as necessary to administer this chapter.

4 Sec. 4. NEW SECTION. **510C.4 Enforcement.**

5 The commissioner may take any action within the
6 commissioner's authority to enforce compliance with this
7 chapter.

8 Sec. 5. NEW SECTION. **510C.5 Applicability.**

9 This chapter is applicable to a health benefit plan that is
10 delivered, issued for delivery, continued, or renewed in this
11 state on or after January 1, 2020.>

12 2. Title page, by striking lines 1 through 3 and inserting
13 <An Act relating to pharmacy benefit managers and information
14 related to the management of prescription drug benefits, and
15 including applicability provisions.>

By BEST of Carroll

H-1210 FILED APRIL 11, 2019

H-1202

1 Amend House File 535 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 321.514 **Definitions.**

5 As used in this section and sections 321.515 through
6 321.519, unless the context otherwise requires:

7 1. "*Automated driving system*" means the hardware and
8 software collectively capable of performing all dynamic driving
9 tasks on a sustained basis, regardless of whether the system is
10 limited to a specific operational design domain, if any.

11 2. "*Conventional human driver*" means a natural person
12 who manually controls the in-vehicle accelerating, braking,
13 steering, and transmission gear selection input devices in
14 order to operate a motor vehicle.

15 3. "*Driverless-capable vehicle*" means a system-equipped
16 vehicle capable of performing all dynamic driving tasks within
17 the automated driving system's operational design domain, if
18 any, including but not limited to achievement of a minimal risk
19 condition without intervention or supervision by a conventional
20 human driver.

21 4. "*Dynamic driving task*" means any real-time operational
22 and tactical function required to operate a motor vehicle on
23 a highway in traffic within an automated driving system's
24 specific operational design domain, if any. "*Dynamic driving*
25 *task*" does not include any strategic function such as trip
26 scheduling or the selection of destinations and waypoints.

27 5. "*Minimal risk condition*" means a reasonably safe state
28 to which an automated driving system brings a system-equipped
29 vehicle upon experiencing a performance-relevant failure of the
30 system that renders the system unable to perform any dynamic
31 driving task, including but not limited to removing the vehicle
32 to the nearest shoulder if the vehicle is capable of doing so,
33 bringing the vehicle to a complete stop, and activating the
34 vehicle's emergency signal lamps.

35 6. "*On-demand driverless-capable vehicle network*" means a

1 transportation service network that uses a software application
2 or other digital means to dispatch driverless-capable vehicles
3 for the purposes of transporting persons or goods, including
4 transportation for hire as defined in section 325A.1, and
5 public transportation.

6 7. "*Operational design domain*" means a set of constraints
7 used to define the domain under which an automated driving
8 system is designed to properly operate, including but not
9 limited to types of highways, speed ranges, environmental
10 conditions such as weather or time of day, and other
11 constraints.

12 8. "*System-equipped vehicle*" means a motor vehicle equipped
13 with an automated driving system.

14 Sec. 2. NEW SECTION. 321.515 **Operation.**

15 1. A driverless-capable vehicle may operate on the public
16 highways of this state without a conventional human driver
17 physically present in the vehicle, if the vehicle meets all of
18 the following conditions:

19 a. The vehicle is capable of achieving a minimal risk
20 condition if a malfunction of the automated driving system
21 occurs that renders the system unable to perform any dynamic
22 driving task within the system's intended operational design
23 domain, if any.

24 b. While in driverless operation, the vehicle is capable of
25 operating in compliance with the applicable traffic and motor
26 vehicle safety laws and regulations of this state that govern
27 the performance of dynamic driving tasks, unless an exemption
28 has been granted to the vehicle by the department.

29 c. The vehicle has been certified by the vehicle's
30 manufacturer to be in compliance with all applicable federal
31 motor vehicle safety standards, except to the extent an
32 exemption has been granted for the vehicle under applicable
33 federal law or by the national highway traffic safety
34 administration.

35 2. a. The operation of a system-equipped vehicle capable

1 of performing all dynamic driving tasks within the automated
2 driving system's operational design domain on the public
3 highways of this state while a conventional human driver is
4 present in the vehicle shall be lawful. During such operation,
5 the conventional human driver shall possess a valid driver's
6 license pursuant to section 321.174. The conventional human
7 driver shall operate the system-equipped vehicle according
8 to the manufacturer's requirements and specifications, and
9 shall regain manual control of the vehicle when prompted by the
10 automated driving system.

11 *b.* An automated driving system, while engaged, shall be
12 designed to operate within the system's operational design
13 domain in compliance with the applicable traffic and motor
14 vehicle safety laws and regulations of this state that govern
15 the performance of dynamic driving tasks, unless an exemption
16 has been granted to the vehicle by the department.

17 3. Except as provided in this section, the motor vehicle
18 laws of this state shall not be construed to require a
19 conventional human driver to operate a driverless-capable
20 vehicle that is being operated by an automated driving system.
21 The automated driving system, while engaged, shall be deemed
22 to fulfill any physical acts required of a conventional human
23 driver to perform dynamic driving tasks.

24 **Sec. 3. NEW SECTION. 321.516 Insurance.**

25 Before a system-equipped vehicle is allowed to operate on
26 the public highways of this state, the owner shall submit to
27 the department proof of financial liability coverage for the
28 vehicle in a manner and form determined by the department. A
29 system-equipped vehicle shall not operate on the highways of
30 this state unless financial liability coverage is in effect for
31 the vehicle and unless proof of financial liability coverage is
32 carried in the vehicle. If a system-equipped vehicle operates
33 on a highway in violation of this section, the owner of the
34 vehicle may be charged and convicted of a violation of section
35 321.20B as though the owner was operating the vehicle.

1 Sec. 4. NEW SECTION. **321.517 Accidents.**

2 In the event of an accident in which a system-equipped
3 vehicle is involved, the vehicle shall remain at the scene of
4 the accident and the operation of the vehicle shall otherwise
5 comply with sections 321.261 through 321.273 where applicable
6 and to the extent possible, and the vehicle's owner or a person
7 on behalf of the vehicle's owner shall promptly report the
8 accident to law enforcement authorities. If a system-equipped
9 vehicle fails to remain at the scene of an accident or the
10 operation of the vehicle fails to otherwise comply with
11 sections 321.261 through 321.273 where applicable and to the
12 extent possible as required by this section, the vehicle's
13 failure shall be imputed to the vehicle's owner, and the
14 vehicle's owner may be charged and convicted of a violation of
15 sections 321.261 through 321.273, as applicable. However, if
16 the vehicle's failure is due to an error or malfunction in the
17 automated driving system, the vehicle's failure shall instead
18 be imputed to the vehicle's manufacturer, and the vehicle's
19 manufacturer may be charged and convicted for a violation of
20 sections 321.261 through 321.373, as applicable.

21 Sec. 5. NEW SECTION. **321.518 On-demand driverless-capable
22 vehicle network.**

23 A person may operate an on-demand driverless-capable vehicle
24 network. An on-demand driverless-capable vehicle network may
25 be used to facilitate the transportation of persons or goods,
26 including transportation for hire as defined in section 325A.1,
27 and public transportation. An on-demand driverless-capable
28 vehicle network may connect passengers to driverless-capable
29 vehicles either exclusively or as part of a digital network
30 that also connects passengers to conventional human drivers
31 who provide transportation services, consistent with chapter
32 321N or any other applicable laws, in vehicles that are not
33 driverless-capable vehicles.

34 Sec. 6. NEW SECTION. **321.519 Authority.**

35 1. Automated driving systems and system-equipped vehicles

H-1202 (Continued)

1 shall be governed by sections 321.514 through 321.518, this
2 section, and all applicable traffic and motor vehicle safety
3 laws and regulations of this state. Automated driving systems
4 and system-equipped vehicles shall be regulated exclusively by
5 the department. The department may adopt rules pursuant to
6 chapter 17A to administer sections 321.514 through 321.518, and
7 this section.

8 2. A political subdivision of the state shall not impose
9 requirements, including but not limited to performance
10 standards, specific to the operation of system-equipped
11 vehicles, automated driving systems, or on-demand
12 driverless-capable vehicle networks that are in addition to
13 the requirements set forth under sections 321.514 through
14 321.518. A political subdivision of the state shall not
15 impose a tax on system-equipped vehicles, automated driving
16 systems, or on-demand driverless-capable vehicle networks
17 where such tax relates specifically to the operation of
18 system-equipped vehicles, automated driving systems, or
19 on-demand driverless-capable vehicle networks.>

By HINSON of Linn

H-1202 FILED APRIL 11, 2019

H-1207

1 Amend House File 669 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 476.6, Code 2019, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 22. *Value of distributed solar tariff and*
7 *credit — methodology.*

8 a. For purposes of this subsection:

9 (1) *"Distributed solar facility"* means a solar distributed
10 generation facility as defined in section 476.58.

11 (2) *"Net metering"* means the interconnection of an alternate
12 energy production facility or small hydro facility with an
13 electric utility whereby electricity produced by the facility
14 and consumed on site offsets electricity that would otherwise
15 be purchased from the electric utility, excess electricity
16 produced by the facility is transferred to the utility's
17 electrical grid, and the customer is provided a credit for the
18 electricity transferred to the utility's electrical grid.

19 b. The general assembly recognizes that distributed solar
20 facilities provide a wide range of benefits to the electric
21 distribution grid, and to electric utilities and their
22 customers. The general assembly also recognizes that many
23 states and electric utilities have evaluated and quantified
24 the benefits in value of solar studies. The general assembly
25 additionally recognizes that once quantified, this information
26 can be used to establish rates for customers that utilize
27 distributed solar facilities that reflect and compensate
28 such customers for these benefits. The general assembly
29 further recognizes that states have evaluated and quantified
30 numerous values and benefits with respect to distributed solar
31 facilities, including avoided fuel costs, energy and capacity
32 costs, reduction in peak load, electric grid benefits, and
33 local economic development.

34 c. The board shall establish a methodology to derive a value
35 of distributed solar tariff and credit as an alternative to

1 net metering for distributed solar facility customers. The
2 methodology shall account for the value of a distributed solar
3 facility and its output, as well as the value of any affiliated
4 energy storage facility. In establishing the methodology, the
5 board shall initiate a formal proceeding to gather input from
6 electric utilities and other interested stakeholders. The
7 methodology shall, at a minimum, fully account for the value of
8 energy and its delivery, including at peak times, generation
9 capacity, avoided transmission and distribution capacity,
10 avoided transmission and distribution line losses, avoided fuel
11 costs, fuel cost stability and hedge value, avoided reserve
12 capacity costs, avoided or deferred electric infrastructure
13 costs, including initial capital costs and ongoing fixed and
14 variable costs, and avoided federally mandated pollution
15 mitigation costs. To the extent feasible, the methodology
16 shall also consider other benefits and values, including the
17 installation of distributed solar facilities at high-value
18 locations on the electric distribution grid. The methodology
19 may take into account electric distribution grid integration
20 costs which are directly attributable to distributed solar
21 facilities and are not directly paid by the customer during the
22 interconnection process. However, the methodology shall not
23 consider wholesale market energy and capacity costs.

24 *d.* The board shall review and consider changes to the
25 methodology established under paragraph "c" every three years.

26 *e.* The board shall submit a report to the general assembly
27 containing the results of the methodology established under
28 paragraph "c" by December 31, 2020, and by the same date every
29 three years thereafter.>

30 2. Title page, by striking lines 1 and 2 and inserting
31 <An Act providing for a methodology to establish tariffs and
32 credits applicable to certain solar facilities.>

By PAUSTIAN of Scott
ZUMBACH of Linn

H-1207 (Continued)

MITCHELL of Henry
MAXWELL of Poweshiek
LUNDGREN of Dubuque
THOMPSON of Greene
McKEAN of Jones
BLOOMINGDALE of Worth
LOHSE of Polk
SHIPLEY of Jefferson
KLEIN of Washington
KERR of Louisa
BERGAN of Winneshiek

[H-1207](#) FILED APRIL 11, 2019

HOUSE FILE 669

H-1208

1 Amend House File 669 as follows:

2 1. Page 1, line 33, after <utility.> by inserting <"*Private*
3 *generation facility*" does not include a facility that is used in
4 a farm operation as defined in section 352.2.>

By KLEIN of Washington
PAUSTIAN of Scott
ZUMBACH of Linn
MITCHELL of Henry
MAXWELL of Poweshiek
LUNDGREN of Dubuque
THOMPSON of Greene
GERHOLD of Benton
McKEAN of Jones
BLOOMINGDALE of Worth
LOHSE of Polk
SHIPLEY of Jefferson
KERR of Louisa

H-1208 FILED APRIL 11, 2019

HOUSE FILE 746

H-1203

1 Amend the amendment, H-1200, to House File 746 as follows:
2 1. Page 1, by striking lines 2 through 10 and inserting:
3 <___. Page 1, line 28, after <contrary> by inserting <and
4 unless the juvenile court or district court, for good cause,
5 orders that a noncertified copy of an original certificate of
6 birth shall not be issued under this section>
7 ___. Page 2, after line 18 by inserting:
8 <1A. A juvenile court or district court, for good cause,
9 may order that a noncertified copy of the original certificate
10 of birth not be issued to an adult adopted person under this
11 section. A biological parent may file an affidavit with the
12 juvenile court or district court requesting that the juvenile
13 court or district court prohibit an adult adopted person from
14 being issued a noncertified copy of the original certificate of
15 birth under this section, and the juvenile court or district
16 court shall consider any such affidavit in determining whether
17 good cause is shown.>
18 ___. Page 3, line 13, after <section> by inserting <, unless
19 the juvenile court or district court, for good cause, orders
20 that a noncertified copy of an original certificate of birth
21 shall not be issued under this section>
22 ___. Page 4, line 16, by striking <establish> and inserting
23 <implement>
24 ___. Page 4, by striking lines 20 through 25.
25 ___. Page 4, by striking lines 26 through 32 and inserting:
26 <b. Beginning January 1, 2020, an application may be
27 submitted under this section by an adult adopted person or
28 an entitled person to obtain a noncertified copy of an adult
29 adopted person's original certificate of birth in accordance
30 with this section.>
31 ___. Page 5, line 31, after <history> by inserting <form>
32 ___. Page 6, line 28, by striking <establish> and inserting
33 <implement>>
34 2. By renumbering, redesignating, and correcting internal
35 references as necessary.

H-1203 (Continued)

By JONES of Clay

H-1203 FILED APRIL 11, 2019

HOUSE FILE 746

H-1205

1 Amend the amendment, H-1200, to House File 746 as follows:
2 1. Page 1, after line 1 by inserting:
3 <___. Page 1, line 28, after <contrary> by inserting <and
4 unless the juvenile court or court, for good cause, orders that
5 a noncertified copy of an original certificate of birth shall
6 not be issued under this section>
7 ___. Page 2, after line 18 by inserting:
8 <1A. A juvenile court or court, for good cause, shall order
9 that a noncertified copy of the original certificate of birth
10 not be issued to an adult adopted person under this section. A
11 biological parent may file an affidavit with the juvenile court
12 or court requesting that the juvenile court or court prohibit
13 an adult adopted person from being issued a noncertified copy
14 of the original certificate of birth under this section, and
15 the juvenile court or court shall consider any such affidavit
16 in determining whether good cause is shown.>
17 ___. Page 3, line 13, after <section> by inserting <, unless
18 the juvenile court or court, for good cause, orders that a
19 noncertified copy of an original certificate of birth shall not
20 be issued under this section>
21 ___. By renumbering, redesignating, and correcting internal
22 references as necessary.>

By JONES of Clay

H-1205 FILED APRIL 11, 2019

HOUSE FILE 760

H-1204

1 Amend House File 760 as follows:

2 1. Page 1, by striking lines 3 through 6 and inserting:

3 <1. The sales price from the renting of lodging ~~which is~~
4 ~~rented by the same person~~ to a person where the lodging is
5 rented by the same person for a period of more than thirty-one
6 consecutive days, and where a landlord tenant relationship
7 exists.

8 Sec. _____. Section 423A.5, Code 2019, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 4. The sales price from the renting of
11 lodging which is rented by the same person for the period
12 beginning after ninety consecutive days of rental by such
13 person.>

14 2. By renumbering as necessary.

By HITE of Mahaska

H-1204 FILED APRIL 11, 2019

SENATE FILE 267

H-1209

1 Amend Senate File 267 as follows:

2 1. Page 1, line 4, before <The> by inserting <1.>

3 2. Page 1, after line 13 by inserting:

4 <2. It shall be an affirmative defense to a prosecution
5 for a violation of subsection 1, in addition to any other
6 affirmative defenses for which the defendant might be eligible,
7 that the defendant is a victim of a crime that is a violation
8 of section 710A.2.>

By KONFRST of Polk

H-1209 FILED APRIL 11, 2019

SENATE FILE 502

H-1201

1 Amend Senate File 502, as passed by the Senate, as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 70A.28, subsections 2 and 5, Code 2019,
4 are amended to read as follows:

5 2. A person shall not discharge an employee from or take
6 or fail to take action regarding an employee's appointment or
7 proposed appointment to, promotion or proposed promotion to,
8 or any advantage in, a position in a state employment system
9 administered by, or subject to approval of, a state agency as a
10 reprisal for a failure by that employee to inform the person
11 that the employee made a disclosure of information permitted
12 by this section, or for a disclosure of any information by
13 that employee to a member or employee of the general assembly,
14 a disclosure of information to the office of ombudsman, a
15 disclosure of information to a person providing human resource
16 management for the state, or a disclosure of information to any
17 other public official or law enforcement agency if the employee
18 reasonably believes the information evidences a violation
19 of law or rule, mismanagement, a gross abuse of funds, an
20 abuse of authority, or a substantial and specific danger to
21 public health or safety. However, an employee may be required
22 to inform the person that the employee made a disclosure
23 of information permitted by this section if the employee
24 represented that the disclosure was the official position of
25 the employee's immediate supervisor or employer.

26 5. Subsection 2 may be enforced through a civil action.

27 a. A person who violates subsection 2 is liable to
28 an aggrieved employee for affirmative relief including
29 reinstatement, with or without back pay, ~~or~~ civil damages in an
30 amount not to exceed three times the annual wages and benefits
31 received by the aggrieved employee prior to the violation of
32 subsection 2, and any other equitable relief the court deems
33 appropriate, including attorney fees and costs.

34 b. When a person commits, is committing, or proposes to
35 commit an act in violation of subsection 2, an injunction may

H-1201 (Continued)

1 be granted through an action in district court to prohibit the
2 person from continuing such acts. The action for injunctive
3 relief may be brought by an aggrieved employee, ~~or~~ the attorney
4 general, or a person providing human resource management for
5 the state.>

6 2. Title page, line 2, after <employees of> by inserting
7 <the state and>

8 3. By renumbering as necessary.

By COMMITTEE ON STATE GOVERNMENT
KAUFMANN of Cedar, Chairperson

[H-1201](#) FILED APRIL 11, 2019

SENATE FILE 609

H-1206

1 Amend Senate File 609, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

GENERAL APPROPRIATION

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 \$ 18,623,339
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. The department shall submit a report each quarter of the
26 fiscal year to the legislative services agency, the department
27 of management, the members of the joint appropriations
28 subcommittee on agriculture and natural resources, and the
29 chairpersons and ranking members of the senate and house
30 committees on appropriations. The report shall describe in
31 detail the expenditure of moneys appropriated in this section
32 to support the department's administration, regulation, and
33 programs.

DESIGNATED APPROPRIATIONS

MISCELLANEOUS FUNDS

1 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
2 HORSE AND DOG RACING. There is appropriated from the moneys
3 available under section 99D.13 to the department of agriculture
4 and land stewardship for the fiscal year beginning July 1,
5 2019, and ending June 30, 2020, the following amount, or so
6 much thereof as is necessary, to be used for the purposes
7 designated:

8 For purposes of supporting the department's administration
9 and enforcement of horse and dog racing law pursuant to section
10 99D.22, including for salaries, support, maintenance, and
11 miscellaneous purposes:

12 \$ 305,516

13 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR
14 FUEL INSPECTION. There is appropriated from the renewable
15 fuel infrastructure fund created in section 159A.16 to the
16 department of agriculture and land stewardship for the fiscal
17 year beginning July 1, 2019, and ending June 30, 2020, the
18 following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 For purposes of the inspection of motor fuel, including
21 salaries, support, maintenance, and miscellaneous purposes:

22 \$ 500,000

23 SPECIAL APPROPRIATIONS

24 GENERAL FUND

25 Sec. 4. DAIRY REGULATION.

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

31 For purposes of performing functions pursuant to section
32 192.109, including conducting a survey of grade "A" milk and
33 certifying the results to the secretary of agriculture:

34 \$ 189,196

35 2. Notwithstanding section 8.33, moneys appropriated in

1 this section that remain unencumbered or unobligated at the
2 close of the fiscal year shall not revert but shall remain
3 available to be used for the purposes designated until the
4 close of the succeeding fiscal year.

5 Sec. 5. LOCAL FOOD AND FARM PROGRAM.

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

11 For purposes of supporting the local food and farm program
12 pursuant to chapter 267A:

13 \$ 75,000

14 2. The department shall enter into a cost-sharing agreement
15 with Iowa state university of science and technology to support
16 the local food and farm program coordinator position as part of
17 the university's cooperative extension service in agriculture
18 and home economics pursuant to chapter 267A.

19 3. Notwithstanding section 8.33, moneys appropriated in
20 this section that remain unencumbered or unobligated at the
21 close of the fiscal year shall not revert but shall remain
22 available to be used for the purposes designated until the
23 close of the succeeding fiscal year.

24 Sec. 6. AGRICULTURAL EDUCATION.

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

30 For purposes of allocating moneys to an Iowa association
31 affiliated with a national organization which promotes
32 agricultural education providing for future farmers:

33 \$ 25,000

34 2. Notwithstanding section 8.33, moneys appropriated in
35 this section that remain unencumbered or unobligated at the

1 close of the fiscal year shall not revert but shall remain
2 available to be used for the purposes designated until the
3 close of the succeeding fiscal year.

4 Sec. 7. FOREIGN ANIMAL DISEASES AFFLICTING LIVESTOCK.

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

10 For deposit in the foreign animal disease preparedness and
11 response fund created in section 163.3B:

12 \$ 500,000

13 DIVISION II

14 GENERAL FUND

15 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

16 WATER QUALITY INITIATIVE

17 Sec. 8. WATER QUALITY INITIATIVE — GENERAL.

18 1. There is appropriated from the general fund of the state
19 to the department of agriculture and land stewardship 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 deposit in the water quality initiative fund created in
24 section 466B.45, for purposes of supporting the water quality
25 initiative administered by the division of soil conservation
26 and water quality as provided in section 466B.42, including
27 salaries, support, maintenance, and miscellaneous purposes:

28 \$ 3,000,000

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

34 b. The moneys appropriated in subsection 1 shall be used to
35 support projects in watersheds generally, including regional

1 watersheds, as designated by the division and high-priority
2 watersheds identified by the water resources coordinating
3 council established pursuant to section 466B.3.

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

6 a. The demonstration projects shall utilize water quality
7 practices as described in the Iowa nutrient reduction strategy
8 as defined in section 455B.171.

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

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

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

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

35 4. The moneys appropriated in subsection 1 shall be used

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

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

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

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

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

26 DIVISION III

27 DEPARTMENT OF NATURAL RESOURCES

28 Sec. 9. GENERAL FUND — DEPARTMENT.

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

34 For purposes of supporting the department, including its
35 divisions, for administration, regulation, and programs; for

1 salaries, support, maintenance, and miscellaneous purposes; and
2 for not more than the following full-time equivalent positions:
3 \$ 12,054,987
4 FTEs 1,145.95

5 2. Of the amount appropriated in subsection 1, not more
6 than \$250,000 shall be allocated exclusively to support three
7 additional park rangers constituting three full-time equivalent
8 positions from the full-time equivalent positions authorized
9 in this section. On June 30, 2020, any unencumbered or
10 unobligated moneys from the moneys allocated to support the
11 three full-time equivalent positions identified under this
12 subsection shall revert to the general fund of the state.

13 3. Of the number of full-time equivalent positions
14 authorized to the department pursuant to subsection 1, 50.00
15 full-time equivalent positions shall be allocated by the
16 department for seasonal employees for purposes of providing
17 maintenance, upkeep, and sanitary services at state parks.
18 This subsection shall not impact park ranger or park manager
19 positions within the department.

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

29 Sec. 10. STATE FISH AND GAME PROTECTION FUND — REGULATION
30 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

31 1. There is appropriated from the state fish and game
32 protection fund created pursuant to section 456A.17 to the
33 department of natural resources for the fiscal year beginning
34 July 1, 2019, and ending June 30, 2020, the following amount,
35 or so much thereof as is necessary, to be used for the purposes

1 designated:

2 For purposes of supporting the regulation or advancement of
3 hunting, fishing, or trapping, or the protection, propagation,
4 restoration, management, or harvest of fish or wildlife,
5 including for administration, regulation, law enforcement, and
6 programs; and for salaries, support, maintenance, equipment,
7 and miscellaneous purposes:

8 \$ 44,007,044

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

15 3. Notwithstanding section 455A.10, the department of
16 natural resources may use the unappropriated balance remaining
17 in the state fish and game protection fund for the fiscal
18 year beginning July 1, 2019, and ending June 30, 2020, as is
19 necessary to fund salary adjustments for departmental employees
20 for which the general assembly has made an operating budget
21 appropriation in subsection 1.

22 Sec. 11. GROUNDWATER PROTECTION FUND — WATER
23 QUALITY. There is appropriated from the groundwater protection
24 fund created in section 455E.11 to the department of natural
25 resources for the fiscal year beginning July 1, 2019,
26 and ending June 30, 2020, from those moneys which are not
27 allocated pursuant to that section, the following amount, or
28 so much thereof as is necessary, to be used for the purposes
29 designated:

30 For purposes of supporting the department's protection
31 of the state's groundwater, including for administration,
32 regulation, and programs, and for salaries, support,
33 maintenance, equipment, and miscellaneous purposes:

34 \$ 3,455,832

35 DESIGNATED APPROPRIATIONS

MISCELLANEOUS FUNDS

1
2 Sec. 12. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
3 PROGRAM. There is appropriated from the special snowmobile
4 fund created under section 321G.7 to the department of natural
5 resources for the fiscal year beginning July 1, 2019, and
6 ending June 30, 2020, the following amount, or so much thereof
7 as is necessary, to be used for the purpose designated:

8 For purposes of administering and enforcing the state
9 snowmobile programs:

10 \$ 100,000

11 Sec. 13. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE
12 TANKS SECTION EXPENSES. There is appropriated from the
13 unassigned revenue fund administered by the Iowa comprehensive
14 petroleum underground storage tank fund board established
15 pursuant to section 455G.4 to the department of natural
16 resources for the fiscal year beginning July 1, 2019, and
17 ending June 30, 2020, the following amount, or so much thereof
18 as is necessary, to be used for the purpose designated:

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

21 \$ 200,000

22 SPECIAL APPROPRIATIONS

23 GENERAL FUND

24 Sec. 14. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

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

30 For purposes of supporting floodplain management and dam
31 safety:

32 \$ 1,510,000

33 2. Of the amount appropriated in subsection 1, up to
34 \$400,000 may be used by the department to acquire or install
35 stream gages for purposes of tracking and predicting flood

1 events and for compiling necessary data to improve flood
2 frequency analysis.

3 3. Notwithstanding section 8.33, moneys appropriated in
4 subsection 1 that remain unencumbered or unobligated at the
5 close of the fiscal year shall not revert but shall remain
6 available for expenditure for the purposes designated until the
7 close of the succeeding fiscal year.

8 Sec. 15. FORESTRY HEALTH MANAGEMENT.

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

14 For purposes of providing for forestry health management
15 programs:

16 \$ 500,000

17 2. Notwithstanding section 8.33, moneys appropriated in
18 this section that remain unencumbered or unobligated at the
19 close of the fiscal year shall not revert but shall remain
20 available to be used for the purposes designated until the
21 close of the succeeding fiscal year.

22 DIVISION IV

23 IOWA STATE UNIVERSITY

24 SPECIAL GENERAL FUND APPROPRIATION

25 VETERINARY DIAGNOSTIC LABORATORY

26 Sec. 16. VETERINARY DIAGNOSTIC LABORATORY.

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

32 For purposes of supporting the college of veterinary
33 medicine for the operation of the veterinary diagnostic
34 laboratory and for not more than the following full-time
35 equivalent positions:

1 \$ 4,300,000

2 FTEs 51.00

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

7 b. Paragraph "a" does not apply to a reduction made to
8 support the college of veterinary medicine, if the same
9 percentage of reduction imposed on the college of veterinary
10 medicine is also imposed on all of Iowa state university of
11 science and technology's budget units.

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

17 DIVISION V

18 STATE UNIVERSITY OF IOWA

19 SPECIAL GENERAL FUND APPROPRIATIONS

20 FARM AND RURAL HEALTH

21 Sec. 17. IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH
22 (I-CASH).

23 1. There is appropriated from the general fund of the state
24 to the state university of Iowa 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 supporting the operations of Iowa's center for
29 agricultural safety and health, as part of the university's
30 college of public health, and in cooperation with the
31 department of agriculture and land stewardship, to anticipate,
32 recognize, and prevent occupational illness and injury among
33 members of the agricultural community:

34 \$ 130,000

35 2. As a condition of the appropriation in subsection 1,

1 the state university of Iowa shall retain the director of
2 Iowa's center for agricultural safety and health employed on
3 the effective date of this Act for at least the same number of
4 hours for the fiscal year beginning July 1, 2019, as worked by
5 the director during the fiscal year beginning July 1, 2018.

6 Sec. 18. FARMERS WITH DISABILITIES PROGRAM.

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

12 For purposes of supporting a program for farmers with
13 disabilities:

14 \$ 200,000

15 2. The moneys appropriated in subsection 1 shall be used for
16 the public purpose of providing a grant to a national nonprofit
17 organization with over 80 years of experience in assisting
18 children and adults with disabilities and special needs. The
19 moneys shall be used to support a nationally recognized program
20 that began in 1986 and has been replicated in at least 30 other
21 states, but which is not available through any other entity
22 in this state, and that provides assistance to farmers with
23 disabilities in all 99 counties to allow the farmers to remain
24 in their own homes and be gainfully engaged in farming through
25 provision of agricultural worksite and home modification
26 consultations, peer support services, services to families,
27 information and referral, and equipment loan services.

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 for expenditure for the purposes designated until the
32 close of the succeeding fiscal year.

33 Sec. 19. USE OF MONEYS.

34 1. The state university of Iowa shall not reduce the amount
35 allocated to support Iowa's center for agricultural safety or

1 health or the program for farmers disabilities from any other
2 source due to the appropriation made in this division of this
3 Act.

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

19 DIVISION VI

20 ENVIRONMENT FIRST FUND

21 GENERAL APPROPRIATIONS

22 Sec. 20. DEPARTMENT OF AGRICULTURE AND LAND

23 STEWARDSHIP. There is appropriated from the environment first
24 fund created in section 8.57A to the department of agriculture
25 and land stewardship for the fiscal year beginning July 1,
26 2019, and ending June 30, 2020, the following amounts, or so
27 much thereof as is necessary, to be used for the purposes
28 designated:

29 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

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

34 \$ 1,000,000

35 b. Not more than 10 percent of the moneys appropriated

1 in paragraph "a" may be used for costs of administration and
2 implementation of soil and water conservation practices.

3 c. Notwithstanding any other provision in law, the
4 department may use moneys appropriated in this subsection,
5 in combination with other appropriate environment first
6 fund appropriations, for cost sharing to match United States
7 department of agriculture, natural resources conservation
8 service, wetlands reserve enhancement program (WREP) funding
9 available to Iowa.

10 2. WATERSHED PROTECTION

11 a. For continuation of a program that provides
12 multiobjective resource protections for flood control, water
13 quality, erosion control, and natural resource conservation:
14 \$ 900,000

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

18 3. SOIL AND WATER CONSERVATION — ADMINISTRATION

19 a. For use by the department for costs of administration and
20 implementation of soil and water conservation practices:
21 \$ 3,800,000

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

25 4. CONSERVATION RESERVE PROGRAM (CRP)

26 a. To encourage and assist farmers in enrolling in and the
27 implementation of the federal conservation reserve program and
28 to work with them to enhance their revegetation efforts to
29 improve water quality and habitat:
30 \$ 900,000

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

34 5. SOIL AND WATER CONSERVATION

35 a. For use by the department in providing for soil and water

1 conservation:
2 \$ 8,325,000
3 b. (1) Of the amount appropriated in paragraph "a", for
4 transfer to the loess hills development and conservation fund
5 created in section 161D.2:
6 \$ 490,000
7 (2) (a) Of the amount transferred to the loess hills
8 development and conservation fund in subparagraph (1), \$450,000
9 shall be allocated to the fund's hungry canyons account.
10 (b) Not more than 10 percent of the moneys allocated to
11 the fund's hungry canyons account as provided in subparagraph
12 division (a) may be used for administrative costs.
13 (3) (a) Of the amount transferred to the loess hills
14 development and conservation fund in subparagraph (1), \$40,000
15 shall be allocated to the fund's loess hills alliance account.
16 (b) Not more than 10 percent of the moneys allocated to the
17 fund's loess hills alliance account as provided in subparagraph
18 division (a) may be used for administrative costs.
19 c. Of the remaining amount appropriated in paragraph "a",
20 for use by the department in providing for soil and water
21 conservation administration, the conservation of soil and
22 water resources, or the support of soil and water conservation
23 districts:
24 \$ 7,835,000
25 d. Of the amount appropriated in paragraph "c" that the
26 department allocates to a soil and water conservation district,
27 the first \$15,000 may be expended by the district for the
28 purpose of providing financial incentives under section 161A.73
29 to establish management practices for the control of soil
30 erosion on land that is row-cropped, including but not limited
31 to nontill planting, ridge-till planting, and contouring
32 strip-cropping. Of any remaining amount of that appropriation
33 allocated by the department to a district, 30 percent may be
34 expended by the district for that same purpose.
35 e. Not more than 5 percent of the moneys appropriated in

1 paragraph "c" may be allocated for cost sharing to address
2 complaints filed under section 161A.47.

3 f. Of the moneys appropriated in paragraph "c", 5 percent
4 shall be allocated for financial incentives to establish
5 practices to protect watersheds above publicly owned lakes of
6 the state from soil erosion and sediment as provided in section
7 161A.73.

8 g. The state soil conservation and water quality committee
9 established by section 161A.4 may allocate moneys appropriated
10 in paragraph "c" to conduct research and demonstration projects
11 to promote conservation tillage and nonpoint source pollution
12 control practices.

13 h. The allocation of moneys as financial incentives as
14 provided in section 161A.73 may be used in combination with
15 moneys allocated by the department of natural resources.

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

19 Sec. 21. DEPARTMENT OF NATURAL RESOURCES. There is
20 appropriated from the environment first fund created in section
21 8.57A to the department of natural resources for the fiscal
22 year beginning July 1, 2019, and ending June 30, 2020, the
23 following amounts, or so much thereof as is necessary, to be
24 used for the purposes designated:

25 1. STATE PARKS MAINTENANCE AND OPERATIONS

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

28 \$ 6,235,000

29 b. Of the amount appropriated in paragraph "a", up to
30 \$100,000 shall be allocated for statewide coordination of
31 volunteer efforts.

32 2. GEOGRAPHIC INFORMATION SYSTEM (GIS)

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

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1 \$ 195,000
2 3. WATER QUALITY MONITORING
3 For continuing the establishment and operation of water
4 quality monitoring stations:
5 \$ 2,955,000
6 4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
7 For deposit in the public water supply system account of the
8 water quality protection fund created in section 455B.183A:
9 \$ 500,000
10 5. REGULATION OF ANIMAL FEEDING OPERATIONS
11 For the regulation of animal feeding operations, including
12 as provided for in chapters 459, 459A, and 459B:
13 \$ 1,320,000
14 6. AMBIENT AIR QUALITY
15 For the abatement, control, and prevention of ambient
16 air pollution in this state, including measures as necessary
17 to assure attainment and maintenance of ambient air quality
18 standards from particulate matter:
19 \$ 425,000
20 7. FLOODPLAIN MANAGEMENT AND DAM SAFETY
21 For supporting floodplain management and dam safety:
22 \$ 375,000
23 Sec. 22. STATE UNIVERSITY OF IOWA — IOWA GEOLOGICAL
24 SURVEY. There is appropriated from the environment first
25 fund created in section 8.57A to the state university of Iowa
26 for the fiscal year beginning July 1, 2019, and ending June
27 30, 2020, the following amounts, or so much thereof as is
28 necessary, to be used for the purposes designated:
29 1. OPERATIONS
30 For purposes of supporting the operations of the Iowa
31 geological survey of the state as created within the state
32 university of Iowa pursuant to section 456.1, including but not
33 limited to providing analysis; data maintenance, collection,
34 and compilation; investigative programs; and information for
35 water supply development and protection:

1 \$ 200,000

2 2. WATER RESOURCE MANAGEMENT

3 For purposes of supporting the Iowa geological survey in
4 measuring, assessing, and evaluating the quantity of water
5 sources in this state and assisting the department of natural
6 resources in regulating water quantity as provided in chapter
7 455B, division III, part 4, pursuant to sections 455B.262B and
8 456.14:

9 \$ 495,000

10 Sec. 23. REVERSION.

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

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

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

32 DIVISION VII

33 ENVIRONMENT FIRST FUND

34 SPECIAL APPROPRIATIONS

35 Sec. 24. WATER QUALITY INITIATIVE — DEPARTMENT OF

1 AGRICULTURE AND LAND STEWARDSHIP.

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

8 For deposit in the water quality initiative fund created in
9 section 466B.45, for purposes of supporting the water quality
10 initiative administered by the division of soil conservation
11 and water quality as provided in section 466B.42, including
12 salaries, support, maintenance, and miscellaneous purposes:
13 \$ 2,375,000

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

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

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

26 a. The demonstration projects shall utilize water quality
27 practices as described in the Iowa nutrient reduction strategy
28 as defined in section 455B.171.

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

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

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

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

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

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

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

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

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

11 DIVISION VIII

12 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND

13 Sec. 25. REAP — IN LIEU OF GENERAL FUND APPROPRIATION. In
14 lieu of the standing appropriation in section 455A.18, there is
15 appropriated from the environment first fund created in section
16 8.57A to the Iowa resources enhancement and protection fund
17 for the fiscal year beginning July 1, 2019, and ending June
18 30, 2020, the following amount, to be allocated as provided in
19 section 455A.19:

20 \$ 12,000,000

21 Sec. 26. REAP — OPEN SPACES ACCOUNT — STATE PARK
22 MAINTENANCE AND REPAIR. Notwithstanding section 455A.19,
23 subsection 1, paragraph "a", subparagraph (1), of the moneys
24 allocated to the open spaces account of the Iowa resources
25 enhancement and protection fund, up to \$1,000,000 may be
26 used by the department of natural resources for state park
27 maintenance and repair for the fiscal year beginning July 1,
28 2019, and ending on June 30, 2020.

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

31 1. Notwithstanding section 455A.19, subsection 1, paragraph
32 "a", subparagraph (1), of the moneys allocated to the open
33 spaces account of the Iowa resources enhancement and protection
34 fund, any amount in that account that is unencumbered and
35 unobligated on the effective date of this section, are

1 appropriated to the department of natural resources for the
2 repair, restoration, or rehabilitation of property under the
3 jurisdiction or control of the department, including such
4 property located in southwestern Iowa, that has been damaged
5 by flood waters, for the fiscal year beginning July 1, 2018,
6 and ending June 30, 2019.

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

13 Sec. 28. EFFECTIVE DATE. The following, being deemed of
14 immediate importance, takes effect upon enactment:

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

22 DIVISION IX

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

25 Sec. 29. NEW SECTION. 214A.2C Auditing programs.

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

32 DIVISION X

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

35 Sec. 30. Section 352.4, subsection 4, Code 2019, is amended

1 to read as follows:

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

9 Sec. 31. Section 456.1, Code 2019, is amended to read as
10 follows:

11 **456.1 Geological Iowa geological survey created.**

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

15 Sec. 32. Section 456.10, Code 2019, is amended to read as
16 follows:

17 **456.10 Distribution of reports.**

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

21 Sec. 33. Section 456.13, Code 2019, is amended to read as
22 follows:

23 **456.13 Maps property of state — custody — copies.**

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

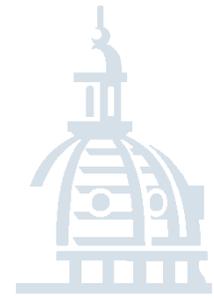
34 2. Title page, line 4, by striking <protection> and
35 inserting <protection, and including effective date provisions>

H-1206 (Continued)

1 3. By renumbering as necessary.

By COMMITTEE ON APPROPRIATIONS
GRASSLEY of Butler, Chairperson

[H-1206](#) FILED APRIL 11, 2019



HF 768 – Beginning Farmer Tax Credit (LSB1882HZ)
Analyst: Jeff Robinson (515.281.4614) jeff.robinson@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 768](#) creates a Beginning Farmer Tax Credit. The new tax credit replaces the existing Agricultural Assets Transfer Tax Credit. The new tax credit raises the annual aggregate tax credit cap from the current \$6.0 million to approximately \$12.0 million.

Like the previous version of the credit, the new tax credit is not transferable or refundable, but any unused tax credits may be carried forward for up to 10 tax years. The changes are effective for tax years beginning on or after January 1, 2019.

Background

The current Agricultural Assets Transfer Tax Credit is allowed for an owner of agricultural assets that are the subject of a lease or rental agreement with a qualified beginning farmer. The term of the agreement may be for two to five years. The tax credit is equal to 5.0% of the lease or rental agreement income if the agreement is on a cash payment basis, or 15.0% if the agreement is on a commodity share basis. The current tax credit has a \$6.0 million annual aggregate award cap that continues without sunset under current law. At the end of calendar year (CY) 2018, agreements with a total tax credit value of \$7.9 million were in place and under current law will consume some of the annual \$6.0 million cap available for the next several fiscal years. In addition, a total of \$3.9 million in agreements has been approved for the tax credit in CY 2019.

Administration of this tax credit is the responsibility of the Iowa Finance Authority (IFA). Over three years (FY 2015 through FY 2017), IFA expenses to process and monitor 1,604 applications totaled \$652,000, or \$406 per application. The Bill establishes maximum application fees that IFA may charge. Through January 1, 2022, the maximum fee is \$300 to \$500 per application. After that date, the total amount of fees IFA may charge applicants is limited to no more than the cost to administer the program.

Assumptions

- The tax credit cap will be administered as a calendar year cap (January 1 through December 31).
- The \$7.9 million in agreements that exist as of the end of CY 2018 will not be included as part of the new \$12.0 million tax credit cap. A CY 2018 or earlier agreement will remain in force and will earn tax credits when each year of the agreement is completed.
- The \$3.9 million in CY 2019 agreements will be issued as part of the \$12.0 million CY 2019 credit cap. For all future agreements, the term is assumed to be three years.
- It is assumed that under the new tax credit, the estimated tax credit award for all years of each agreement will be applied to the \$12.0 million cap for that approval year. This is a change from the existing tax credit, where each year of an agreement was applied to the tax credit cap for the calendar year in which each of the years of the agreement fell.

- Under existing law, the full \$6.0 million annual cap is assumed to be awarded. Due to contract cancellations after agreements are approved, only 90.0% of the projected tax credit award increase is assumed to result in increased issuance of tax credits.
- Due to insufficient tax liability, only 70.0% of awarded tax credits will be redeemed. As nonrefundable credits, the tax credits are assumed to be redeemed over the seven years following the year of the award. The assumed redemption schedule is as follows:
 - Year 1 (initial year of award) = 0.0%
 - Year 2 = 30.0%
 - Year 3 = 15.0%
 - Year 4 through year 8 = 5.0%
- As nonrefundable credits, credit redemptions impact the calculation of the local option income surtax for schools. The surtax rate is assumed to be 2.9%.

Fiscal Impact

Replacing the existing Agricultural Asset Transfer Tax Credit with the Beginning Farmer Tax Credit is projected to decrease net General Fund revenue by the following amounts:

- FY 2020 = \$0.4 million
- FY 2021 = \$1.4 million
- FY 2022 = \$2.5 million
- FY 2023 = \$3.0 million
- FY 2024 = \$3.3 million
- FY 2025 = \$3.4 million
- FY 2026 = \$3.6 million
- FY 2027 and after = \$3.8 million

In addition, the amount of revenue raised by the local option income surtax for schools will be reduced by a projected \$0.1 million per year, beginning FY 2022.

Sources

Department of Revenue
MABSCO Capital, Inc.
Iowa Finance Authority
LSA calculations

/s/ Holly M. Lyons

April 10, 2019

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
