

Senate File 200 - Enrolled

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1 1 SENATE FILE 200
1 2
1 3 AN ACT
1 4 RELATING TO AGRICULTURE BY PROVIDING FOR THE POWERS AND DUTIES
1 5 OF THE DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP AND
1 6 WATERSHED IMPROVEMENT.
1 7
1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 9
1 10 DIVISION I
1 11 IOWA BOARD OF VETERINARY MEDICINE ==
1 12 ELIMINATION OF REPORTING REQUIREMENT
1 13 Section 1. Section 169.5, subsection 7, unnumbered
1 14 paragraph 3, Code 2005, is amended by striking the unnumbered
1 15 paragraph.
1 16 DIVISION II
1 17 MOTOR VEHICLE FUEL DEALERS == ELIMINATION OF
1 18 VOLUNTARY SAMPLING PROCEDURE AND FEE
1 19 Sec. 2. Section 214A.6, Code 2005, is repealed.
1 20 DIVISION III
1 21 WATERSHED IMPROVEMENT
1 22 Sec. 3. NEW SECTION. 466A.1 DEFINITIONS.
1 23 As used in the chapter, unless the context otherwise
1 24 requires:
1 25 1. "Board" means the watershed improvement review board as
1 26 established in section 466A.3.
1 27 2. "Committee" means a local watershed improvement
1 28 committee as provided in section 466A.4.
1 29 3. "Division" means the division of soil conservation
1 30 within the department of agriculture and land stewardship as
1 31 established in section 161A.4.
1 32 4. "Fund" means the watershed improvement fund as created
1 33 pursuant to section 466A.2.
1 34 Sec. 4. NEW SECTION. 466A.2 WATERSHED IMPROVEMENT FUND.
1 35 1. A watershed improvement fund is created in the state
2 1 treasury which shall be administered by the treasurer of state
2 2 upon direction of the watershed improvement review board.
2 3 Moneys appropriated to the fund and any other moneys available
2 4 to and obtained or accepted by the treasurer of state for
2 5 placement in the fund shall be deposited in the fund.
2 6 Additionally, payments of interest, recaptures of awards, and
2 7 other repayments to the fund shall be deposited in the fund.
2 8 Notwithstanding section 12C.7, subsection 2, interest or
2 9 earnings on moneys in the fund shall be credited to the fund.
2 10 Notwithstanding section 8.33, moneys in the fund that remain
2 11 unencumbered or unobligated at the end of the fiscal year
2 12 shall not revert, but shall remain available for the same
2 13 purpose in the succeeding fiscal year. The moneys in the fund
2 14 shall be used exclusively for carrying out the purposes of the
2 15 fund as provided in this section. Moneys appropriated to the
2 16 treasurer of state and deposited in the fund shall not be used
2 17 by the treasurer of state for administrative purposes.
2 18 2. The purposes of the watershed improvement fund are the
2 19 following:
2 20 a. Enhancement of water quality in the state through a
2 21 variety of impairment-based, locally directed watershed
2 22 improvement grant projects.
2 23 b. Positively affecting the management and use of water
2 24 for the purposes of drinking, agriculture, recreation, sport,
2 25 and economic development in the state.
2 26 c. Ensuring public participation in the process of
2 27 determining priorities related to water quality including but
2 28 not limited to all of the following:
2 29 (1) Agricultural runoff and drainage.
2 30 (2) Stream bank erosion.
2 31 (3) Municipal discharge.
2 32 (4) Stormwater runoff.
2 33 (5) Unsewered communities.
2 34 (6) Industrial discharge.
2 35 (7) Livestock runoff.
3 1 Sec. 5. NEW SECTION. 466A.3 WATERSHED IMPROVEMENT REVIEW
3 2 BOARD.
3 3 1. A watershed improvement review board is established.
3 4 a. The board shall consist of all of the following voting
3 5 members, appointed by the named entity or entities and

3 6 approved by the governor:

- 3 7 (1) One member of the agribusiness association of Iowa.
- 3 8 (2) One member of the Iowa association of water agencies.
- 3 9 (3) One member of the Iowa environmental council.
- 3 10 (4) One member of the Iowa farm bureau federation.
- 3 11 (5) One member of the Iowa pork producers association.
- 3 12 (6) One member of the Iowa rural water association.
- 3 13 (7) One member of the Iowa soybean association.
- 3 14 (8) One member representing soil and water conservation
- 3 15 districts of Iowa.
- 3 16 (9) One member of the Iowa association of county
- 3 17 conservation boards.
- 3 18 (10) One person representing the department of agriculture
- 3 19 and land stewardship.
- 3 20 (11) One person representing the department of natural
- 3 21 resources.

3 22 b. The board shall consist of four members of the general
3 23 assembly who shall serve as voting members. Not more than one
3 24 member from each house shall be from the same political party.
3 25 Two state senators shall be appointed, one by the majority
3 26 leader of the senate and one by the minority leader of the
3 27 senate. Two state representatives shall be appointed, one by
3 28 the speaker of the house of representatives and one by the
3 29 minority leader of the house of representatives. A member may
3 30 designate another person to attend a board meeting if the
3 31 member is unavailable. Only the member is eligible for per
3 32 diem and expenses as provided in section 2.10.

3 33 2. a. The voting members of the board shall serve three=
3 34 year staggered terms commencing and ending as provided in
3 35 section 69.19. If a vacancy occurs, a successor shall be
4 1 appointed in the same manner and subject to the same
4 2 qualifications as the original appointment, to serve the
4 3 remainder of the term.

4 4 b. The voting members of the board shall elect a
4 5 chairperson and vice chairperson annually from the voting
4 6 membership of the board. A majority of the voting members of
4 7 the board constitutes a quorum. If the chairperson and vice
4 8 chairperson are unable to preside over the board due to
4 9 absence or disability, a majority of the voting members
4 10 present may elect a temporary chairperson by a majority vote
4 11 providing a quorum is present.

4 12 3. The watershed improvement review board shall do all of
4 13 the following:

4 14 a. Award local watershed improvement grants and monitor
4 15 the progress of local watershed improvement projects awarded
4 16 grants. A local watershed improvement grant may be awarded
4 17 for a period not to exceed three years. Each local watershed
4 18 improvement grant awarded shall not exceed ten percent of the
4 19 moneys appropriated for the grants during a fiscal year.

4 20 b. Assist with the development of monitoring plans for
4 21 local watershed improvement projects.

4 22 c. Review monitoring results before, during, and after
4 23 completion of a local watershed improvement project.

4 24 d. Review costs and benefits of mitigation practices
4 25 utilized by a project.

4 26 e. By January 31, annually, submit an electronic report to
4 27 the governor and the general assembly regarding the progress
4 28 of the watershed improvement projects during the previous
4 29 calendar year.

4 30 f. Elicit the expertise of other organizations for
4 31 technical assistance in the work of the board.

4 32 g. Independently develop and adopt administrative rules
4 33 pursuant to chapter 17A to administer this chapter.

4 34 4. A watershed improvement review board member who also
4 35 serves on a local watershed improvement committee shall
5 1 abstain from voting on a local watershed improvement grant
5 2 application submitted by the same local watershed improvement
5 3 committee of which the person is a member. A member of the
5 4 general assembly shall abstain from participating on any issue
5 5 relating to a watershed which is in the member's legislative
5 6 district.

5 7 Sec. 6. NEW SECTION. 466A.4 LOCAL WATERSHED IMPROVEMENT
5 8 COMMITTEES.

5 9 1. A local watershed improvement committee shall be
5 10 organized for the purposes of applying for a local watershed
5 11 improvement grant and implementing a local watershed
5 12 improvement project. Each local watershed improvement grant
5 13 application shall include a methodology for attaining
5 14 measurable, observable, and performance-based results. A
5 15 majority of the members of the committee shall represent a
5 16 cause for the impairment of the watershed. The committee

5 17 shall be authorized as a not-for-profit organization by the
5 18 secretary of state. Soil and water conservation districts may
5 19 also be eligible and apply for and receive local watershed
5 20 improvement grants.

5 21 2. A local watershed improvement committee shall be
5 22 responsible for application for and implementation of an
5 23 approved local watershed improvement grant, including
5 24 providing authorization for project bids and project
5 25 expenditures under the grant. A portion of the grant moneys
5 26 may be used to engage engineering expertise related to the
5 27 project. The committee shall monitor local performance
5 28 throughout the local watershed grant project and shall submit
5 29 a report at six-month intervals regarding the progress and
5 30 findings of the project as required by the committee.

5 31 Sec. 7. NEW SECTION. 466A.5 ADMINISTRATION.

5 32 The soil conservation division of the department of
5 33 agriculture and land stewardship shall provide administrative
5 34 support to the board. Not more than one percent of the total
5 35 moneys deposited in the watershed improvement fund on July 1
6 1 of a fiscal year or fifty thousand dollars, whichever is less,
6 2 is appropriated each fiscal year to the division for the
6 3 purposes of assisting the watershed improvement review board
6 4 in administering this chapter.

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6 8 JOHN P. KIBBIE
6 9 President of the Senate

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6 13 CHRISTOPHER C. RANTS
6 14 Speaker of the House

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6 16 I hereby certify that this bill originated in the Senate and
6 17 is known as Senate File 200, Eighty-first General Assembly.

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6 21 MICHAEL E. MARSHALL
6 22 Secretary of the Senate

6 23 Approved _____, 2005

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6 27 THOMAS J. VILSACK

6 28 Governor