



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

July 21, 2011

The Honorable Matthew Schultz
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 509, an Act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date and retroactive and other applicability provisions.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry E. Branstad".

Terry E. Branstad
Governor

cc: Secretary of the Senate
Clerk of the House



Senate File 509

AN ACT

RELATING TO AND MAKING APPROPRIATIONS INVOLVING STATE GOVERNMENT ENTITIES INVOLVED WITH AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL PROTECTION, AND INCLUDING EFFECTIVE DATE AND RETROACTIVE AND OTHER APPLICABILITY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
GENERAL APPROPRIATIONS FOR FY 2011-2012

Section 1. GENERAL FUND — DEPARTMENT.

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

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

.....	\$ 16,497,308
..... FTEs	365.00

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

programs.

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

DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

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

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

..... \$ 305,516

DESIGNATED APPROPRIATIONS — MOTOR FUEL

Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR FUEL INSPECTION. There is appropriated from the renewable fuel infrastructure fund created in section 15G.205 to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 500,000

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

DIVISION II

DEPARTMENT OF NATURAL RESOURCES

GENERAL APPROPRIATIONS FOR FY 2011-2012

Sec. 4. GENERAL FUND — DEPARTMENT.

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

purposes designated:

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

.....	\$ 12,266,688
.....	FTEs 1,145.95

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

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

Sec. 5. STATE FISH AND GAME PROTECTION FUND — DIVISION OF FISH AND WILDLIFE.

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

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

.....	\$ 38,793,154
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2. Notwithstanding section 455A.10, the department may use the unappropriated balance remaining in the state fish and game protection fund to provide for the funding of health and life insurance premium payments from unused sick leave balances of conservation peace officers employed in a protection occupation who retire, pursuant to section 97B.49B.

3. Notwithstanding section 455A.10, the department of natural resources may use the unappropriated balance remaining

in the state fish and game protection fund for the fiscal year beginning July 1, 2011, and ending June 30, 2012, as is necessary to fund salary adjustments for departmental employees which the general assembly has made an operating budget appropriation for in subsection 1.

Sec. 6. GROUNDWATER PROTECTION FUND — WATER QUALITY. There is appropriated from the groundwater protection fund created in section 455E.11 to the department of natural resources for the fiscal year beginning July 1, 2011, and ending June 30, 2012, from those moneys which are not allocated pursuant to that section, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 3,455,832

DESIGNATED APPROPRIATIONS — MISCELLANEOUS

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

For purposes of administering and enforcing the state snowmobile programs:

..... \$ 100,000

Sec. 8. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE TANK SECTION EXPENSES. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board to the department of natural resources for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of paying for administration expenses of the department's underground storage tank section:

..... \$ 200,000

Sec. 9. STORM WATER DISCHARGE PERMIT FEES — SUPPORT FOR SPECIAL PURPOSES. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the department of natural resources may use additional moneys available to the department collected from storm water discharge permit fees as provided in sections

455B.103A and 455B.197 for the staffing of the following additional full-time equivalent positions for the purposes designated:

1. For purposes of reducing the department's floodplain permit backlog:

..... FTEs 2.00

2. For purposes of implementing the federal total maximum daily load program:

..... FTEs 2.00

DIVISION III

IOWA STATE UNIVERSITY

APPROPRIATION FOR FY 2011-2012

Sec. 10. GENERAL FUND — VETERINARY DIAGNOSTIC LABORATORY.

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

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

..... \$ 3,237,636

..... FTEs 50.00

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

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

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

Sec. 11. VETERINARY DIAGNOSTIC LABORATORY — FUTURE YEAR. This section applies if appropriations made in this Act and all other Acts enacted by the Eighty-fourth General Assembly during the 2011 regular session and all extraordinary sessions, for the fiscal year beginning July 1, 2011, and

ending June 30, 2012, for purposes of supporting the operation of the veterinary diagnostic laboratory associated with the college of veterinary medicine at Iowa state university, total less than \$4,000,000. It is the intent of the general assembly that the amount of any deficit will be appropriated by the general assembly during its 2012 regular session for purposes of supporting the operation of the veterinary diagnostic laboratory for the fiscal year beginning July 1, 2012, and ending June 30, 2013.

DIVISION IV

ENVIRONMENT FIRST FUND

GENERAL APPROPRIATIONS FOR FY 2011-2012

Sec. 12. DEPARTMENT OF AGRICULTURE AND LAND

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

1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

a. For the conservation reserve enhancement program to restore and construct wetlands for the purposes of intercepting tile line runoff, reducing nutrient loss, improving water quality, and enhancing agricultural production practices:
..... \$ 1,000,000

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

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

2. WATERSHED PROTECTION

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

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

3. FARM MANAGEMENT DEMONSTRATION PROGRAM

a. For continuation of a statewide voluntary farm management demonstration program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits:

..... \$ 625,000

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

c. Of the amount appropriated in paragraph "a", \$370,000 shall be allocated to an organization representing soybean growers to provide for an agriculture and environment performance program in order to carry out the purposes of this subsection as specified in paragraph "a".

4. SOIL AND WATER CONSERVATION — ADMINISTRATION

For use by the department for costs of administration and implementation of soil and water conservation practices:

..... \$ 2,000,000

5. CONSERVATION RESERVE PROGRAM (CRP)

a. To encourage and assist farmers in enrolling in and the implementation of the federal conservation reserve program and to work with them to enhance their revegetation efforts to improve water quality and habitat:

..... \$ 1,000,000

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

6. SOIL AND WATER CONSERVATION

a. For use by the department in providing for soil and water conservation administration, the conservation of soil and water resources, or the support of soil and water conservation district commissioners:

..... \$ 6,300,000

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

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

d. Not more than 30 percent of a soil and water conservation

district's allocation of moneys as financial incentives may be provided for the purpose of establishing management practices to control soil erosion on land that is row cropped, including but not limited to no-till planting, ridge-till planting, contouring, and contour strip-cropping as provided in section 161A.73.

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

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

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

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

7. LOCAL FOOD AND FARM PROGRAM COORDINATOR

a. For purposes of supporting a local food and farm program coordinator as established pursuant to new Code chapter 267A as enacted in this Act, for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 75,000

b. The department shall enter into a cost-sharing agreement with Iowa state university to support the local food and farm program coordinator position as part of the university's cooperative extension service in agriculture and home economics pursuant to new Code chapter 267A as enacted in this Act.

8. AGRICULTURAL EDUCATION

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

..... \$ 25,000

9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

a. For deposit in the loess hills development and conservation fund created in section 161D.2:

..... \$ 475,000

b. (1) Of the amount appropriated in paragraph "a", \$356,250 shall be allocated to the fund's hungry canyons account.

(2) Not more than 10 percent of the moneys allocated to the hungry canyons account as provided in subparagraph (1) may be used for administrative costs.

c. (1) Of the amount appropriated in paragraph "a", \$118,750 shall be allocated to the fund's loess hills alliance account.

(2) Not more than 10 percent of the moneys allocated to the loess hills alliance account as provided in subparagraph (1) may be used for administrative costs.

Sec. 13. DEPARTMENT OF NATURAL RESOURCES. There is appropriated from the environment first fund created in section 8.57A to the department of natural resources for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. KEEPERS OF THE LAND

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

..... \$ 100,000

2. STATE PARKS MAINTENANCE AND OPERATIONS

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

..... \$ 3,210,000

3. FORESTRY HEALTH MANAGEMENT

To provide for forestry health management programs:

..... \$ 100,000

4. GEOGRAPHIC INFORMATION SYSTEM (GIS)

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

..... \$ 195,000

5. WATER QUALITY MONITORING

For continuing the establishment and operation of water quality monitoring stations:

..... \$ 2,955,000

6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

For deposit in the public water supply system account of the water quality protection fund created in section 455B.183A:

..... \$ 500,000

7. REGULATION OF ANIMAL FEEDING OPERATIONS

For the regulation of animal feeding operations, including as provided for in chapters 459 through 459B:

..... \$ 420,000

8. AMBIENT AIR QUALITY

For the abatement, control, and prevention of ambient air pollution in this state, including measures as necessary to assure attainment and maintenance of ambient air quality standards from particulate matter:

..... \$ 425,000

9. WATER QUANTITY REGULATION

For regulating water quantity from surface and subsurface sources by providing for the allocation and use of water resources, the protection and management of water resources, and the preclusion of conflicts among users of water resources, including as provided in chapter 455B, division III, part 4:

..... \$ 495,000

10. GEOLOGICAL AND WATER SURVEY

For continuing the operations of the department's geological and water survey including but not limited to providing analysis, data collection, investigative programs, and information for water supply development and protection:

..... \$ 200,000

Sec. 14. REVERSION. Notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2011, in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the fiscal year beginning July 1, 2012, or until the project for which the appropriation was made is completed, whichever is earlier.

DIVISION V

RESOURCES ENHANCEMENT AND PROTECTION

(REAP) FUND FOR FY 2011-2012

GENERAL APPROPRIATIONS

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

..... \$ 12,000,000

DIVISION VI

AGRICULTURAL DRAINAGE WELL CLOSURE

Sec. 16. REPORT. The department of agriculture and land stewardship shall prepare a report regarding agricultural drainage wells that have not been closed as provided in chapter 460. The report shall include an inventory of agricultural drainage wells that remain unclosed, a projected timeline for closing the agricultural drainage wells, and an estimate of the costs for closing each agricultural drainage well. The department shall submit the report to the governor and fiscal services division of the legislative services agency not later than November 15, 2011.

DIVISION VII

SOIL NUTRIENT MASS STUDY

Sec. 17. WATERSHED IMPROVEMENT REVIEW BOARD.

1. Notwithstanding any provision to the contrary in chapter 466A, the watershed improvement review board established in section 466A.3 may authorize up to fifty thousand dollars of moneys available in the watershed improvement fund created in section 466A.2, for the fiscal period beginning July 1, 2011, and ending January 1, 2013, to finance a study of soil nutrient mass balance issues.

2. The study financed by the board under this section shall be conducted by the department of agriculture and land stewardship in cooperation with the Iowa state university college of agriculture. The department, in cooperation with the college of agriculture, shall study the leaching of nutrients from the soil; the related impacts on soil sustainability; productivity; water quality, including erosion, sediment, and phosphorus attached to sediment; and the soil's capacity to absorb and hold water.

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

DIVISION VIII

INTERIM LEGISLATIVE COMMITTEE — STATE FISH AND GAME PROTECTION FUND

Sec. 18. INTERIM STUDY. The legislative council shall establish a study committee during the 2011 interim for purposes of reviewing expenditures from the state fish and game protection fund by the department of natural resources.

DIVISION IX
AGRICULTURE AND NATURAL RESOURCES
DEPARTMENT OF NATURAL RESOURCES
USE OF MONEYS IN THE STATE FISH AND GAME PROTECTION FUND FOR FY
2010-2011

Sec. 19. USE OF MONEYS — RADIOS.

1. Notwithstanding 2010 Iowa Acts, chapter 1191, section 7, the department of natural resources may use the unappropriated balance remaining in the state fish and game protection fund for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to purchase mobile radios to meet federal and state requirements for homeland security and public safety. This section applies to those moneys in the fund that are not otherwise used, obligated, or encumbered for payment of health and life insurance premium payments for conservation peace officer retirements for that fiscal year. The department may use such moneys until June 30, 2012.

2. The mobile radios purchased by the department of natural resources pursuant to subsection 1 shall be compatible with a statewide public safety radio network, if created in legislation enacted by the 2011 regular session of the General Assembly, which may include provisions in 2011 Iowa Acts, Senate File 541, if enacted. The department shall purchase the mobile radios after conducting a competitive bidding process.

3. On or before January 13, 2012, the department of natural resources in cooperation with the department of public safety shall provide a report to the legislative services agency and the department of management. The report shall detail the status of the moneys appropriated in subsection 1 and shall include the estimated needs of the department of natural resources to achieve interoperability and to meet the federal narrowbanding mandate, and any changes in estimated costs to meet those needs.

Sec. 20. RADIOS. The sections of 2011 Iowa Acts, Senate File 538, amending 2011 Iowa Acts, Senate File 509, section 22, and establishing an effective date for that amendment, if enacted, are repealed.

Sec. 21. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY. This division of this Act, being deemed of immediate importance, takes effect upon enactment and, if approved by the governor on or after July 1, 2011, shall apply retroactively to June 30, 2011.

DIVISION X

RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011
RURAL IMPROVEMENT ZONES

Sec. 22. Section 357H.7, Code 2011, is amended to read as follows:

357H.7 Board of trustees — power.

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

DIVISION XI

RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011 GROUNDWATER
PROTECTION FUND

Sec. 23. Section 455E.11, subsection 2, paragraph a, subparagraph (1), subparagraph division (a), subparagraph subdivision (ii), subparagraph part (B), Code 2011, is amended to read as follows:

(B) Expend not more than fifty percent of the moneys for a community partnership program designed to support community beautification projects ~~including the deconstruction, renovation, or removal of derelict buildings.~~ Eligible communities are limited to cities of five thousand or fewer in population. ~~Eligible costs shall include but are not limited to asbestos abatement and removal, the recovery and processing of recyclable or reusable material from derelict buildings, and reimbursement for purchased recycled content materials used in the renovation of buildings. Special consideration may be given to communities that hire the unemployed to deconstruct structures, clean up the properties, and, if there is no immediate buyer for the properties, turn the properties into green spaces. Any business entity or individual engaged in the removal or abatement of asbestos must have obtained a valid license or permit as required in chapter 88B.~~

Sec. 24. Section 455E.11, subsection 2, paragraph a, subparagraph (1), Code 2011, is amended by adding the following

new subparagraph division:

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

DIVISION XII

RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND

Sec. 25. Section 455G.3, subsections 6 through 8, Code 2011, are amended to read as follows:

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

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

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

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close

of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

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

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

Sec. 26. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY. This division of this Act, being deemed of immediate importance, takes effect upon enactment and, if approved by the governor on or after July 1, 2011, shall apply retroactively to June 30, 2011.

DIVISION XIII

AGRICULTURE AND NATURAL RESOURCES

RELATED STATUTORY CHANGES FOR CODIFICATION IN 2011 — LOCAL
FOOD AND FARM INITIATIVE

Sec. 27. NEW SECTION. 267A.1 Purpose and goals.

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

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

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

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

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

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

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

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

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

Sec. 28. NEW SECTION. 267A.2 Definitions.

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

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

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

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

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

Sec. 29. NEW SECTION. 267A.3 Local food and farm program council.

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

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

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

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

(1) One person by the Iowa farmers union who is involved in local food production.

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

c. Members appointed by the governor to represent public or private entities involved in local food distribution, marketing, or processing as follows:

(1) One person who is associated with a resource conservation and development office in this state.

(2) One person actively engaged in the distribution of local food to processors, wholesalers, or retailers.

(3) One person from the regional food systems working group who is actively engaged or an expert in local food.

3. A member designated by the secretary of agriculture shall serve at the pleasure of the secretary. A member appointed by an organization shall serve at the pleasure of that organization. A member appointed by the governor shall serve at the pleasure of the governor.

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

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

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

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

Sec. 30. NEW SECTION. 267A.4 Local food and farm program coordinator.

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

Sec. 31. NEW SECTION. 267A.5 Local food and farm program fund.

A local food and farm program fund is created in the state treasury under the control of the department. The fund is separate from the general fund of the state. The fund is composed of moneys appropriated by the general assembly and moneys available to and obtained or accepted by the local food and farm program from the United States government or private sources for placement in the fund. Moneys in the fund shall be used to carry out the purpose and goals of this chapter

as provided in section 267A.1, including but not limited to administering the local food and farm program as provided in section 267A.6. The fund shall be managed by the department in consultation with the local food and farm coordinator, under the supervision of the local food and farm program council.

Sec. 32. NEW SECTION. 267A.6 Local food and farm program.

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

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

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

Sec. 33. NEW SECTION. 267A.7 Local food and farm program report.

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

DIVISION XIV

AGRICULTURE AND NATURAL RESOURCES

RELATED STATUTORY CHANGES FOR CODIFICATION

IN 2011 — ANIMAL AGRICULTURE

COMPLIANCE CIVIL PENALTIES

Sec. 34. Section 455B.109, subsection 5, Code 2011, is amended by striking the subsection and inserting in lieu thereof the following:

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

b. Civil penalties assessed and collected by or on behalf of the department and interest on the civil penalties as provided in sections 459.602, 459.603, 459.604, 459A.502, and 459B.402 shall be deposited into the watershed improvement fund created in section 466A.2.

Sec. 35. Section 459.401, subsection 2, paragraph a, subparagraph (5), Code 2011, is amended by striking the

subparagraph.

Sec. 36. Section 459.602, Code 2011, is amended to read as follows:

459.602 Air quality violations — civil penalty.

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

Sec. 37. Section 459.603, Code 2011, is amended to read as follows:

459.603 Water quality violations — civil penalty.

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

Sec. 38. Section 459.604, subsection 2, Code 2011, is amended to read as follows:

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

Sec. 39. Section 459A.502, Code 2011, is amended to read as follows:

459A.502 Violations — civil penalty.

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

Sec. 40. Section 459B.402, Code 2011, is amended to read as follows:

459B.402 Violations — civil penalty.

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

Sec. 41. Section 466A.2, subsection 1, Code 2011, is amended to read as follows:

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

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

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

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

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

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

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

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

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

Sec. 42. Section 466A.3, subsection 4, unnumbered paragraph 1, Code 2011, is amended to read as follows:

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

Sec. 43. Section 466A.3, subsection 4, paragraph a, Code 2011, is amended to read as follows:

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

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

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

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

Sec. 44. Section 466A.5, Code 2011, is amended to read as follows:

466A.5 Administration.

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

Sec. 45. EFFECTIVE DATE. This division of this Act takes effect July 1, 2012.

DIVISION XV
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
GENERAL APPROPRIATIONS FOR FY 2012-2013

Sec. 46. GENERAL FUND — DEPARTMENT.

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

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

..... \$ 8,248,654
..... FTEs 366.00

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

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

DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

Sec. 47. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS — HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 152,758

DESIGNATED APPROPRIATIONS — MOTOR FUEL

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

For purposes of the inspection of motor fuel, including salaries, support, maintenance, and miscellaneous purposes:
..... \$ 250,000

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

DIVISION XVI

DEPARTMENT OF NATURAL RESOURCES

GENERAL APPROPRIATIONS FOR FY 2012-2013

Sec. 49. GENERAL FUND — DEPARTMENT.

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

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes; and for not more than the following full-time equivalent positions:
..... \$ 6,133,344
..... FTEs 1,145.95

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

3. The department shall submit a report each quarter of the fiscal year to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the

chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated under this section to support the department's administration, regulation, and programs.

Sec. 50. STATE FISH AND GAME PROTECTION FUND — DIVISION OF FISH AND WILDLIFE.

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

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

..... \$ 19,396,577

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

3. Notwithstanding section 455A.10, the department of natural resources may use the unappropriated balance remaining in the state fish and game protection fund for the fiscal year beginning July 1, 2012, and ending June 30, 2013, as is necessary to fund salary adjustments for departmental employees which the general assembly has made an operating budget appropriation for in subsection 1.

Sec. 51. GROUNDWATER PROTECTION FUND — WATER QUALITY. There is appropriated from the groundwater protection fund created in section 455E.11 to the department of natural resources for the fiscal year beginning July 1, 2012, and ending June 30, 2013, from those moneys which are not allocated pursuant to that section, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 1,727,916

DESIGNATED APPROPRIATIONS — MISCELLANEOUS

Sec. 52. SPECIAL SNOWMOBILE FUND — SNOWMOBILE PROGRAM. There is appropriated from the special snowmobile fund created under section 321G.7 to the department of natural resources for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of administering and enforcing the state snowmobile programs:

..... \$ 50,000

Sec. 53. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE TANK SECTION EXPENSES. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board to the department of natural resources for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of paying for administration expenses of the department's underground storage tank section:

..... \$ 100,000

Sec. 54. STORM WATER DISCHARGE PERMIT FEES — SUPPORT FOR SPECIAL PURPOSES. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the department of natural resources may use additional moneys available to the department collected from storm water discharge permit fees as provided in sections 455B.103A and 455B.197 for the staffing of the following additional full-time equivalent positions for the purposes designated:

1. For purposes of reducing the department's floodplain permit backlog:

..... FTEs 2.00

2. For purposes of implementing the federal total maximum daily load program:

..... FTEs 2.00

DIVISION XVII

IOWA STATE UNIVERSITY

APPROPRIATION FOR FY 2012-2013

Sec. 55. GENERAL FUND — VETERINARY DIAGNOSTIC LABORATORY.

1. There is appropriated from the general fund of the state to Iowa state university of science and technology for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be

used for the purposes designated:

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

.....	\$	1,618,818
.....	FTEs	50.00

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

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

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

Sec. 56. VETERINARY DIAGNOSTIC LABORATORY — FUTURE YEAR. This section applies if appropriations made in this Act and all other Acts enacted by the Eighty-fourth General Assembly during the 2012 regular session and all extraordinary sessions, for the fiscal year beginning July 1, 2012, and ending June 30, 2013, for purposes of supporting the operation of the veterinary diagnostic laboratory associated with the college of veterinary medicine at Iowa state university, total less than \$4,000,000. It is the intent of the general assembly that the amount of any deficit will be appropriated by the general assembly during its 2013 regular session for purposes of supporting the operation of the veterinary diagnostic laboratory for the fiscal year beginning July 1, 2013, and ending June 30, 2014.

DIVISION XVIII

ENVIRONMENT FIRST FUND

GENERAL APPROPRIATIONS FOR FY 2012-2013

Sec. 57. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. There is appropriated from the environment first fund created in section 8.57A to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so

much thereof as is necessary, to be used for the purposes designated:

1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

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

..... \$ 500,000

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

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

2. WATERSHED PROTECTION

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

..... \$ 450,000

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

3. FARM MANAGEMENT DEMONSTRATION PROGRAM

a. For continuation of a statewide voluntary farm management demonstration program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits:

..... \$ 312,500

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

c. Of the amount appropriated in paragraph "a", \$185,000 shall be allocated to an organization representing soybean growers to provide for an agriculture and environment performance program in order to carry out the purposes of this subsection as specified in paragraph "a".

4. SOIL AND WATER CONSERVATION — ADMINISTRATION

For use by the department for costs of administration and

implementation of soil and water conservation practices:

..... \$ 1,000,000

5. CONSERVATION RESERVE PROGRAM (CRP)

a. To encourage and assist farmers in enrolling in and the implementation of the federal conservation reserve program and to work with them to enhance their revegetation efforts to improve water quality and habitat:

..... \$ 500,000

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

6. SOIL AND WATER CONSERVATION

a. For use by the department in providing for soil and water conservation administration, the conservation of soil and water resources, or the support of soil and water conservation district commissioners:

..... \$ 3,150,000

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

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

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

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

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

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

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

7. LOCAL FOOD AND FARM PROGRAM COORDINATOR

a. For purposes of supporting a local food and farm program coordinator as established pursuant to new Code chapter 267A as enacted in this Act, for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 37,500

b. The department shall enter into a cost-sharing agreement with Iowa state university to support the local food and farm program coordinator position as part of the university's cooperative extension service in agriculture and home economics pursuant to new Code chapter 267A as enacted in this Act.

8. AGRICULTURAL EDUCATION

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

..... \$ 12,500

9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

a. For deposit in the loess hills development and conservation fund created in section 161D.2:

..... \$ 237,500

b. (1) Of the amount appropriated in paragraph "a", \$178,125 shall be allocated to the fund's hungry canyons account.

(2) Not more than 10 percent of the moneys allocated to the hungry canyons account as provided in subparagraph (1) may be used for administrative costs.

c. (1) Of the amount appropriated in paragraph "a", \$59,375 shall be allocated to the fund's loess hills alliance account.

(2) Not more than 10 percent of the moneys allocated to the loess hills alliance account as provided in subparagraph (1) may be used for administrative costs.

Sec. 58. DEPARTMENT OF NATURAL RESOURCES. There is appropriated from the environment first fund created in section 8.57A to the department of natural resources for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. KEEPERS OF THE LAND
For statewide coordination of volunteer efforts under the water quality and keepers of the land programs:
..... \$ 50,000
- 2. STATE PARKS MAINTENANCE AND OPERATIONS
For regular maintenance of state parks and staff time associated with these activities:
..... \$ 1,605,000
- 3. FORESTRY HEALTH MANAGEMENT
To provide for forestry health management programs:
..... \$ 50,000
- 4. GEOGRAPHIC INFORMATION SYSTEM (GIS)
To provide local watershed managers with geographic information system data for their use in developing, monitoring, and displaying results of their watershed work:
..... \$ 97,500
- 5. WATER QUALITY MONITORING
For continuing the establishment and operation of water quality monitoring stations:
..... \$ 1,477,500
- 6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
For deposit in the public water supply system account of the water quality protection fund created in section 455B.183A:
..... \$ 250,000
- 7. REGULATION OF ANIMAL FEEDING OPERATIONS
For the regulation of animal feeding operations, including as provided for in chapters 459 through 459B:
..... \$ 210,000
- 8. AMBIENT AIR QUALITY
For the abatement, control, and prevention of ambient air pollution in this state, including measures as necessary to assure attainment and maintenance of ambient air quality standards from particulate matter:
..... \$ 212,500
- 9. WATER QUANTITY REGULATION
For regulating water quantity from surface and subsurface sources by providing for the allocation and use of water resources, the protection and management of water resources, and the preclusion of conflicts among users of water resources, including as provided in chapter 455B, division III, part 4:
..... \$ 247,500
- 10. GEOLOGICAL AND WATER SURVEY
For continuing the operations of the department's geological

and water survey including but not limited to providing analysis, data collection, investigative programs, and information for water supply development and protection:

..... \$ 100,000

Sec. 59. REVERSION. Notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2012, in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the fiscal year beginning July 1, 2013, or until the project for which the appropriation was made is completed, whichever is earlier.

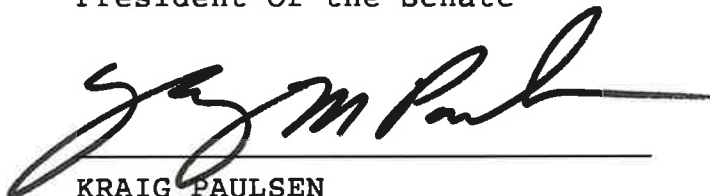
DIVISION XIX

CONDITIONAL RETROACTIVE APPLICABILITY

Sec. 60. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY. Unless otherwise provided, this Act, if approved by the governor on or after July 1, 2011, takes effect upon enactment and applies retroactively to July 1, 2011.


JOHN P. KIBBIE

President of the Senate



KRAIG PAULSEN

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 509, Eighty-fourth General Assembly.


MICHAEL E. MARSHALL

Secretary of the Senate

Approved July 21, 2011



TERRY E. BRANSTAD

Governor