

The 2009 session of the Iowa General Assembly adjourned early on Sunday, April 26th. The following is an update of the bills we have reported on throughout the legislative session in *On the Hill*:

Manure on Frozen & Snow-Covered Ground Bill, SF 432/HF 790. This bill is a more favorable approach to proposed rulemaking by the Iowa Environmental Protection Commission (EPC). SF 432 clarifies liquid manure application practices and simplifies the EPC proposal. It does not affect any other water quality law. Manure that pollutes waters of the state remains illegal. With the exception of emergency applications, SF 432 prohibits liquid manure on frozen ground that is “impenetrable” from February 1 to April 1 and prohibits liquid manure on snow-covered ground from December 21 to April 1. The bill also exempts small feeding operations and dry manure. SF 432 passed the House 87-9 and the Senate 41-7 on April 24. This bill must now be signed to become law. Thank you for responding to ICGA calls to action related to this bill!

Grain Indemnity Fund Bill, HF 374. This bill enhances Iowa’s Grain Indemnity Fund by increasing the total individual producer coverage under the fund from \$150,000 to \$300,000, raising the fund overall cap from \$6 to \$8 million, and extending the period of time that producers have to file a claim. HF 374 was approved unanimously in both chambers and signed into law by Governor Culver on March 19. This bill was an ICGA priority, and we supported its passage.

Road Infrastructure Funding Bill, SF 376. Following the mid-March announcement by Governor Culver that he would veto any proposed increase in the gas tax this year because of the state’s economic downturn, pending gas tax increase bills in the House and Senate were halted. Instead, the Governor proposed a bonding package to pay for the state’s needs following the 2008 floods, including transportation infrastructure and flood control improvements. This proposal became SF 376, which includes \$50 million to improve Iowa’s bridges and \$55 million for cities and counties to improve local roads. While ICGA was not involved in the bonding bill itself, we supported money for rural infrastructure as a priority. ICGA policy will continue to support an increase in the gas tax for future transportation funding needs.

In addition, SF 376 includes \$25 million for water quality projects, including flood prevention and soil conservation practices. ICGA supports this provision as well. SF 376 passed the House 53-43 and the Senate 30-18.

Distillers Grain Transportation Bill, HF 481. This bill categorizes distiller’s grain as an agricultural product and allows the same weight tolerances for distiller’s grain as for corn or soybeans. HF 481 passed the House 92-2 on March 26 and the Senate 48-1 on April 6. HF 481 awaits Governor Culver’s signature to become law. HF 481 was an ICGA priority, and we supported its passage.

Mississippi River and Watershed Bill, HF 756. This bill establishes a 15-person task force to develop comprehensive policies on regional watershed, floodplain management and land use policies. Original versions of the bill would have minimized the input of agriculture when making these decisions; however, ICGA lobbied to attach an amendment to make sure that agriculture is better represented in these decisions. The amended version of the bill was approved unanimously in the Senate on April 21 and in the House 94-1 on April 22. HF 756 has been sent to the Governor to be signed into law.

Ethanol Blend Dispenser Bill, SF 423. This bill allows for E85 pump dispenser containment that is monitored for leaks to avoid retailers replacing equipment upon U.L. listing of certified equipment. Existing E85 tanks will be allowed to operate without expensive upgrades, but will still protect the environment. SF 423 was approved unanimously in the House on April 2 and the Senate on April 7. This bill awaits Governor Culver's signature to become law. ICGA supports SF 423.

Natural Resources Tax Amendment, HJR 1. This bill amends Iowa's constitution to dedicate 0.375% of any future state sales tax increases for acquiring, managing and conserving natural resources, including agricultural soils. In order to amend Iowa's constitution, legislation must be approved in two separate meetings of the legislature then approved through a referendum vote. HJR 1 was approved by the last two sessions of the legislature and will now go before Iowans on the November 2010 ballot for a vote. ICGA supports this bill.

The following is a list of ICGA supported bills that failed to meet legislative funnel deadlines during session and were considered "dead" for the year.

Climate Change Bill, HF 827. This bill directs state universities to conduct a climate change impact review for the State of Iowa with a report due to the General Assembly by December 31, 2009. This bill was first introduced as part of another bill (HF 769) that was considered dead following a funnel deadline, but the bill was resurrected again during the last two weeks of session. ICGA and others raised many concerns about the bill and worked with Leadership to delay action on HF 827 until the federal government could complete pending legislation and the EPA's regulatory process. This defeat ensures no double-regulation at the state and federal level.

California Emissions Standards Bill, HF 740. This bill would have required Iowa's Office of Energy Independence to look into adopting motor vehicle emissions standards that are similar to those in California and which negatively impact the sale of E85 in the state. The bill was later improved by requiring that a legislative interim committee study the issue and then report to the legislature in 2010. ICGA opposes HF 740.

Biodiesel Fuel Quality Standard Bill, SF 464. This bill requires a 5% blend of biodiesel in diesel fuels sold in Iowa. This bill was approved by the Senate 31-19 on April 15 and referred to the House Ways and Means Committee where it died for the year. ICGA supports SF 464.

Biodiesel Tax Credit Extension, HF 752. This bill requires that a biodiesel dealer put a label on a biodiesel pump showing the amount of biodiesel the fuel contains and extends the biodiesel tax credit (3 cents per gallon for blends of B2 and higher), for three more years through January 2015. This bill can be worked on in the next session. ICGA supports HF 752.

EPC Authority Bill, HSB 249. This bill provides more consistency for activities of the Environmental Protection Commission in various ways, including giving more power to the legislative Administrative Rules Review Committee (ARRC) to change EPC rules that the legislature did not intend, requiring the DNR to respond to requests by ARRC members on rulemaking, and giving individuals enhanced the benefits in court when the rule at issue is not related to implementation of a specific law passed by the legislature. ICGA support HSB 249.

Farm Truck Exemption Bill, HF 424. This bill provides a farmer exemption to commercial truck record keeping when hauling commodities and farm supplies within 100 miles of the source.

Higher Ethanol Blends Resolution, SR 14. This resolution establishes the official stance of the Iowa Senate as urging the U.S. Environmental Protection Agency to authorize the use of higher blends of ethanol in fuel vehicles. This bill died because previous legislation in 2006 established the state's positive position.

Antlerless Deer Bill, SF 375. This bill would have increased the number of annual antlerless deer licenses. ICGA policy supports all efforts to reduce the deer herd to a more manageable level.

Attached is a more complete list of bills that ICGA monitored this session.