

Senate File 609 - Reprinted

SENATE FILE 609
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1251)

(As Amended and Passed by the Senate April 8, 2019)

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.

5 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. MONEYS CREDITED TO THE WATERSHED IMPROVEMENT FUND
29 — FARM MANAGEMENT DEMONSTRATION PROGRAM. Notwithstanding 2017
30 Iowa Acts, chapter 168, section 22, as amended by 2017 Iowa
31 Acts, chapter 170, section 42, of the moneys credited to the
32 watershed improvement fund that are unencumbered or unobligated
33 and managed by and otherwise appropriated to the department of
34 agriculture and land stewardship pursuant to those sections,
35 the department shall expend the following amount, or so much

1 thereof as is necessary, for the fiscal year beginning July 1,
2 2019, and ending June 30, 2020, for the purpose designated:

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

8 \$ 100,000

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

15 SPECIAL APPROPRIATIONS

16 GENERAL FUND

17 Sec. 5. DAIRY REGULATION.

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

23 For purposes of performing functions pursuant to section
24 192.109, including conducting a survey of grade "A" milk and
25 certifying the results to the secretary of agriculture:

26 \$ 189,196

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

32 Sec. 6. LOCAL FOOD AND FARM PROGRAM.

33 1. There is appropriated from the general fund of the state
34 to the department of agriculture and land stewardship for the
35 fiscal year beginning July 1, 2019, and ending June 30, 2020,

1 the following amount, or so much thereof as is necessary, to be
2 used for the purposes designated:

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

5 \$ 75,000

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

11 3. Notwithstanding section 8.33, moneys appropriated in
12 this section that remain unencumbered or unobligated at the
13 close of the fiscal year shall not revert but shall remain
14 available to be used for the purposes designated until the
15 close of the succeeding fiscal year.

16 Sec. 7. AGRICULTURAL EDUCATION.

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

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

25 \$ 25,000

26 2. Notwithstanding section 8.33, moneys appropriated in
27 this section that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available to be used for the purposes designated until the
30 close of the succeeding fiscal year.

31 Sec. 8. FARMERS WITH DISABILITIES PROGRAM.

32 1. There is appropriated from the general fund of the state
33 to the department of agriculture and land stewardship for the
34 fiscal year beginning July 1, 2019, and ending June 30, 2020,
35 the following amount, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 For purposes of supporting a program for farmers with
3 disabilities:

4 \$ 180,000

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

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

23 Sec. 9. FOREIGN ANIMAL DISEASES AFFLICTING LIVESTOCK.
24 There is appropriated from the general fund of the state to the
25 department of agriculture and land stewardship for the fiscal
26 year beginning July 1, 2019, and ending June 30, 2020, the
27 following amount, or so much thereof as is necessary, to be
28 used for the purposes designated:

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

31 \$ 500,000

32 DIVISION II
33 GENERAL FUND
34 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
35 WATER QUALITY INITIATIVE

1 Sec. 10. WATER QUALITY INITIATIVE — GENERAL.

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

7 For deposit in the water quality initiative fund created in
8 section 466B.45, for purposes of supporting the water quality
9 initiative administered by the division of soil conservation
10 and water quality as provided in section 466B.42, including
11 salaries, support, maintenance, and miscellaneous purposes:
12 \$ 3,000,000

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

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

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

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

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

35 c. The division shall implement a demonstration project on

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

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

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

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

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

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

35 7. Notwithstanding any other provision of law to the

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

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

10 DIVISION III

11 DEPARTMENT OF NATURAL RESOURCES

12 Sec. 11. GENERAL FUND — DEPARTMENT.

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

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

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

31 3. The department shall submit a report each quarter of the
32 fiscal year to the legislative services agency, the department
33 of management, the members of the joint appropriations
34 subcommittee on agriculture and natural resources, and the
35 chairpersons and ranking members of the senate and house

1 committees on appropriations. The report shall describe in
2 detail the expenditure of moneys appropriated under this
3 section to support the department's administration, regulation,
4 and programs.

5 Sec. 12. STATE FISH AND GAME PROTECTION FUND — REGULATION
6 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

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

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

19 \$ 44,007,044

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

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

33 Sec. 13. GROUNDWATER PROTECTION FUND — WATER
34 QUALITY. There is appropriated from the groundwater protection
35 fund created in [section 455E.11](#) to the department of natural

1 resources for the fiscal year beginning July 1, 2019,
2 and ending June 30, 2020, from those moneys which are not
3 allocated pursuant to that section, the following amount, or
4 so much thereof as is necessary, to be used for the purposes
5 designated:

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

10 \$ 3,455,832

11 DESIGNATED APPROPRIATIONS

12 MISCELLANEOUS FUNDS

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

19 For purposes of administering and enforcing the state
20 snowmobile programs:

21 \$ 100,000

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

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

32 \$ 200,000

33 SPECIAL APPROPRIATIONS

34 GENERAL FUND

35 Sec. 16. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

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

6 For purposes of supporting floodplain management and dam
7 safety:

8 \$ 1,510,000

9 2. Of the amount appropriated in subsection 1, up to
10 \$400,000 may be used by the department to acquire or install
11 stream gages for purposes of tracking and predicting flood
12 events and for compiling necessary data to improve flood
13 frequency analysis.

14 3. Notwithstanding [section 8.33](#), moneys appropriated in
15 subsection 1 that remain unencumbered or unobligated at the
16 close of the fiscal year shall not revert but shall remain
17 available for expenditure for the purposes designated until the
18 close of the succeeding fiscal year.

19 Sec. 17. FORESTRY HEALTH MANAGEMENT.

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

25 For purposes of providing for forestry health management
26 programs:

27 \$ 500,000

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

33 DIVISION IV

34 IOWA STATE UNIVERSITY

35 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 fund created in section 8.57A to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so

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

3 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

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

8 \$ 1,000,000

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

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

19 2. WATERSHED PROTECTION

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

23 \$ 900,000

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

27 3. SOIL AND WATER CONSERVATION — ADMINISTRATION

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

30 \$ 3,800,000

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

34 4. CONSERVATION RESERVE PROGRAM (CRP)

35 a. To encourage and assist farmers in enrolling in and the

1 implementation of the federal conservation reserve program and
2 to work with them to enhance their revegetation efforts to
3 improve water quality and habitat:

4 \$ 900,000

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

8 5. SOIL AND WATER CONSERVATION

9 a. For use by the department in providing for soil and water
10 conservation:

11 \$ 8,325,000

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

15 \$ 490,000

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

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

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

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

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

33 \$ 7,835,000

34 d. Of the amount appropriated in paragraph "c" that the
35 department allocates to a soil and water conservation district,

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

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

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

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

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

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

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

34 1. STATE PARKS MAINTENANCE AND OPERATIONS

35 a. For regular maintenance and operations of state parks and

1 staff time associated with these activities:

2 \$ 6,235,000

3 b. Of the amount appropriated in paragraph "a", up to
4 \$100,000 shall be allocated for statewide coordination of
5 volunteer efforts.

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

9 2. GEOGRAPHIC INFORMATION SYSTEM (GIS)

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

13 \$ 195,000

14 3. WATER QUALITY MONITORING

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

17 \$ 2,955,000

18 4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

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

21 \$ 500,000

22 5. REGULATION OF ANIMAL FEEDING OPERATIONS

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

25 \$ 1,320,000

26 6. AMBIENT AIR QUALITY

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

31 \$ 425,000

32 7. FLOODPLAIN MANAGEMENT AND DAM SAFETY

33 For supporting floodplain management and dam safety:

34 \$ 375,000

35 Sec. 21. STATE UNIVERSITY OF IOWA — IOWA GEOLOGICAL

1 SURVEY. There is appropriated from the environment first
2 fund created in section 8.57A to the state university of Iowa
3 for the fiscal year beginning July 1, 2019, and ending June
4 30, 2020, the following amounts, or so much thereof as is
5 necessary, to be used for the purposes designated:

6 1. OPERATIONS

7 For purposes of supporting the operations of the Iowa
8 geological survey of the state as created within the state
9 university of Iowa pursuant to section 456.1, including but not
10 limited to providing analysis; data maintenance, collection,
11 and compilation; investigative programs; and information for
12 water supply development and protection:

13 \$ 200,000

14 2. WATER RESOURCE MANAGEMENT

15 For purposes of supporting the Iowa geological survey in
16 measuring, assessing, and evaluating the quantity of water
17 sources in this state and assisting the department of natural
18 resources in regulating water quantity as provided in chapter
19 455B, division III, part 4, pursuant to sections 455B.262B and
20 456.14:

21 \$ 495,000

22 Sec. 22. REVERSION.

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

31 b. Notwithstanding section 8.33, moneys appropriated for
32 the fiscal year beginning July 1, 2019, in this division of
33 this Act to the department of agriculture and land stewardship
34 to provide financial assistance for the establishment of
35 permanent soil and water conservation practices that remain

1 unencumbered or unobligated at the close of the fiscal year
2 shall not revert but instead shall remain available for
3 expenditure for the purposes designated until the close of the
4 fiscal year beginning July 1, 2022.

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

9 DIVISION VI

10 ENVIRONMENT FIRST FUND

11 SPECIAL APPROPRIATIONS

12 Sec. 23. WATER QUALITY INITIATIVE — DEPARTMENT OF
13 AGRICULTURE AND LAND STEWARDSHIP.

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

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

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

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

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

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

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

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

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

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

32 4. The moneys appropriated in subsection 1 shall be used
33 to support education and outreach in a manner that encourages
34 persons who hold a legal interest in agricultural land used for
35 farming to implement water quality practices, including the

1 establishment of such practices in watersheds generally, and
2 not limited to subwatersheds or high-priority watersheds.

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

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

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

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

23 DIVISION VII

24 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND

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

32 \$ 12,000,000

33 Sec. 25. REAP — OPEN SPACES ACCOUNT — STATE PARK
34 MAINTENANCE AND REPAIR. Notwithstanding section 455A.19,
35 subsection 1, paragraph "a", subparagraph (1), of the moneys

1 allocated to the open spaces account of the Iowa resources
2 enhancement and protection fund, up to \$1,000,000 may be
3 used by the department of natural resources for state park
4 maintenance and repair for the fiscal year beginning July 1,
5 2019, and ending on June 30, 2020.

6 DIVISION VIII

7 RELATED CODE CHANGES — DEPARTMENT OF AGRICULTURE AND LAND
8 STEWARDSHIP — PROGRAMS TO AUDIT MOTOR FUEL

9 Sec. 26. NEW SECTION. 214A.2C Auditing programs.

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

16 DIVISION IX

17 RELATED CODE CHANGES — DEPARTMENT OF NATURAL RESOURCES — AIR
18 QUALITY FUND

19 Sec. 27. Section 455B.133C, subsection 6, paragraph c, Code
20 2019, is amended to read as follows:

21 c. The department's calculated estimate for the minor source
22 account shall not produce total revenues in excess of ~~two~~ seven
23 hundred fifty thousand dollars during any state fiscal year.

24 DIVISION X

25 RELATED CODE CHANGES — FUTURE REPEAL OF MERCURY THERMOSTAT
26 REGULATION

27 Sec. 28. Section 455D.16, Code 2019, is amended to read as
28 follows:

29 455D.16 Mercury — thermostats.

30 1. As used in [this section](#), unless the context otherwise
31 requires:

32 a. (1) "Manufacturer" means any person, firm, association,
33 partnership, corporation, governmental entity, organization,
34 combination, or joint venture that owns or owned the brand name
35 of the thermostat.

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

2 *b. "Mercury-added thermostat" means a product or device*
3 *that uses a mercury switch to sense and control room*
4 *temperature through communication with heating, ventilating,*
5 *or air-conditioning equipment. "Mercury-added thermostat"*
6 *includes thermostats used to sense and control room temperature*
7 *in residential, commercial, industrial, and other buildings*
8 *but does not include thermostats used to sense and control*
9 *temperature as part of a manufacturing process.*

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

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

17 *d. (1) "Thermostat wholesaler" means a person who is*
18 *engaged in the distribution and wholesale selling of large*
19 *quantities of heating, ventilation, and air-conditioning*
20 *components, including thermostats, to contractors who install*
21 *heating, ventilation, and air-conditioning components,*
22 *including thermostats.*

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

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

26 ~~3. Beginning April 1, 2009, except~~ Except ~~as otherwise~~
27 ~~provided, a person who generates a discarded mercury-added~~
28 ~~thermostat shall manage the mercury-added thermostat as a~~
29 ~~hazardous waste or universal hazardous waste, according to all~~
30 ~~applicable state and federal regulations. A contractor who~~
31 ~~replaces or removes mercury-added thermostats shall assure that~~
32 ~~any discarded mercury-added thermostat is subject to proper~~
33 ~~separation and management as hazardous waste or universal~~
34 ~~hazardous waste. A contractor who replaces a mercury-added~~
35 ~~thermostat in a residence shall deliver the mercury-added~~

1 thermostat to an appropriate collection location for recycling.

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

6 ~~a.~~ (1) Not later than October 1, 2008, submit a plan to
7 the department for approval describing a collection program for
8 mercury-added thermostats. The program contained in the plan
9 shall ensure that all the following take place:

10 ~~(1)~~ (a) That an education and outreach program is
11 developed. The program shall be directed toward thermostat
12 wholesalers, thermostat retailers, contractors, and homeowners
13 and ensure a maximum rate of collection of mercury-added
14 thermostats. There shall not be a cost to thermostat
15 wholesalers or thermostat retailers for education and outreach
16 materials.

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

20 ~~(3)~~ (c) That containers for mercury-added thermostat
21 collection are provided to all thermostat wholesalers. The
22 cost to thermostat wholesalers for such containers shall be
23 limited to an initial, reasonable, one-time fee per container
24 as specified in the plan.

25 ~~(4)~~ (d) That collection points will be established to serve
26 homeowners. The collection points shall include but are not
27 limited to regional collection centers permitted under 567 IAC
28 ch. 123. Collection points may include but are not limited to
29 thermostat retailers.

30 ~~(5)~~ (e) That collection systems are provided to all
31 collection points. Collection systems may include individual
32 product mail back or multiple collection containers. The costs
33 of collection shall not be passed on to a collection point.
34 The costs to a collection point shall be limited to an initial,
35 reasonable, one-time fee per container as specified in the

1 plan.

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

5 ~~e. (3)~~ Beginning in 2010, submit an annual report to the
6 department by April 1 of each year that includes, at a minimum,
7 all of the following:

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

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

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

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

18 ~~(5)~~ (e) An accounting of the administrative costs incurred
19 in the course of administering the collection and recycling
20 program.

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

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

24 ~~(1)~~ (a) Act as a collection site for mercury-added
25 thermostats.

26 ~~(2)~~ (b) Promote and utilize the collection containers
27 provided by thermostat manufacturers to facilitate a contractor
28 collection program.

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

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

34 6. ~~a. Beginning April 1, 2009, all~~ All of the following
35 sales prohibitions shall apply to thermostat manufacturers,

1 thermostat wholesalers, and thermostat retailers:

2 ~~a.~~ (1) A thermostat manufacturer not in compliance with
3 this section is prohibited from offering any thermostat for
4 final sale in the state. A thermostat manufacturer not in
5 compliance with this section shall provide the necessary
6 support to thermostat wholesalers and thermostat retailers to
7 ensure the manufacturer's thermostats are not offered for final
8 sale.

9 ~~b.~~ (2) A thermostat wholesaler or thermostat retailer shall
10 not offer for final sale any thermostat of a manufacturer that
11 is not in compliance with this section.

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

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

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

27 ~~b.~~ (2) The department shall establish a process for
28 public review and comment on all plans submitted by thermostat
29 manufacturers prior to plan approval. The department shall
30 consult with interested persons, including representatives of
31 thermostat manufacturers, environmental groups, thermostat
32 wholesalers, thermostat retailers, contractors, and local
33 government.

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

35 8. a. The goal of the collection and recycling efforts

1 under this section is to collect and recycle as many
2 mercury-added thermostats as reasonably practicable. By
3 January 1, 2009, the department shall determine collection
4 goals for the program in consultation with interested persons,
5 including the national electrical manufacturers association
6 and representatives of thermostat manufacturers, thermostat
7 wholesalers, thermostat retailers, contractors, environmental
8 groups, and local government. If collection efforts fail to
9 meet the collection goals described in this subsection, the
10 department shall, in consultation with the national electrical
11 manufacturers association and other interested persons,
12 consider modifications to collection programs in an attempt to
13 improve collection rates in accordance with these goals.

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

15 DIVISION XI

16 RELATED CODE CHANGES — STATE UNIVERSITY OF IOWA — IOWA
17 GEOLOGICAL SURVEY

18 Sec. 29. Section 352.4, subsection 4, Code 2019, is amended
19 to read as follows:

20 4. The ~~state~~ department of agriculture and land
21 stewardship, department of management, department of natural
22 resources, Iowa geological survey, state agricultural extension
23 service, and the economic development authority shall, upon
24 request, provide to each county commission any pertinent land
25 use information available to assist in the compiling of the
26 county land use inventories.

27 Sec. 30. Section 456.1, Code 2019, is amended to read as
28 follows:

29 **456.1 ~~Geological~~ Iowa geological survey created.**

30 A An Iowa geological survey of the state is created within
31 the state university of Iowa, under the jurisdiction and
32 authority of the state board of regents.

33 Sec. 31. Section 456.10, Code 2019, is amended to read as
34 follows:

35 **456.10 Distribution of reports.**

1 All publications of the Iowa geological survey shall be made
2 available electronically via an internet site maintained for
3 that purpose.

4 Sec. 32. Section 456.13, Code 2019, is amended to read as
5 follows:

6 **456.13 Maps property of state — custody — copies.**

7 The maps so delivered to the state geologist shall be the
8 property of the state and shall remain in the custody of the
9 state geologist. They shall be kept at the office of the Iowa
10 geological survey and be open to examination by all persons
11 interested in the maps; but such examination shall only be made
12 in the presence of the state geologist or a designee, and the
13 state geologist shall not permit any copies of the maps to be
14 made without the written consent of the operator or the owner
15 of the property, except as provided in [section 456.11](#) or if the
16 mine has been abandoned for at least five years.