

Senate File 609 - Introduced

SENATE FILE 609
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1251)

A BILL FOR

1 An Act relating to and making appropriations and related
2 statutory changes involving state government entities
3 involved with agriculture, natural resources, and
4 environmental protection, and including effective date
5 provisions.

6 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 APPROPRIATION

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, 2019, and ending June 30, 2020, 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:
..... \$ 18,327,339
..... FTEs 372.00

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

..... \$ 288,000

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

..... \$ 200,000

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

4. 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

1 detail the expenditure of moneys appropriated in this section
2 to support the department's administration, regulation, and
3 programs.

4 DESIGNATED APPROPRIATIONS

5 MISCELLANEOUS FUNDS

6 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
7 HORSE AND DOG RACING. There is appropriated from the moneys
8 available under section 99D.13 to the department of agriculture
9 and land stewardship for the fiscal year beginning July 1,
10 2019, and ending June 30, 2020, the following amount, or so
11 much thereof as is necessary, to be used for the purposes
12 designated:

13 For purposes of supporting the department's administration
14 and enforcement of horse and dog racing law pursuant to section
15 99D.22, including for salaries, support, maintenance, and
16 miscellaneous purposes:

17 \$ 305,516

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

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

27 \$ 500,000

28 Sec. 4. 2017 Iowa Acts, chapter 168, as amended by 2018 Iowa
29 Acts, chapter 1167, section 4, is amended to read as follows:

30 38A. MONEYS CREDITED TO THE WATERSHED IMPROVEMENT FUND
31 — FARM MANAGEMENT DEMONSTRATION PROGRAM. Notwithstanding 2017
32 Iowa Acts, chapter 168, section 22, as amended by 2017 Iowa
33 Acts, chapter 170, section 42, of the moneys credited to the
34 watershed improvement fund that are unencumbered or unobligated
35 and managed by and otherwise appropriated to the department of

1 agriculture and land stewardship pursuant to those sections,
2 the department shall expend the following amount, or so much
3 thereof as is necessary, for the fiscal year beginning July 1,
4 ~~2018~~, 2019, and ending June 30, ~~2019~~, 2020, for the purpose
5 designated:

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

11 \$ 100,000

12 2. The amount required to be expended by the department of
13 agriculture and land stewardship pursuant to subsection 1 shall
14 be allocated by the department to an organization representing
15 soybean growers to provide for an agriculture and environment
16 performance program in the same manner as enacted in 2017 Iowa
17 Acts, chapter 168, section 17, subsection 3.

18 SPECIAL APPROPRIATIONS

19 GENERAL FUND

20 Sec. 5. DAIRY REGULATION.

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

26 For purposes of performing functions pursuant to section
27 192.109, including conducting a survey of grade "A" milk and
28 certifying the results to the secretary of agriculture:

29 \$ 189,196

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

35 Sec. 6. LOCAL FOOD AND FARM PROGRAM.

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

6 For purposes of supporting the local food and farm program
7 pursuant to [chapter 267A](#):

8 \$ 75,000

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

14 3. Notwithstanding [section 8.33](#), moneys appropriated in
15 this section that remain unencumbered or unobligated at the
16 close of the fiscal year shall not revert but shall remain
17 available to be used for the purposes designated until the
18 close of the succeeding fiscal year.

19 Sec. 7. AGRICULTURAL EDUCATION.

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

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

28 \$ 25,000

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

34 Sec. 8. FARMERS WITH DISABILITIES PROGRAM.

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

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

5 For purposes of supporting a program for farmers with
6 disabilities:

7 \$ 180,000

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

21 3. Notwithstanding [section 8.33](#), moneys appropriated in
22 this section that remain unencumbered or unobligated at the
23 close of the fiscal year shall not revert but shall remain
24 available for expenditure for the purposes designated until the
25 close of the succeeding fiscal year.

26 Sec. 9. FOREIGN ANIMAL DISEASES AFFLICTING LIVESTOCK.

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

32 For deposit in the foreign animal disease preparedness and
33 response fund created in [section 163.3B](#):

34 \$ 500,000

35 DIVISION II

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GENERAL FUND
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
WATER QUALITY INITIATIVE

Sec. 10. WATER QUALITY INITIATIVE — GENERAL.

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, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the water quality initiative fund created in section 466B.45, for purposes of supporting the water quality initiative administered by the division of soil conservation and water quality as provided in section 466B.42, including salaries, support, maintenance, and miscellaneous purposes:
..... \$ 3,000,000

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

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

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

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

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

1 legal interest in agricultural land located within the same
2 subwatershed.

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

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

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

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

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

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

1 The moneys shall be allocated on a cost-share basis as provided
2 in chapter 161A.

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

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

13 DIVISION III

14 DEPARTMENT OF NATURAL RESOURCES

15 Sec. 11. GENERAL FUND — DEPARTMENT.

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

21 For purposes of supporting the department, including its
22 divisions, for administration, regulation, and programs; for
23 salaries, support, maintenance, and miscellaneous purposes; and
24 for not more than the following full-time equivalent positions:
25 \$ 11,554,987
26 FTEs 1,145.95

27 2. Of the number of full-time equivalent positions
28 authorized to the department pursuant to subsection 1, 50
29 full-time equivalent positions shall be allocated by the
30 department for seasonal employees for purposes of providing
31 maintenance, upkeep, and sanitary services at state parks.
32 This subsection shall not impact park ranger or park manager
33 positions within the department.

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

1 of management, the members of the joint appropriations
2 subcommittee on agriculture and natural resources, and the
3 chairpersons and ranking members of the senate and house
4 committees on appropriations. The report shall describe in
5 detail the expenditure of moneys appropriated under this
6 section to support the department's administration, regulation,
7 and programs.

8 Sec. 12. STATE FISH AND GAME PROTECTION FUND — REGULATION
9 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

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

16 For purposes of supporting the regulation or advancement of
17 hunting, fishing, or trapping, or the protection, propagation,
18 restoration, management, or harvest of fish or wildlife,
19 including for administration, regulation, law enforcement, and
20 programs; and for salaries, support, maintenance, equipment,
21 and miscellaneous purposes:

22 \$ 44,007,044

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

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

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

9 For purposes of supporting the department’s protection
10 of the state’s groundwater, including for administration,
11 regulation, and programs, and for salaries, support,
12 maintenance, equipment, and miscellaneous purposes:
13 \$ 3,455,832

14 DESIGNATED APPROPRIATIONS

15 MISCELLANEOUS FUNDS

16 Sec. 14. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
17 PROGRAM. There is appropriated from the special snowmobile
18 fund created under [section 321G.7](#) to the department of natural
19 resources for the fiscal year beginning July 1, 2019, and
20 ending June 30, 2020, the following amount, or so much thereof
21 as is necessary, to be used for the purpose designated:

22 For purposes of administering and enforcing the state
23 snowmobile programs:
24 \$ 100,000

25 Sec. 15. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE
26 TANKS SECTION EXPENSES. There is appropriated from the
27 unassigned revenue fund administered by the Iowa comprehensive
28 petroleum underground storage tank fund board established
29 pursuant to [section 455G.4](#) to the department of natural
30 resources for the fiscal year beginning July 1, 2019, and
31 ending June 30, 2020, the following amount, or so much thereof
32 as is necessary, to be used for the purpose designated:

33 For purposes of paying for administration expenses of the
34 department’s underground storage tanks section:
35 \$ 200,000

SPECIAL APPROPRIATIONS

GENERAL FUND

Sec. 16. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

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

For purposes of supporting floodplain management and dam safety:

..... \$ 1,510,000

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

3. Notwithstanding section 8.33, moneys appropriated in subsection 1 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. 17. FORESTRY HEALTH MANAGEMENT.

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

For purposes of providing for forestry health management programs:

..... \$ 500,000

2. Notwithstanding section 8.33, moneys appropriated in this section 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 succeeding fiscal year.

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DIVISION IV
IOWA STATE UNIVERSITY
SPECIAL GENERAL FUND APPROPRIATION
VETERINARY DIAGNOSTIC LABORATORY

Sec. 18. 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, 2019, and ending June 30, 2020, 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:

.....	\$	4,100,000
.....	FTEs	51.00

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 of science and technology's budget units.

3. If by June 30, 2020, 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.

DIVISION V
ENVIRONMENT FIRST FUND
GENERAL APPROPRIATIONS

Sec. 19. DEPARTMENT OF AGRICULTURE AND LAND

STEWARDSHIP. There is appropriated from the environment first

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

6 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

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

11 \$ 1,000,000

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

15 c. Notwithstanding any other provision in law, the
16 department may use moneys appropriated in this subsection,
17 in combination with other appropriate environment first
18 fund appropriations, for cost sharing to match United States
19 department of agriculture, natural resources conservation
20 service, wetlands reserve enhancement program (WREP) funding
21 available to Iowa.

22 2. WATERSHED PROTECTION

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

26 \$ 900,000

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

30 4. SOIL AND WATER CONSERVATION — ADMINISTRATION

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

33 \$ 3,800,000

34 b. Of the moneys appropriated in paragraph "a", \$150,000
35 is allocated to support field staff providing technical

1 assistance.

2 5. CONSERVATION RESERVE PROGRAM (CRP)

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

7 \$ 900,000

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

11 6. SOIL AND WATER CONSERVATION

12 a. For use by the department in providing for soil and water
13 conservation:

14 \$ 8,325,000

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

18 \$ 490,000

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

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

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

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

31 c. Of the remaining amount appropriated in paragraph "a",
32 for use by the department in providing for soil and water
33 conservation administration, the conservation of soil and
34 water resources, or the support of soil and water conservation
35 districts:

1 \$ 7,835,000

2 d. Of the amount appropriated in paragraph "c" that the
3 department allocates to a soil and water conservation district,
4 the first \$15,000 may be expended by the district for the
5 purpose of providing financial incentives under section 161A.73
6 to establish management practices for the control of soil
7 erosion on land that is row-cropped, including but not limited
8 to nontill planting, ridge-till planting, and contouring
9 strip-cropping. Of any remaining amount of that appropriation
10 allocated by the department to a district, 30 percent may be
11 expended by the district for that same purpose.

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

15 f. Of the moneys appropriated in paragraph "c", 5 percent
16 shall be allocated for financial incentives to establish
17 practices to protect watersheds above publicly owned lakes of
18 the state from soil erosion and sediment as provided in section
19 161A.73.

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

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

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

31 Sec. 20. DEPARTMENT OF NATURAL RESOURCES. There is
32 appropriated from the environment first fund created in section
33 8.57A to the department of natural resources for the fiscal
34 year beginning July 1, 2019, and ending June 30, 2020, the
35 following amounts, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 1. STATE PARKS MAINTENANCE AND OPERATIONS

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

5 \$ 6,235,000

6 b. Of the amount appropriated in paragraph "a", up to
7 \$100,000 shall be allocated for statewide coordination of
8 volunteer efforts.

9 c. Of the amount appropriated in paragraph "a", the
10 department may use not more than \$250,000 to support up to
11 three full-time equivalent positions as state park rangers.

12 2. 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 \$ 195,000

17 3. WATER QUALITY MONITORING

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

20 \$ 2,955,000

21 4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

22 For deposit in the public water supply system account of the
23 water quality protection fund created in [section 455B.183A](#):

24 \$ 500,000

25 5. REGULATION OF ANIMAL FEEDING OPERATIONS

26 For the regulation of animal feeding operations, including
27 as provided for in [chapters 459, 459A, and 459B](#):

28 \$ 1,320,000

29 6. AMBIENT AIR QUALITY

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

34 \$ 425,000

35 7. FLOODPLAIN MANAGEMENT AND DAM SAFETY

1 For supporting floodplain management and dam safety:
2 \$ 375,000

3 Sec. 21. STATE UNIVERSITY OF IOWA — IOWA GEOLOGICAL
4 SURVEY. There is appropriated from the environment first
5 fund created in [section 8.57A](#) to the state university of Iowa
6 for the fiscal year beginning July 1, 2019, and ending June
7 30, 2020, the following amounts, or so much thereof as is
8 necessary, to be used for the purposes designated:

9 1. OPERATIONS

10 For purposes of supporting the operations of the Iowa
11 geological survey of the state as created within the state
12 university of Iowa pursuant to [section 456.1](#), including but not
13 limited to providing analysis; data maintenance, collection,
14 and compilation; investigative programs; and information for
15 water supply development and protection:

16 \$ 200,000

17 2. WATER RESOURCE MANAGEMENT

18 For purposes of supporting the Iowa geological survey in
19 measuring, assessing, and evaluating the quantity of water
20 sources in this state and assisting the department of natural
21 resources in regulating water quantity as provided in chapter
22 455B, division III, part 4, pursuant to [sections 455B.262B](#) and
23 [456.14](#):

24 \$ 495,000

25 Sec. 22. REVERSION.

26 1. a. Except as provided in paragraph "b", and
27 notwithstanding [section 8.33](#), moneys appropriated for the
28 fiscal year beginning July 1, 2019, in this division of this
29 Act that remain unencumbered or unobligated at the close of the
30 fiscal year shall not revert but instead shall remain available
31 to be used for the purposes designated until the close of the
32 succeeding fiscal year, or until the project for which the
33 appropriation was made is completed, whichever is earlier.

34 b. Notwithstanding [section 8.33](#), moneys appropriated for
35 the fiscal year beginning July 1, 2019, in this division of

1 this Act to the department of agriculture and land stewardship
2 to provide financial assistance for the establishment of
3 permanent soil and water conservation practices that remain
4 unencumbered or unobligated at the close of the fiscal year
5 shall not revert but instead shall remain available for
6 expenditure for the purposes designated until the close of the
7 fiscal year beginning July 1, 2022.

8 2. Subsection 1 does not apply to moneys transferred
9 pursuant to this division to the loess hills development and
10 conservation fund created in section 161D.2 which shall not
11 revert as provided in that section.

12 DIVISION VI

13 ENVIRONMENT FIRST FUND

14 SPECIAL APPROPRIATIONS

15 Sec. 23. WATER QUALITY INITIATIVE — DEPARTMENT OF
16 AGRICULTURE AND LAND STEWARDSHIP.

17 1. There is appropriated from the environment first fund
18 created in section 8.57A to the department of agriculture
19 and land stewardship for the fiscal year beginning July 1,
20 2019, and ending June 30, 2020, the following amount, or so
21 much thereof as is necessary, to be used for the purposes
22 designated:

23 For deposit in the water quality initiative fund created in
24 section 466B.45, for purposes of supporting the water quality
25 initiative administered by the division of soil conservation
26 and water quality as provided in [section 466B.42](#), including
27 salaries, support, maintenance, and miscellaneous purposes:
28 \$ 2,375,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 Sec. 24. REAP — IN LIEU OF GENERAL FUND APPROPRIATION. In
27 lieu of the standing appropriation in [section 455A.18](#), there is
28 appropriated from the environment first fund created in section
29 8.57A to the Iowa resources enhancement and protection fund
30 for the fiscal year beginning July 1, 2019, and ending June
31 30, 2020, the following amount, to be allocated as provided in
32 section 455A.19:

33 \$ 12,000,000

34 DIVISION VII

35 RELATED CODE CHANGES — DEPARTMENT OF AGRICULTURE AND LAND

1 but does not include thermostats used to sense and control
2 temperature as part of a manufacturing process.

3 *c.* (1) *"Thermostat retailer"* means a person who sells
4 thermostats of any kind directly to homeowners or other
5 nonprofessionals through any selling or distribution mechanism,
6 including but not limited to sales using the internet or
7 catalogues. A thermostat retailer may also be a thermostat
8 wholesaler if it meets the definition of thermostat wholesaler.

9 (2) This paragraph "c" is repealed on January 1, 2022.

10 *d.* (1) *"Thermostat wholesaler"* means a person who is
11 engaged in the distribution and wholesale selling of large
12 quantities of heating, ventilation, and air-conditioning
13 components, including thermostats, to contractors who install
14 heating, ventilation, and air-conditioning components,
15 including thermostats.

16 (2) This paragraph "d" is repealed on January 1, 2022.

17 ~~2. Beginning July 1, 2009, a~~ A person shall not sell, offer
18 for sale, or install a mercury-added thermostat in this state.

19 ~~3. Beginning April 1, 2009, except~~ Except as otherwise
20 provided, a person who generates a discarded mercury-added
21 thermostat shall manage the mercury-added thermostat as a
22 hazardous waste or universal hazardous waste, according to all
23 applicable state and federal regulations. A contractor who
24 replaces or removes mercury-added thermostats shall assure that
25 any discarded mercury-added thermostat is subject to proper
26 separation and management as hazardous waste or universal
27 hazardous waste. A contractor who replaces a mercury-added
28 thermostat in a residence shall deliver the mercury-added
29 thermostat to an appropriate collection location for recycling.

30 *4. a.* Each thermostat manufacturer that has offered for
31 final sale, sold at final sale, or distributed mercury-added
32 thermostats in the state shall individually, or in conjunction
33 with other thermostat manufacturers, do all of the following:

34 ~~a.~~ (1) Not later than October 1, 2008, submit a plan to
35 the department for approval describing a collection program for

1 mercury-added thermostats. The program contained in the plan
2 shall ensure that all the following take place:

3 ~~(1)~~ (a) That an education and outreach program is
4 developed. The program shall be directed toward thermostat
5 wholesalers, thermostat retailers, contractors, and homeowners
6 and ensure a maximum rate of collection of mercury-added
7 thermostats. There shall not be a cost to thermostat
8 wholesalers or thermostat retailers for education and outreach
9 materials.

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

13 ~~(3)~~ (c) That containers for mercury-added thermostat
14 collection are provided to all thermostat wholesalers. The
15 cost to thermostat wholesalers for such containers shall be
16 limited to an initial, reasonable, one-time fee per container
17 as specified in the plan.

18 ~~(4)~~ (d) That collection points will be established to serve
19 homeowners. The collection points shall include but are not
20 limited to regional collection centers permitted under 567 IAC
21 ch. 123. Collection points may include but are not limited to
22 thermostat retailers.

23 ~~(5)~~ (e) That collection systems are provided to all
24 collection points. Collection systems may include individual
25 product mail back or multiple collection containers. The costs
26 of collection shall not be passed on to a collection point.
27 The costs to a collection point shall be limited to an initial,
28 reasonable, one-time fee per container as specified in the
29 plan.

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

33 ~~c.~~ (3) Beginning in 2010, submit an annual report to the
34 department by April 1 of each year that includes, at a minimum,
35 all of the following:

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

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

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

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

11 ~~(5)~~ (e) An accounting of the administrative costs incurred
12 in the course of administering the collection and recycling
13 program.

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

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

17 ~~(1)~~ (a) Act as a collection site for mercury-added
18 thermostats.

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

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

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

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

30 ~~a. (1)~~ (1) A thermostat manufacturer not in compliance with
31 this section is prohibited from offering any thermostat for
32 final sale in the state. A thermostat manufacturer not in
33 compliance with this section shall provide the necessary
34 support to thermostat wholesalers and thermostat retailers to
35 ensure the manufacturer's thermostats are not offered for final

1 sale.

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

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

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

7 ~~a.~~ (1) Review and grant approval of, deny, or approve with
8 modifications a manufacturer plan required under [this section](#).
9 The department shall not approve a plan unless all elements of
10 subsection 4, paragraph "a", subparagraph (1) are adequately
11 addressed and the program outlined in the plan will assure a
12 maximum rate of collection of mercury-added thermostats. In
13 reviewing a plan the department may consider consistency of
14 the plan with collection requirements in other states and
15 consider consistency between thermostat manufacturer collection
16 programs. In reviewing plans, the agency shall ensure that
17 education and outreach programs are uniform and consistent to
18 ensure ease of implementation by thermostat wholesalers and
19 thermostat retailers.

20 ~~b.~~ (2) The department shall establish a process for
21 public review and comment on all plans submitted by thermostat
22 manufacturers prior to plan approval. The department shall
23 consult with interested persons, including representatives of
24 thermostat manufacturers, environmental groups, thermostat
25 wholesalers, thermostat retailers, contractors, and local
26 government.

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

28 8. a. The goal of the collection and recycling efforts
29 under [this section](#) is to collect and recycle as many
30 mercury-added thermostats as reasonably practicable. By
31 January 1, 2009, the department shall determine collection
32 goals for the program in consultation with interested persons,
33 including the national electrical manufacturers association
34 and representatives of thermostat manufacturers, thermostat
35 wholesalers, thermostat retailers, contractors, environmental

1 groups, and local government. If collection efforts fail to
2 meet the collection goals described in [this subsection](#), the
3 department shall, in consultation with the national electrical
4 manufacturers association and other interested persons,
5 consider modifications to collection programs in an attempt to
6 improve collection rates in accordance with these goals.

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

8 DIVISION X

9 RELATED CODE CHANGES — STATE UNIVERSITY OF IOWA — IOWA

10 GEOLOGICAL SURVEY

11 Sec. 28. Section 352.4, subsection 4, Code 2019, is amended
12 to read as follows:

13 4. The ~~state~~ department of agriculture and land
14 stewardship, department of management, department of natural
15 resources, Iowa geological survey, state agricultural extension
16 service, and the economic development authority shall, upon
17 request, provide to each county commission any pertinent land
18 use information available to assist in the compiling of the
19 county land use inventories.

20 Sec. 29. Section 456.1, Code 2019, is amended to read as
21 follows:

22 **456.1 ~~Geological~~ Iowa geological survey created.**

23 A An Iowa geological survey of the state is created within
24 the state university of Iowa, under the jurisdiction and
25 authority of the state board of regents.

26 Sec. 30. Section 456.10, Code 2019, is amended to read as
27 follows:

28 **456.10 Distribution of reports.**

29 All publications of the Iowa geological survey shall be made
30 available electronically via an internet site maintained for
31 that purpose.

32 Sec. 31. Section 456.13, Code 2019, is amended to read as
33 follows:

34 **456.13 Maps property of state — custody — copies.**

35 The maps so delivered to the state geologist shall be the

1 property of the state and shall remain in the custody of the
2 state geologist. They shall be kept at the office of the Iowa
3 geological survey and be open to examination by all persons
4 interested in the maps; but such examination shall only be made
5 in the presence of the state geologist or a designee, and the
6 state geologist shall not permit any copies of the maps to be
7 made without the written consent of the operator or the owner
8 of the property, except as provided in section 456.11 or if the
9 mine has been abandoned for at least five years.

10 DIVISION XI

11 WAREHOUSE OPERATORS — LIEN

12 Sec. 32. Section 554.7209, Code 2019, is amended by adding
13 the following new subsection:

14 NEW SUBSECTION. 3A. Notwithstanding any provision in
15 this section to the contrary, a warehouse's lien created in
16 subsection 1, that is in favor of a warehouse operator licensed
17 under either chapter 203C or the United States Warehouse Act, 7
18 U.S.C. ch. 10, is effective against all persons and is superior
19 against all other competing security interests and agricultural
20 liens.

21 Sec. 33. EFFECTIVE DATE. This division of this Act, being
22 deemed of immediate importance, takes effect upon enactment.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 GENERAL. This bill relates to agriculture and natural
27 resources by making appropriations for the fiscal year
28 2019-2020 to support related entities, including the department
29 of agriculture and land stewardship (DALs), the department of
30 natural resources (DNR), and Iowa state university (ISU), and
31 the university of Iowa (UI).

32 The bill primarily appropriates moneys to DALs and DNR.
33 The appropriations are made to support those departments for
34 administration, regulation, and support of programs. The bill
35 requires the departments to submit quarterly reports to the

1 general assembly and department of management regarding the
2 expenditure of appropriated moneys. The bill also provides
3 moneys to support specific programs or projects administered
4 by those departments. The bill appropriates moneys from a
5 number of sources, including the general fund of the state
6 (general fund), the state fish and game protection fund, the
7 groundwater protection fund, and the environment first fund
8 (EFF). Appropriations are made from a number of sources to
9 support the water quality initiative (WQI). The bill is
10 organized into divisions.

11 DALs — GENERAL FUND APPROPRIATIONS. The bill appropriates
12 moneys to DALs from the general fund in order to support its
13 administrative divisions, including consumer protection and
14 industry services, soil conservation, and food safety and
15 animal health. Moneys are transferred to ISU to support its
16 midwest grape and wine institute. Moneys are also transferred
17 to ISU to support the college of veterinary medicine for the
18 operation of the veterinary diagnostic laboratory, contingent
19 upon the enactment of 2019 Iowa Acts, senate file 601.

20 DALs — MISCELLANEOUS FUNDS — DESIGNATED APPROPRIATIONS.
21 The bill appropriates moneys from several sources to support a
22 number of designated purposes, including moneys derived from
23 unclaimed winnings from horse and dog races, for administration
24 and enforcement of racing regulations; and moneys credited
25 to the renewable fuel infrastructure fund, for purposes of
26 regulating motor fuel. The bill appropriates an amount of
27 moneys remaining in the watershed improvement fund to support
28 the continuation of a statewide voluntary farm management
29 demonstration program.

30 DALs — SPECIAL GENERAL FUND APPROPRIATIONS. The bill also
31 makes special appropriations from the general fund to DALs in
32 order to support specific purposes including milk inspection,
33 the local food and farm program, an agricultural education
34 organization, assistance to farmers with disabilities, and for
35 foreign animal disease preparedness.

1 DALS — GENERAL FUND APPROPRIATIONS — WATER QUALITY. The
2 bill appropriates moneys from the general fund to DALS for
3 deposit in the water quality initiative fund, to support the
4 WQI including high-priority watershed projects. The bill
5 appropriates moneys from the general fund to DALS for deposit
6 in the agricultural drainage well water quality assistance fund
7 for purposes of supporting the agricultural drainage well water
8 quality assistance program.

9 DNR — GENERAL FUND AND OTHER MAJOR FUNDS APPROPRIATIONS.
10 The bill makes appropriations from a number of funds to DNR in
11 order to support its administrative divisions involving natural
12 resources and environmental protection from the general fund,
13 the state fish and game protection fund, and the groundwater
14 protection fund.

15 DNR — MISCELLANEOUS FUNDS — DESIGNATED APPROPRIATIONS.
16 The bill appropriates moneys to DNR from a number of sources
17 to support designated purposes, including moneys deposited in
18 the special snowmobile fund to provide for administering and
19 enforcing the state snowmobile programs; and moneys deposited
20 in the unassigned revenue fund for purposes of paying for
21 administration of DNR's underground storage tanks section.

22 DNR — SPECIAL GENERAL FUND APPROPRIATIONS. The bill also
23 makes special appropriations from the general fund to DNR
24 in order to support specific purposes including floodplain
25 management and dam safety and forestry health management
26 programs.

27 ISU — SPECIAL GENERAL FUND APPROPRIATIONS. The bill
28 appropriates moneys from the general fund to ISU to support the
29 operation of its veterinary diagnostic laboratory.

30 DALS, DNR, AND UI — EFF — GENERAL APPROPRIATIONS. The
31 bill appropriates moneys from the EFF to support a number of
32 programs administered by DALS, DNR, and UI. For DALS, the
33 moneys are appropriated to support programs involving soil
34 conservation, watershed protection and nutrient management,
35 and the loess hills development and conservation fund. For

1 DNR, moneys are appropriated to support programs involving
2 state parks, geographic information systems, water quality
3 monitoring, public water supplies, regulation of animal feeding
4 operations, air quality, and floodplain management and dam
5 safety. For UI, moneys are appropriated to support the Iowa
6 geological survey. The bill includes provisions that delay the
7 reversion of these moneys.

8 EFF — SPECIAL APPROPRIATIONS FOR WQI. The bill
9 appropriates moneys from the EFF to the water quality
10 initiative fund subject to the same conditions applicable to
11 moneys appropriated to the fund from the general fund.

12 IOWA RESOURCES ENHANCEMENT AND PROTECTION (REAP) FUND — EFF
13 APPROPRIATION IN LIEU OF GENERAL FUND APPROPRIATION. An amount
14 of moneys is appropriated from the EFF to the REAP fund instead
15 of the \$20,000,000 otherwise required to be appropriated to the
16 fund from the general fund.

17 RELATED CODE CHANGES — PROGRAMS TO AUDIT MOTOR FUEL. The
18 provisions in the bill that authorize DALs to establish and
19 administer programs for auditing motor fuel production and
20 processing, motor fuel screening and testing, and inspection of
21 motor fuel sold by dealers is codified. The provision has been
22 included in previous appropriation bills since 2006.

23 RELATED CODE CHANGES — DNR — AIR QUALITY FUND. The bill
24 increases the amount of fees that DNR can impose and collect
25 for deposit in the minor source account of the air quality
26 fund.

27 RELATED CODE CHANGES — FUTURE REPEAL OF MERCURY THERMOSTAT
28 REGULATION. The bill eliminates certain regulations relating
29 to the discontinuance of mercury thermostats.

30 RELATED CODE CHANGES — IOWA GEOLOGICAL SURVEY. The name
31 of the geological survey of the state is changed to the Iowa
32 geological survey to comply with current naming conventions.

33 RELATED CODE CHANGES — WAREHOUSE OPERATORS LIEN. The bill
34 provides that a grain warehouse operator possessing grain has a
35 lien superior to other creditors. This provision takes effect

1 upon enactment.