

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 666 (formerly HF 277)	House Committee:	PASSED 2/9/2023	16-4
Committee:	Ways & Mean	House Ways/Means:	PASSED 3/9/2023	23-1
Floor Manager:	Rep. Sexton	House Floor:	PASSED 4/11/2023	98-0
Date:	April 11, 2023	Senate Floor:		
Staff:	Lew Olson (1-3096)	Governor:		

IDALS Code Updates, Clean-Up, and ‘Renewable Diesel’ Definition

House File 666 is the Iowa Department of Agriculture & Land Stewardship (IDALS) departmental bill that includes a number of changes to the Code to update Code verbiage, remove dormant obsolete program and Code Provisions and provides a new definition of ‘Renewable Diesel’ which is a renewable fuel derive from plant or animal products and waste which is not ‘biodiesel’.

Fiscal Note– not aware of any request for a fiscal note for this legislation.

Section by Section Analysis

Division I

Section 1—‘Pet Shop’ Definition Change

Amends section 162.2, subsection 19, Code 2023, to strike and replace the definition of “pet shop”. The change involves replacing the term establishment with facility and removes fish from the definition. This definition is similar to what other state’s use and is from the federal Animal Welfare act.

Division II

Section 2—New ‘Scale Weight Ticket’ Definition

Creates a new Code subsection 203.1. **12A** that specifies that this definition is the same as defined in Code chapter 203C dealing with grain warehouses.

Sections 3, & 9—Removal of a Superfluous Word Concerning the Grain Indemnity fund

Amends section 203.5, subsection 8, paragraph 2, subparagraph (3) Code 2023 and section 203C.6, subsection 8, paragraph a, Code 2023 to remove the word ‘Iowa’ in these aspects of the Code.

Sections 4, 6, 8, & 12—Adds the term ‘Weight’ in Regards to Scale Ticket

Amends section 203.11, subsection 2, paragraph a, subparagraph (3), section 203.17, section 203C.5, subsection 3, Code 2023 and section 203C.25, Code 2023 to insert the word ‘weight’ between the words of scale and ticket to conform with the definition specified in section 1 of this bill.

Section 5—Duration of Credit Sales Contract Increased to 15-Months

Amends section 203.15, subsection 2, paragraph f, Code 2023 to delete ~~twelve~~ and replace that word with fifteen concerning the number of months long that a credit sales contract can be for. The intent is to facilitate farmers wishing to carryover stored grain into a subsequent calendar year , typically for tax purposes

Sections 7 & 11 —Technical Clean-up & Applying Shrinkage Adjustment to All Grain

Amends section 203.20, Code 2023 and amends section 203C.25, Code 2023, to remove the word corn and soybean and leaving the word grain. It also adds the word ‘person in several instances in this.

Section 10—Warehouse Bulk Grain Receipts

Amends section 203C.17, subsections 1, 2, 3, 4, and 5, to clarify and modernize verbiage to remove the existing requirement that a warehouse shall issue a receipt within one year of depositing grain adding a language that a grain depositor can request a receipt at any time from the warehouse. This section clarifies what grain is to be subject to credit-sale contracts regulations.

Section 13— New ‘Scale Weight Ticket’ Definition in Grain Indemnity Code Chapter

Creates a new Code subsection 203D.1. **14A** that specifies that this definition is the same as defined in Code chapter 203C dealing with grain warehouses.

Sections 14-17—Indemnity Fund Assessment Year Verbiage

Amends 2023 Code: section 203D.3 subsection 3; section 203D.3A, subsection 1, paragraph B, unnumbered paragraph1; section 203D.5, subsection 1; section 203D.5, subsection 4 to provide new indemnity fund assessment verbiage that creates a new ‘assessment year’ that replaces ‘fiscal year’ in four existing Code subsections dealing with grain indemnity assessments. The assessment year commences on September 1, and runs through August 31st of the following year. This will allow for a two- month information period when grain farmers can be informed by IDALS that the grain indemnity fund assessment is triggered and will collected on grain sales starting on September 1, 2023.

Section 18—Immediate Effective of Division II

Provides for effective upon enactment for division II (sections 2-17).

**Division III
Weights & Measures Updates**

Sections 19 & 20—Commercial Weighing & Motor Fuel Pump License Verbiage Changes

Amends section 214.2, Code 2023, to restate and restructure provisions dealing with motor fuel pump licenses to explicitly state when the license expires and subsections. Commercial weighing devices license expire on December 31st of each year and motor fuel pumps on June 30th each year. Section 20 strikes existing motor fuel pump license expiration language because it is move into 214.2 by section 19.

Section 21—Weights & Measure License Fees Assessed to Person Rather than Device

Amends section 214.3, subsection 2, Code 2023 to clarify that license, instead of inspection fees for commercial weighing and measuring devises are assessed to person rather than assigned to a machine.

Section 22—Motor fuel License Term is Changed to Biennial Instead of Annual

Amends section 214.11, Code 2023 to change the length of a motor fuel pump license to a 2-years instead of 1-year.

Section 23—Special Inspection Test of Weights & Measure Devices

Amends section 215.2, Code 2023, to restate and restructure provisions dealing special inspection of weights and measure devices fee charges.

Section 24—Repeal Existing \$1,000 Bond of Scale Repairers

Repeals section 215.12, Code 2023 which specified that scale repairers post a \$1,000 bond to guarantee the quality and faithful performance of the assumed task and providing for liquidated damages for failure to perform such conditions.

Section 25-Motorfuel Decal Standard are Developed for Advertising Purposes

Amends section 159A.6 dealing with renewable fuels advertising effort by IDALS to correctly state the applicable provision in the Motor Fuel Code chapter (214A) dealing with motor fuel decals.

Section 26—'ASTM International' Name Change to a Nonprofit Registered under this Name

Amends section 214A.1, subsection 2, Code 2023, to technically update the definition of ASTM International to its current nonprofit entity.

Section 27—'Renewable Diesel' Definitions & Specifications

Creates a new subsections 214A.1, subsection **33A**, and specifies while it is made from nonfossil hydrocarbons from plants and animal fats and wastes that are not biodiesel because it is formed by another chemical formulations , subsection **33B** define 'Renewable Diesel Blended fuel' which as a mix of petroleum and renewable diesel fuels that meet standards for renewable diesel blend fuels.

Section 28--'Renewable Diesel' Standards

Creates a new section 214A.2, subsection 4, paragraph **c**, that requires that motor fuels advertised and sold as renewable diesel must meets certain ASTM-International specification D975 or successor ASTM-International specification.

Section 29--'Renewable Diesel' Classification RD-XX

Creates a new section 214A.2, subsection 5, paragraph **d** that specifies that renewable diesel shall be classifies as RD-100 and Renewable diesel blend as RD-XX where XX is the volume percentage of renewable diesel in the blended fuel

Section 30—Renewable Diesel May be Tested for Quality Assurance Along with Biodiesel and Motor Fuels

Amends Section 214.2B, Code 2023, to specify that Iowa Central Community College has the Laboratory where motor fuels, biofuel and renewable fuels shall be tested to determine whether the fuels meet IDALS standards.

Code Editor Directive

Section 31—Code Editor Directives

Section 214A.16 is to become 214A.21A, and the Code editor is to correct internal references and enact legislation as necessary due to enforcement of this section.

**Division IV
Water Quality**

Sections 32 & 34—Removal of Dormant Start Date of Required Annual Reports

Amends section 466B.43, subsection 6, Code 2023 and section 466B.44, subsection 7, Code 2023 to remove an initial date, now passed, when annual reports of 'Water Quality Agricultural/Urban Infrastructure program expenditures are to be reported to the Governor and General Assembly.

Section 33—Unspent Water Quality Urban Infrastructure Moneys May be Used for Agricultural Projects

Amends section 466B.44, subsection 5, Code 2023 by adding language that would allow IDALS to reallocate urban project moneys not obligated or encumbered to be used for Water Quality Agricultural Infrastructure projects.

Amendment Analysis

H 1198 by Rep. Sexton, proposes to add language that is in the Senate companion (Senate Fil 311 section 2) that amends section 162.2a, subsection 3, paragraph d, Code 2023, to strike language requiring—‘a social security or taxpayer identification number’ be provided with issuance or renewal application for commercial establishment authorization and related obligation to keep such information confidential and instead require—‘*An official government-issued photo identification* of the person.’ H 1198 was **ADOPTED** on a voice vote.

H 1201, by Isenhardt, proposes to add the text of legislation already passed by the House in House File 282 (that passed on 2-22-2023 by a 95-0 vote) that proposed that along with traditional duties and powers exercised by Soil & Water Conservation districts relating to soil conservation, water protection and flood protection practices and cost-share; they may also carry out ‘soil health improvement’ and water quality improvement projects from point and nonpoint sources in a manner consistent with the Iowa nutrient reduction strategy. HF 282 was funneled for this session by the Senate Agriculture Committee. H 1201 **LOST** by a record rollcall vote of 40-aye to 58-nay.