

Senate Study Bill 3142 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S BUDGET
BILL)

A BILL FOR

1 An Act relating to appropriations involving state government
2 entities involved with agriculture, natural resources, and
3 environmental protection.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

Section 1. 2011 Iowa Acts, chapter 128, section 46, is amended to read as follows:

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
		<u>16,497,308</u>
	FTEs	366.00
		<u>339.60</u>

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~~ 225,000 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. 2011 Iowa Acts, chapter 128, section 47, is amended to read as follows:

1 SEC. 47. 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 2012, and ending June 30, 2013, 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 \$ 152,758
13 305,516

14 DESIGNATED APPROPRIATIONS — MOTOR FUEL

15 Sec. 3. 2011 Iowa Acts, chapter 128, section 48, is amended
16 to read as follows:

17 SEC. 48. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR FUEL
18 INSPECTION. There is appropriated from the renewable fuel
19 infrastructure fund created in section ~~15G.205~~ 159A.16 to the
20 department of agriculture and land stewardship for the fiscal
21 year beginning July 1, 2012, and ending June 30, 2013, the
22 following amount, or so much thereof as is necessary, to be
23 used for the purposes designated:

24 For purposes of the inspection of motor fuel, including
25 salaries, support, maintenance, and miscellaneous purposes:
26 \$ 250,000
27 500,000

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

34 DIVISION II

35 DEPARTMENT OF NATURAL RESOURCES

1 GENERAL APPROPRIATIONS FOR FY 2012-2013

2 Sec. 4. 2011 Iowa Acts, chapter 128, section 49, is amended
3 to read as follows:

4 SEC. 49. GENERAL FUND — DEPARTMENT.

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

10	For purposes of supporting the department, including its	
11	divisions, for administration, regulation, and programs; for	
12	salaries, support, maintenance, and miscellaneous purposes; and	
13	for not more than the following full-time equivalent positions:	
14	.....	\$ 6,133,344
15		<u>12,466,688</u>
16	..... FTEs	<u>1,145.95</u>
17		<u>1,112.95</u>

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

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 under this
32 section to support the department's administration, regulation,
33 and programs.

34 Sec. 5. 2011 Iowa Acts, chapter 128, section 50, is amended
35 to read as follows:

1 SEC. 50. STATE FISH AND GAME PROTECTION FUND — DIVISION OF
2 FISH AND WILDLIFE.

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

8 For purposes of supporting the division of fish and
9 wildlife, including for administration, regulation, and
10 programs; and for salaries, support, maintenance, equipment,
11 and miscellaneous purposes:
12 \$ 19,396,577
13 39,951,171

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

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

27 Sec. 6. 2011 Iowa Acts, chapter 128, section 51, is amended
28 to read as follows:

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

1 designated:

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

6 \$ 1,727,916
7 3,455,832

8 DESIGNATED APPROPRIATIONS — MISCELLANEOUS

9 Sec. 7. 2011 Iowa Acts, chapter 128, section 52, is amended
10 to read as follows:

11 SEC. 52. SPECIAL SNOWMOBILE FUND — SNOWMOBILE

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

17 For purposes of ~~administering and enforcing the providing~~
18 for safety education and enforcement of state snowmobile
19 programs laws:

20 \$ 50,000
21 100,000

22 Sec. 8. 2011 Iowa Acts, chapter 128, section 53, is amended
23 to read as follows:

24 SEC. 53. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE

25 TANK SECTION EXPENSES. There is appropriated from the
26 unassigned revenue fund administered by the Iowa comprehensive
27 underground storage tank fund board to the department of
28 natural resources for the fiscal year beginning July 1, 2012,
29 and ending June 30, 2013, the following amount, or so much
30 thereof as is necessary, to be used for the purpose designated:

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

33 \$ ~~100,000~~
34 200,000

35 Sec. 9. 2011 Iowa Acts, chapter 128, is amended by adding

1 the following new section:

2 NEW SECTION. 54A. GENERAL FUND — FLOODPLAIN MANAGEMENT AND
3 DAM SAFETY.

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

9 For purposes of supporting floodplain management and dam
10 safety:

11 \$ 2,000,000

12 2. Of the amount appropriated in subsection 1, up to
13 \$400,000 may be used by the department to acquire or install
14 stream gages for purposes of tracking and predicting flood
15 events and for compiling necessary data to improve flood
16 frequency analysis.

17 3. Notwithstanding section 8.33, moneys appropriated in
18 subsection 1 that remain unencumbered or unobligated at the
19 close of the fiscal year shall not revert but shall remain
20 available for expenditure for the purposes designated until
21 the close of the fiscal year beginning July 1, 2013, or until
22 the project for which the appropriation was made is completed,
23 whichever is earlier.

24 DIVISION III

25 IOWA STATE UNIVERSITY

26 APPROPRIATION FOR FY 2012-2013

27 Sec. 10. 2011 Iowa Acts, chapter 128, section 55, is amended
28 to read as follows:

29 SEC. 55. GENERAL FUND — VETERINARY DIAGNOSTIC LABORATORY.

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

35 For purposes of supporting the college of veterinary

1 medicine for the operation of the veterinary diagnostic
2 laboratory and for not more than the following full-time
3 equivalent positions:

4	\$	1,618,818
5		<u>3,237,636</u>
6	FTEs	50.00

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

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

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

21 Sec. 11. REPEAL. 2011 Iowa Acts, chapter 128, section 56,
22 is repealed.

23 DIVISION IV

24 ENVIRONMENT FIRST FUND

25 GENERAL APPROPRIATIONS FOR FY 2012-2013

26 Sec. 12. 2011 Iowa Acts, chapter 128, section 57, is amended
27 to read as follows:

28 SEC. 57. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.

29 There is appropriated from the environment first fund created
30 in section 8.57A to the department of agriculture and land
31 stewardship for the fiscal year beginning July 1, 2012, and
32 ending June 30, 2013, the following amounts, or so much thereof
33 as is necessary, to be used for the purposes designated:

34 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

35 a. For the conservation reserve enhancement program to

1 restore and construct wetlands for the purposes of intercepting
2 tile line runoff, reducing nutrient loss, improving water
3 quality, and enhancing agricultural production practices:

4 \$ 500,000
5 1,000,000

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

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

16 2. WATERSHED PROTECTION

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

20 \$ 450,000
21 900,000

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

25 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

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

31 \$ 312,500
32 625,000

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

1 c. Of the amount appropriated in paragraph "a", ~~\$185,000~~
2 370,000 shall be allocated to an organization representing
3 soybean growers to provide for an agriculture and environment
4 performance program in order to carry out the purposes of this
5 subsection as specified in paragraph "a".

6 4. SOIL AND WATER CONSERVATION — ADMINISTRATION

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

9 \$ ~~1,000,000~~
10 2,000,000

11 5. CONSERVATION RESERVE PROGRAM (CRP)

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

16 \$ ~~500,000~~
17 1,000,000

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

21 6. SOIL AND WATER CONSERVATION

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

26 \$ ~~3,150,000~~
27 6,300,000

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

31 c. Of the moneys appropriated in paragraph "a", 5 percent
32 shall be allocated for financial incentives to establish
33 practices to protect watersheds above publicly owned lakes of
34 the state from soil erosion and sediment as provided in section
35 161A.73.

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

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

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

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

25 7. LOCAL FOOD AND FARM PROGRAM COORDINATOR

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

30	\$	37,500
31		<u>75,000</u>

32 b. The department shall enter into a cost-sharing agreement
33 with Iowa state university to support the local food and farm
34 program coordinator position as part of the university's
35 cooperative extension service in agriculture and home economics

1 pursuant to new Code chapter 267A as enacted in this Act.

2 8. AGRICULTURAL EDUCATION

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

6 \$ 12,500
7 25,000

8 9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

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

11 \$ 237,500
12 475,000

13 b. (1) Of the amount appropriated in paragraph "a",
14 ~~\$178,125~~ 356,250 shall be allocated to the fund's hungry
15 canyons account.

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

19 c. (1) Of the amount appropriated in paragraph "a", ~~\$59,375~~
20 118,750 shall be allocated to the fund's loess hills alliance
21 account.

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

25 Sec. 13. 2011 Iowa Acts, chapter 128, section 58, is amended
26 to read as follows:

27 SEC. 58. DEPARTMENT OF NATURAL RESOURCES. There is
28 appropriated from the environment first fund created in section
29 8.57A to the department of natural resources for the fiscal
30 year beginning July 1, 2012, and ending June 30, 2013, the
31 following amounts, or so much thereof as is necessary, to be
32 used for the purposes designated:

33 1. KEEPERS OF THE LAND

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

1	.....	\$	<u>50,000</u>
2			<u>100,000</u>
3	2. STATE PARKS MAINTENANCE AND OPERATIONS		
4	For regular maintenance of state parks and staff time		
5	associated with these activities:		
6	.....	\$	<u>1,605,000</u>
7			<u>3,210,000</u>
8	3. FORESTRY HEALTH MANAGEMENT		
9	To provide for forestry health management programs:		
10	.....	\$	<u>50,000</u>
11			<u>100,000</u>
12	4. GEOGRAPHIC INFORMATION SYSTEM (GIS)		
13	To provide local watershed managers with geographic		
14	information system data for their use in developing,		
15	monitoring, and displaying results of their watershed work:		
16	.....	\$	<u>97,500</u>
17			<u>195,000</u>
18	5. WATER QUALITY MONITORING		
19	For continuing the establishment and operation of water		
20	quality monitoring stations:		
21	.....	\$	<u>1,477,500</u>
22			<u>2,955,000</u>
23	6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT		
24	For deposit in the public water supply system account of the		
25	water quality protection fund created in section 455B.183A:		
26	.....	\$	<u>250,000</u>
27			<u>500,000</u>
28	7. REGULATION OF ANIMAL FEEDING OPERATIONS		
29	For the regulation of animal feeding operations, including		
30	as provided for in chapters 459 through 459B:		
31	.....	\$	<u>210,000</u>
32			<u>420,000</u>
33	8. AMBIENT AIR QUALITY		
34	For the abatement, control, and prevention of ambient		
35	air pollution in this state, including measures as necessary		

1 to assure attainment and maintenance of ambient air quality
2 standards from particulate matter:

3 \$ ~~212,500~~
4 425,000

5 9. WATER QUANTITY REGULATION

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

11 \$ ~~247,500~~
12 495,000

13 10. GEOLOGICAL AND WATER SURVEY

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

18 \$ ~~100,000~~
19 200,000

20 DIVISION V

21 RESOURCES ENHANCEMENT AND PROTECTION

22 (REAP) FUND FOR FY 2012-2013

23 GENERAL APPROPRIATIONS

24 Sec. 14. ENVIRONMENT FIRST FUND. Notwithstanding the
25 amount of the standing appropriation from the general fund of
26 the state to the Iowa resources enhancement and protection
27 fund as provided in section 455A.18, there is appropriated
28 from the environment first fund created in section 8.57A to
29 the Iowa resources enhancement and protection fund, in lieu of
30 the appropriation made in section 455A.18, for the fiscal year
31 beginning July 1, 2012, and ending June 30, 2013, the following
32 amount, to be allocated as provided in section 455A.19:

33 \$ 12,000,000

34 EXPLANATION

35 GENERAL. This bill relates to appropriations made in 2011

1 Iowa Acts, chapter 128 (SF 509), for agriculture and natural
2 resources for the 2012-2013 fiscal year to support related
3 entities, including the department of agriculture and land
4 stewardship, the department of natural resources, and Iowa
5 state university.

6 The bill relates to moneys appropriated to the department of
7 agriculture and land stewardship and the department of natural
8 resources. The appropriations support those departments for
9 administration, regulation, and programs. The bill requires
10 the departments to submit quarterly reports to the general
11 assembly and department of management regarding the expenditure
12 of appropriated moneys. The bill also provides moneys to
13 support specific programs or projects administered by those
14 departments. The bill relates to moneys appropriated from a
15 number of sources, including the general fund of the state, the
16 state fish and game protection fund, the groundwater protection
17 fund, and the environment first fund. The bill is organized
18 into divisions.

19 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the
20 department of agriculture and land stewardship, moneys are
21 appropriated in order to support its divisions.

22 The bill relates to moneys appropriated from the general
23 fund of the state to support designated programs, including
24 horse and dog racing and motor fuel inspection.

25 DEPARTMENT OF NATURAL RESOURCES. For the department of
26 natural resources, moneys are appropriated from the general
27 fund in order to support its divisions.

28 The bill relates to moneys appropriated from other funds.
29 The bill relates to moneys appropriated to the department of
30 natural resources from the state fish and game protection fund
31 to support programs related to fish and wildlife. The bill
32 relates to moneys appropriated from the groundwater protection
33 fund to support groundwater quality. The bill relates to
34 moneys appropriated from the snowmobile fund to the department
35 for snowmobile programs.

1 The bill includes miscellaneous provisions. The bill
2 relates to an appropriation made from the unassigned revenue
3 fund administered by the Iowa comprehensive underground storage
4 tank fund board to the department of natural resources for
5 administration and expenses of the underground storage tank
6 section.

7 The bill includes a new appropriation to support floodplain
8 management and dam safety.

9 IOWA STATE UNIVERSITY. The bill relates to moneys
10 appropriated from the general fund of the state for the
11 operation of the Iowa state university's veterinary diagnostic
12 laboratory.

13 The bill repeals a contingent appropriation made to support
14 the veterinary diagnostic laboratory for future years.

15 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND. The bill
16 relates to moneys appropriated from the environment first fund
17 to support a number of programs administered by the department
18 of agriculture and land stewardship and the department of
19 natural resources.

20 The bill includes a new appropriation of moneys from the
21 environment first fund to the Iowa resources enhancement and
22 protection fund in lieu of the \$20 million appropriated by Code
23 section 455A.18 from the general fund of the state.