

House File 827

H-1281

1 Amend House File 827 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <DIVISION I

5 DEPARTMENTAL ORGANIZATION

6 Section 1. Section 159.5, subsection 7, Code 2021, is  
7 amended to read as follows:

8 ~~7. Establish and maintain a marketing news service bureau~~  
9 ~~in the department which shall, in cooperation with the~~  
10 ~~federal market news and grading division~~ Cooperate with the  
11 agricultural marketing service of the United States department  
12 of agriculture, to collect and disseminate data and information  
13 relative to the market prices and conditions of agricultural  
14 products raised, produced, and handled in the state.

15 DIVISION II

16 ANIMALS

17 PART A

18 COMMERCIAL ESTABLISHMENTS

19 Sec. 2. Section 162.2A, subsection 3, paragraph d, Code  
20 2021, is amended by striking the paragraph.

21 PART B

22 FOREIGN ANIMAL DISEASE CONTROL

23 Sec. 3. Section 22.7, Code 2021, is amended by adding the  
24 following new subsection:

25 NEW SUBSECTION. 39A. Information related to the  
26 registration and identification of any premises where animals  
27 are kept as authorized pursuant to the foreign animal disease  
28 preparedness and response strategy as provided in section  
29 163.3C.

30 Sec. 4. Section 163.3C, Code 2021, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 3. *a.* In developing and establishing a  
33 foreign animal disease preparedness and response strategy, the  
34 department may collect, maintain, and use information related  
35 to the registration and identification of any premises where

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1 animals are kept. The information may include but is not  
2 limited to all of the following:

3 (1) The name, address, and contact information of an  
4 interested person.

5 (2) The location of the premises where the animals are kept.

6 (3) An identification number assigned to the premises where  
7 the animals are kept.

8 *b.* The information described in paragraph "a" is a  
9 confidential record as provided in section 22.7. Nothing  
10 in this subsection limits the department in acting as the  
11 lawful custodian of the confidential record from disclosing  
12 the record or any part of the record to another person if the  
13 department determines that such disclosure will assist in  
14 implementing, administering, or enforcing the foreign animal  
15 disease preparedness and response strategy.

16 DIVISION III

17 FERTILIZERS AND SOIL CONDITIONERS

18 Sec. 5. Section 200.3, subsection 24, Code 2021, is amended  
19 by striking the subsection.

20 Sec. 6. Section 200.14, Code 2021, is amended to read as  
21 follows:

22 **200.14 Rules.**

23 1. *a.* ~~The secretary is authorized, after public hearing,~~  
24 ~~following due notice, to~~ department may adopt rules ~~setting~~  
25 ~~forth pursuant to chapter 17A providing~~ minimum general  
26 safety standards for the design, construction, location,  
27 installation, and operation of equipment for storage, handling,  
28 transportation by tank truck or tank trailer, and utilization  
29 of anhydrous ammonia fertilizers and soil conditioners.

30 ~~*a.*~~ *b.* The rules shall be such as are reasonably necessary  
31 for the protection and safety of the public and persons using  
32 anhydrous ammonia fertilizers or soil conditioners, and shall  
33 be in substantial conformity with the generally accepted  
34 standards of safety.

35 ~~*b.* Rules that are in substantial conformity with the~~

1 ~~published standards of the agricultural ammonia institute for~~  
2 ~~the design, installation and construction of containers and~~  
3 ~~pertinent equipment for the storage and handling of anhydrous~~  
4 ~~ammonia, shall be deemed to be in substantial conformity with~~  
5 ~~the generally accepted standards of safety.~~

6 2. c. ~~Anhydrous ammonia Fertilizer and soil conditioner~~  
7 equipment shall be installed and maintained in a safe operating  
8 condition and in conformity with rules adopted by the secretary  
9 department.

10 3. 2. ~~The secretary shall enforce this chapter and, after~~  
11 ~~due publicity and due public hearing, department~~ may adopt such  
12 reasonable rules as may be necessary in order to carry into  
13 effect the purpose, ~~and intent~~ and to secure the efficient  
14 administration, of ~~this chapter.~~

15 4. 3. ~~This chapter~~ does not prohibit the use of storage  
16 tanks smaller than transporting tanks nor the transfer of all  
17 kinds of ~~fertilizer including anhydrous ammonia fertilizers~~  
18 or soil conditioners directly from transporting tanks to  
19 implements of husbandry, if proper safety precautions are  
20 observed.

21 DIVISION IV

22 WEIGHTS AND MEASURES

23 PART A

24 GENERAL

25 Sec. 7. Section 214.1, Code 2021, is amended by adding the  
26 following new subsection:

27 NEW SUBSECTION. 6. "*Weighmaster*" means a person who keeps  
28 and regularly uses a commercial weighing and measuring device  
29 to accurately weigh objects for others as part of the person's  
30 business operated on a profit, cooperative, or nonprofit basis.

31 Sec. 8. Section 214.3, subsection 1, Code 2021, is amended  
32 to read as follows:

33 1. The A license issued by the department for the inspection  
34 of a commercial weighing and measuring device shall expire on  
35 December 31 of each year, and for a motor fuel pump on June 30

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1 of each year. ~~The amount of the fee due for each license shall~~  
2 ~~be as provided in subsection 3, except that the fee for a motor~~  
3 ~~fuel pump shall be four dollars and fifty cents if paid within~~  
4 ~~one month from the date the license is due.~~

5 Sec. 9. Section 214.3, subsection 3, paragraph e,  
6 subparagraph (2), Code 2021, is amended to read as follows:

7 (2) Retail motor fuel pump, nine four dollars and fifty  
8 cents.

9 Sec. 10. Section 214.4, subsection 1, unnumbered paragraph  
10 1, Code 2021, is amended to read as follows:

11 If the department does not receive payment of the license  
12 fee required pursuant to section 214.3 within one month from  
13 the due date, the department shall ~~send~~ deliver a notice to  
14 the owner or operator of the device. ~~The notice shall be~~  
15 ~~delivered by certified mail.~~ The notice shall state all of the  
16 following:

17 Sec. 11. Section 214.6, Code 2021, is amended to read as  
18 follows:

19 **214.6 Oath Duties of weighmasters weighmaster.**

20 ~~All persons keeping a commercial weighing and measuring~~  
21 ~~device, before entering upon their duties as weighmasters, A~~  
22 weighmaster shall be sworn before some person having authority  
23 ~~to administer oaths, to keep their~~ ensure that a commercial  
24 weighing and measuring device is correctly balanced, to make  
25 true weights, and ~~to~~ shall render a correct account to the  
26 person having weighing done.

27 Sec. 12. Section 214.11, Code 2021, is amended to read as  
28 follows:

29 **214.11 Inspections — recalibrations — penalty.**

30 1. The department shall provide for annual inspections  
31 of all motor fuel pumps, including but not limited to motor  
32 fuel blender pumps, licensed under this chapter. Inspections  
33 shall be for the purpose of determining the accuracy ~~of the~~  
34 pumps' measuring mechanisms, and for such and correctness of  
35 motor fuel pumps. For that purpose the department's inspectors

1 may enter upon the premises of any wholesale dealer or retail  
2 dealer, ~~as they are defined in section 214A.1, of motor fuel~~  
3 ~~or fuel oil within this state.~~

4 2. Upon completion of an inspection, the inspector shall  
5 affix the department's seal to the measuring mechanism of the  
6 motor fuel pump. The seal shall be appropriately marked,  
7 dated, and recorded by the inspector. If the owner of an  
8 inspected and sealed motor fuel pump is registered with the  
9 department as a servicer in accordance with [section 215.23](#),  
10 or employs a person so registered as a servicer, the owner  
11 or other servicer may open the motor fuel pump, break the  
12 department's seal, recalibrate the measuring mechanism if  
13 necessary, and reseal the motor fuel pump as long as the  
14 department is notified of the recalibration within forty-eight  
15 hours, ~~on a form~~ in a manner provided by the department.

16 ~~2.~~ 3. A person violating a provision of [this section](#) is,  
17 upon conviction, guilty of a simple misdemeanor.

18 PART B

19 MOTOR FUEL

20 Sec. 13. Section 214A.2A, subsection 1, Code 2021, is  
21 amended to read as follows:

22 1. Fuel which is sold or is kept, offered, or exposed for  
23 sale as kerosene shall be labeled as kerosene. The label  
24 shall include the word "kerosene" ~~and a~~ or the designation as  
25 ~~either "K1" or "K2"~~ "K1 kerosene", and shall indicate that  
26 the kerosene is in compliance with the standard specification  
27 adopted by A.S.T.M. international specification D3699 (1982).

28 Sec. 14. REPEAL. Section 214A.15, Code 2021, is repealed.

29 PART C

30 INSPECTIONS

31 Sec. 15. Section 215.4, Code 2021, is amended to read as  
32 follows:

33 **215.4 Tag for inaccurate or incorrect device — reinspection**  
34 **— license fee.**

35 A commercial weighing and measuring device found to be

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1 inaccurate or incorrect upon inspection by the department  
2 shall be rejected or tagged "condemned until repaired" and  
3 the "~~licensed for commercial use~~" inspection sticker shall be  
4 removed. If notice is received by the department that the  
5 device has been repaired and upon reinspection the device is  
6 found to be accurate or correct, ~~the a~~ license fee shall ~~not~~  
7 may be charged for the reinspection. However, a second license  
8 fee shall be charged if upon reinspection the device is found  
9 to be inaccurate. The device shall be tagged "condemned" and  
10 removed from service if a third reinspection fails.

11 Sec. 16. Section 215.7, Code 2021, is amended to read as  
12 follows:

13 **215.7 Transactions by false weights or measures.**

14 1. A person shall be deemed to have violated the provisions  
15 of this chapter and ~~shall be punished as provided in chapter~~  
16 ~~189~~, if the person does any of the following ~~apply~~:

17 ~~1. a.~~ Sells, trades, delivers, charges  
18 for, or claims to have delivered to a purchaser an amount  
19 of any commodity which is less in weight or measure than  
20 that which is asked for, agreed upon, claimed to have been  
21 delivered, or noted on the delivery ticket.

22 ~~2. b.~~ Makes a settlement for or enters  
23 a credit, based upon any false weight or measurement, for any  
24 commodity purchased.

25 ~~3. c.~~ Makes a settlement for or enters  
26 a credit, based upon any false weight or measurement, for any  
27 labor where the price of producing or mining is determined by  
28 weight or measure.

29 ~~4. d.~~ Records a false weight or  
30 measurement upon the weight ticket or book.

31 2. The department may adopt rules pursuant to chapter 17A  
32 that allow for reasonable variations and exceptions for small  
33 packages.

34 3. A person who violates this section is guilty of a simple  
35 misdemeanor.

1     Sec. 17. Section 215.23, Code 2021, is amended to read as  
2 follows:

3     **215.23 Servicer's license.**

4     ~~1. A servicer shall not install, service, or repair a~~  
5 ~~commercial weighing and measuring device until the servicer~~  
6 ~~has demonstrated that the servicer has available adequate~~  
7 ~~testing equipment, and that the servicer possesses a working~~  
8 ~~knowledge of all devices the servicer intends to install or~~  
9 ~~repair and of all appropriate weights, measures, statutes, and~~  
10 ~~rules, as evidenced by passing a qualifying examination to~~  
11 ~~be conducted by the department and obtaining a license. The~~  
12 ~~secretary of agriculture shall establish by rule pursuant to~~  
13 ~~chapter 17A, requirements for and contents of the examination.~~  
14 The department may adopt rules pursuant to chapter 17A setting  
15 forth qualification requirements for persons applying for a  
16 servicer's license, including an examination.

17     ~~2. In determining these a servicer's qualifications, the~~  
18 ~~secretary shall~~ department may consider the specifications  
19 of the United States national institute of standards and  
20 technology, handbook 44, "Specifications, Tolerances, and  
21 Technical Requirements for Weighing and Measuring Devices",  
22 or the current successor or equivalent specifications adopted  
23 by the United States national institute of standards and  
24 technology.

25     ~~3. The secretary shall~~ department may require an annual ~~the~~  
26 payment of a license fee of not more than five dollars for an  
27 amount established by rule for each license issued under this  
28 section.

29     ~~4. Each A license shall expire one year~~ two years from its  
30 date of issuance.

31     Sec. 18. REPEAL. Sections 215.3 and 215.8, Code 2021, are  
32 repealed.

33                                   DIVISION V

34                                   FARM FOOD STUDY

35     Sec. 19. FARM-TO-TABLE TASK FORCE.

1 1. The Iowa cooperative extension service in agriculture  
2 and home economics of Iowa state university of science and  
3 technology, in cooperation with the department of agriculture  
4 and land stewardship, shall establish a farm-to-table task  
5 force.

6 2. The purpose of the task force is to recommend how  
7 institutional purchasers, including schools, may be provided  
8 with long-term practical options to routinely acquire fresh  
9 food derived from locally or regionally produced and processed  
10 farm commodities, including meat, poultry, fish, and dairy  
11 products; eggs; vegetables; fruits; nuts; and honey.

12 3. The task force shall consider methods to do all of the  
13 following:

14 a. Improve direct farmer to consumer transactions.

15 b. Better integrate existing public and private procurement  
16 and nutritional programs, including but not limited to the  
17 farm-to-school program as provided in chapter 190A; the from  
18 farm to food donation tax credit as provided in chapter 190B,  
19 subchapter I; the Iowa emergency food purchase program as  
20 provided in chapter 190B, subchapter II; and the local food and  
21 farm program as provided in chapter 267A.

22 4. a. The task force shall be jointly chaired by the vice  
23 president for extension and outreach of Iowa state university  
24 of science and technology, or a designee; and the secretary of  
25 agriculture, or a designee. The chairpersons of the task force  
26 shall appoint remaining voting members to serve on the task  
27 force.

28 b. The Iowa cooperative extension service in agriculture  
29 and home economics shall provide meeting rooms, materials, and  
30 staffing services for the task force.

31 5. The task force shall prepare and submit a report to  
32 the governor and general assembly not later than December 10,  
33 2021. The report shall include findings and recommendations,  
34 including any proposed legislation, and a suggested timeline  
35 for implementation of the task force's recommendations.



1 6. This section is repealed December 11, 2021.>

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MAXWELL of Poweshiek