

Senate Study Bill 1115 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
AGRICULTURE AND LAND
STEWARDSHIP BILL)

A BILL FOR

1 An Act providing for programs and regulations administered
2 and enforced by the department of agriculture and land
3 stewardship, providing fees, providing for the allocation of
4 moneys, and making penalties applicable.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

REGULATION OF COMMERCIAL ESTABLISHMENTS

Section 1. Section 162.2, subsection 19, Code 2023, is amended by striking the subsection and inserting in lieu thereof the following:

19. "Pet shop" means a facility where vertebrate animals, excluding fish, not born and reared on the facility's premises are bought, sold, exchanged, or offered for sale or exchange to the public, at retail. "Pet shop" does not include a facility if one of the following applies:

a. The facility receives less than one thousand dollars from the sale or exchange of vertebrate animals, excluding fish, during a twelve-month period.

b. The facility sells or exchanges less than twelve vertebrate animals, excluding fish, during a twelve-month period.

DIVISION II

GRAIN REGULATION

PART A

GRAIN DEALERS

Sec. 2. Section 203.1, Code 2023, is amended by adding the following new subsection:

NEW SUBSECTION. 12A. "Scale weight ticket" means the same as defined in section 203C.1.

Sec. 3. Section 203.5, subsection 8, paragraph a, Code 2023, is amended to read as follows:

a. The applicant has caused liability to the Iowa grain depositors and sellers indemnity fund in regard to a license issued under [this chapter](#) or [chapter 203C](#), and the liability has not been discharged, settled, or satisfied.

Sec. 4. Section 203.11, subsection 2, paragraph a, subparagraph (3), Code 2023, is amended to read as follows:

(3) Uses a scale weight ticket or credit-sale contract in violation of [this chapter](#) or a requirement established by the department under [this chapter](#).

1 Sec. 5. Section 203.17, Code 2023, is amended to read as
2 follows:

3 **203.17 Documents and records.**

4 1. The department may adopt rules specifying the form,
5 content, use, and maintenance of documents issued by a grain
6 dealer under **this chapter** including but not limited to scale
7 weight tickets, settlement sheets, daily position records, and
8 credit-sale contracts. The department may adopt rules for
9 both printed and electronic documents, including rules for
10 the transmission, receipt, authentication, and archiving of
11 electronically generated or stored documents.

12 2. All scale weight ticket forms in the possession of a
13 grain dealer shall have been permanently and consecutively
14 numbered at the time of printing. A grain dealer shall
15 maintain an accurate record of all scale weight ticket numbers.
16 The record shall include the disposition of each numbered form,
17 whether issued, destroyed, or otherwise disposed of.

18 Sec. 6. Section 203.20, Code 2023, is amended to read as
19 follows:

20 **203.20 Shrinkage adjustments — disclosures — penalties.**

21 1. A person who, in connection with the receipt of
22 ~~corn or soybeans~~ grain for storage, processing, or sale,
23 adjusts the scale weight of the grain to compensate for the
24 moisture content of the grain shall compute the amount of
25 the adjustment by multiplying the scale weight of the grain
26 by that factor which results in a rate of adjustment of one
27 and eighteen hundredths percent of weight per one percent of
28 moisture content. ~~The use of~~ person who uses any rate of
29 weight adjustment for moisture content other than the one
30 prescribed by **this subsection** is commits a fraudulent practice
31 as defined in section 714.8. The person shall post on the
32 business premises in a conspicuous place notice of the rate
33 of adjustment for moisture content ~~that is~~ as prescribed by
34 this subsection. ~~Failure~~ The person who fails to make this
35 disclosure ~~is~~ commits a simple misdemeanor.

1 2. A person who, in connection with the receipt of grain for
2 storage, processing, or sale, adjusts the quantity of the grain
3 received to compensate for losses to be incurred during the
4 handling, processing, or storage of the grain shall post on the
5 business premises in a conspicuous place notice of the rate of
6 adjustment to be made for this shrinkage. ~~Failure~~ The person
7 who fails to make ~~the required~~ this disclosure ~~is~~ commits a
8 simple misdemeanor.

9 3. A person who adjusts the scale weight of ~~corn or soybeans~~
10 both grain for moisture content and for handling, processing,
11 or storage losses may combine the two adjustment factors into
12 a single factor and may use this resulting factor to compute
13 the amount of weight adjustment in connection with storage,
14 processing, or sale transactions, provided that the person
15 shall post on the business premises in a conspicuous place a
16 notice that discloses the moisture shrinkage factor prescribed
17 by subsection 1, the handling shrinkage factor to be imposed,
18 and the single factor that results from combining these
19 factors. ~~Failure~~ The person who fails to make ~~the required~~
20 this disclosure ~~is~~ commits a simple misdemeanor.

21 PART B

22 WAREHOUSE OPERATORS

23 Sec. 7. Section 203C.5, subsection 2, Code 2023, is amended
24 to read as follows:

25 2. a. The department may adopt rules specifying the
26 form, content, and use of documents issued by a warehouse
27 operator under this chapter including but not limited to scale
28 weight tickets, warehouse receipts, settlement sheets, and
29 daily position records. The department may adopt rules for
30 both printed and electronic documents, including rules for
31 the transmission, receipt, authentication, and archiving of
32 electronically generated or stored documents.

33 b. All scale weight ticket forms and warehouse receipt
34 forms in the possession of a warehouse operator shall have been
35 permanently and consecutively numbered at the time of printing.

1 A warehouse operator shall maintain an accurate record of
2 the numbers of these documents. The record shall include
3 the disposition of each form, whether issued, destroyed, or
4 otherwise disposed of. The department may by rule require this
5 use of prenumbered forms and recording for documents other than
6 scale weight tickets and warehouse receipts.

7 Sec. 8. Section 203C.6, subsection 8, paragraph a, Code
8 2023, is amended to read as follows:

9 a. The applicant has caused liability to the Iowa grain
10 depositors and sellers indemnity fund through operations under
11 a license issued under this chapter or chapter 203, and the
12 liability has not been discharged, settled, or satisfied.

13 Sec. 9. Section 203C.17, subsections 1, 2, 3, 4, and 5, Code
14 2023, are amended to read as follows:

15 1. ~~Any grain which has been received at any Grain deposited~~
16 ~~with a licensed warehouse operator for which the actual sale~~
17 ~~price is has not been fixed and either proper documentation~~
18 ~~made has not been furnished or payment has not been made shall~~
19 ~~be construed to be grain held for storage within the meaning of~~
20 ~~this chapter.~~ Grain may be held considered stored grain and
21 may be retained in open storage or placed ~~on~~ under warehouse
22 receipt. A warehouse receipt shall be issued for all grain
23 held in open storage within one year from the date of delivery
24 to the warehouse, unless the depositor has signed a statement
25 that the depositor does not desire a warehouse receipt. A The
26 licensed warehouse operator shall issue a warehouse receipt
27 shall be issued to the depositor upon request by the depositor.
28 The warehouse operator's tariff shall apply ~~for~~ to any grain
29 that is retained in open storage or placed under warehouse
30 receipt as provided in section 203C.18.

31 2. Bulk grain deposited with a licensed warehouse operator
32 for processing, cleaning, drying, shipping for the account of
33 the depositor, or any other purpose shall be removed within
34 thirty days from the date of deposit or such grain shall be
35 ~~determined as~~ considered stored grain and ~~the~~. The warehouse

1 operator's tariff ~~charges~~ shall apply to the bulk grain as
2 provided in section 203C.28.

3 3. Grain ~~received on~~ deposited and subject to a scale weight
4 ticket ~~which~~ that fails to have the price fixed and properly
5 documented on the records of the licensed warehouse operator
6 shall be ~~construed to be~~ retained in open storage.

7 4. All bulk grain whether retained in open storage and
8 deposited subject to a scale weight ticket or ~~having been~~
9 placed ~~on~~ under warehouse receipt is covered by the grain
10 depositors and sellers indemnity fund ~~created in~~ as provided in
11 chapter 203D.

12 5. ~~Any grain which has been received at any~~ An unlicensed
13 ~~warehouse and for which the operator shall not retain deposited~~
14 bulk grain, if its actual sale price has not been fixed, and
15 payment for the bulk grain has not been made within thirty days
16 ~~from receipt of the grain~~ its date of deposit, unless covered
17 purchased by a credit-sale contract, ~~shall be construed to be~~
18 ~~unlawful storage within the meaning of~~ this chapter. Bulk
19 ~~grain received at any~~ An unlicensed warehouse for any operator
20 who retains deposited bulk gain under any other purpose
21 circumstance must either ~~be returned~~ return the bulk grain to
22 the depositor, or ~~disposed of~~ dispose of the bulk grain by
23 order of the depositor, within thirty days from date of actual
24 the deposit of the bulk grain.

25 Sec. 10. Section 203C.25, Code 2023, is amended to read as
26 follows:

27 **203C.25 Shrinkage adjustments — disclosures — penalties.**

28 1. A person who, in connection with the receipt of
29 ~~corn or soybeans~~ grain for storage, processing, or sale,
30 adjusts the scale weight of the grain to compensate for the
31 moisture content of the grain shall compute the amount of
32 the adjustment by multiplying the scale weight of the grain
33 by that factor which results in a rate of adjustment of one
34 and eighteen hundredths percent of weight per one percent of
35 moisture content. ~~The use of~~ person who uses any rate of

1 weight adjustment for moisture content other than the one
2 prescribed by [this subsection](#) ~~is~~ commits a fraudulent practice
3 as defined in section 714.8. The person shall post on the
4 business premises in a conspicuous place notice of the rate
5 of adjustment for moisture content ~~that is~~ as prescribed by
6 this subsection. ~~Failure~~ The person who fails to make this
7 disclosure ~~is~~ commits a simple misdemeanor.

8 2. A person who, in connection with the receipt of grain for
9 storage, processing, or sale, adjusts the quantity of the grain
10 received to compensate for losses to be incurred during the
11 handling, processing, or storage of the grain shall post on the
12 business premises in a conspicuous place notice of the rate of
13 adjustment to be made for this shrinkage. ~~Failure~~ The person
14 who fails to make ~~the required~~ this disclosure ~~is~~ commits a
15 simple misdemeanor.

16 3. A person who adjusts the scale weight of ~~corn or soybeans~~
17 ~~both~~ grain for moisture content and for handling, processing,
18 or storage losses may combine the two adjustment factors into
19 a single factor and may use this resulting factor to compute
20 the amount of weight adjustment in connection with storage,
21 processing, or sale transactions, provided that the person
22 shall post on the business premises in a conspicuous place a
23 notice that discloses the moisture shrinkage factor prescribed
24 by [subsection 1](#), the handling shrinkage factor to be imposed,
25 and the single factor that results from combining these
26 factors. ~~Failure~~ The person who fails to make ~~the required~~
27 this disclosure ~~is~~ commits a simple misdemeanor.

28 Sec. 11. Section 203C.36, subsection 2, paragraph a,
29 subparagraph (3), Code 2023, is amended to read as follows:

30 (3) Uses a scale weight ticket, warehouse receipt, or
31 other document in violation of [this chapter](#) or requirements
32 established by the department under [this chapter](#).

33

PART C

34

INDEMNITY FUND

35 Sec. 12. Section 203D.1, Code 2023, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 14A. *"Scale weight ticket"* means the same
3 as defined in section 203C.1.

4 DIVISION III

5 WEIGHTS AND MEASURES

6 PART A

7 LICENSING, INSPECTIONS, AND FEES

8 Sec. 13. Section 214.2, Code 2023, is amended to read as
9 follows:

10 **214.2 License.**

11 1. A person who uses or displays for use any commercial
12 weighing and measuring device, as defined in ~~section 215.1,~~
13 ~~shall secure~~ must be issued a license from by the department
14 for that device. The department shall issue the license after
15 inspecting the device.

16 2. a. Except as provided in paragraph "b", a license issued
17 under subsection 1 shall expire on December 31 of each year.

18 b. A license issued under subsection 1 for a motor fuel pump
19 shall expire on June 30 of each year.

20 Sec. 14. Section 214.3, subsection 1, Code 2023, is amended
21 by striking the subsection.

22 Sec. 15. Section 214.3, subsection 2, Code 2023, is amended
23 to read as follows:

24 2. The A license inspection fee is imposed on a person
25 who uses or displays for use a commercial weighing and
26 measuring device. The license fee is due the day the device
27 is placed into service department issues the license. A
28 license inspection fee shall be charged to the person owning
29 or operating a commercial weighing and measuring device
30 inspected The amount of the license fee shall be calculated in
31 accordance with the class or section for devices as established
32 by handbook 44 of the United States national institute of
33 standards and technology.

34 Sec. 16. Section 214.11, subsection 1, Code 2023, is amended
35 to read as follows:

1 1. The department shall provide for ~~annual~~ biennial
2 inspections of all motor fuel pumps, including but not limited
3 to motor fuel blender pumps, licensed under this chapter.
4 Inspections shall be for the purpose of determining the
5 accuracy and correctness of motor fuel pumps. For that purpose
6 the department's inspectors may enter upon the premises of any
7 a wholesale dealer or a retail dealer motor fuel site.

8 Sec. 17. Section 215.2, Code 2023, is amended to read as
9 follows:

10 **215.2 Special inspection tests — request — fees.**

11 1. The owner or servicer of a commercial weighing and
12 measuring device may request the department conduct a special
13 inspection test of the device to determine its accuracy and
14 correctness.

15 2. The fee for ~~special tests, including but not limited to,~~
16 ~~using state inspection equipment, for the calibration, testing,~~
17 ~~certification, or repair~~ conducting a special inspection test
18 of a commercial weighing and measuring device shall be paid
19 by the owner or servicer ~~or person~~ requesting the special
20 inspection test in accordance with the following schedule:

21 ~~1.~~ a. Class S, scales, seventy-five dollars per hour.

22 ~~2.~~ b. Class M, meters, fifty-two dollars and fifty cents
23 per hour.

24 Sec. 18. REPEAL. Section 215.12, Code 2023, is repealed.

25 PART B

26 MOTOR FUEL STANDARDS AND CLASSIFICATIONS

27 Sec. 19. Section 159A.6, subsection 1, paragraph c, Code
28 2023, is amended to read as follows:

29 c. Develop standards for decals required pursuant to
30 ~~section 214A.16~~ 214A.21A, which shall be designed to promote
31 the advantages of using renewable fuels. The standards may be
32 incorporated within a model decal adopted by the office.

33 Sec. 20. Section 214A.1, subsection 2, Code 2023, is amended
34 to read as follows:

35 2. "ASTM international" means a nonprofit organization,

1 previously named the American society for testing and materials
2 international.

3 Sec. 21. Section 214A.1, Code 2023, is amended by adding the
4 following new subsections:

5 NEW SUBSECTION. 33A. *a. "Renewable diesel"* means a motor
6 fuel for use in an internal combustion engine and ignited by
7 pressure without the presence of an electric spark, which
8 is produced from nonfossil renewable resources, including
9 agricultural plants, animal fats, residue, and waste generated
10 from the production, processing, and marketing of agricultural
11 products, and other renewable resources.

12 *b. "Renewable diesel"* must meet the standards provided in
13 section 214A.2.

14 *c. "Renewable diesel"* does not include any of the following:

15 (1) Biodiesel.

16 (2) A fuel that has been coprocessed.

17 NEW SUBSECTION. 33B. *"Renewable diesel blended fuel"* means
18 a blend of renewable diesel with petroleum-based diesel fuel,
19 biodiesel, or a combination of petroleum-based diesel fuel and
20 biodiesel, which meets the standards, including separately
21 the standard for its renewable diesel component, provided in
22 section 214A.2.

23 Sec. 22. Section 214A.2, subsection 4, Code 2023, is amended
24 by adding the following new paragraph:

25 NEW PARAGRAPH. *c. (1)* If the motor fuel is advertised
26 for sale or sold as renewable diesel or renewable diesel
27 blended fuel, the motor fuel must meet departmental standards
28 based in part or in whole on specifications adopted by ASTM
29 international for renewable diesel or renewable diesel blended
30 motor fuel, to every extent applicable, as determined by the
31 department subject to subparagraph (2).

32 (2) Renewable diesel must at least meet departmental
33 standards based in whole or in part on ASTM international
34 specification D975, or a successor ASTM international
35 specification, established by rule. The specification shall

1 apply to renewable diesel before it leaves its place of
2 manufacture.

3 Sec. 23. Section 214A.2, subsection 5, Code 2023, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *d.* (1) Renewable diesel shall be classified
6 RD-100.

7 (2) Renewable diesel blended fuel shall be classified RD-xx
8 where "xx" is the volume percent of renewable diesel.

9 Sec. 24. Section 214A.2B, Code 2023, is amended to read as
10 follows:

11 **214A.2B Laboratory for motor fuel and biofuels fuels,**
12 **biofuels, and renewable fuels.**

13 ~~A laboratory for motor fuel and biofuels is established at a~~
14 ~~community college which is engaged in biofuels testing on July~~
15 ~~1, 2007, and which testing includes but is not limited to The~~
16 ~~Iowa central fuel testing laboratory at Iowa central community~~
17 ~~college shall test motor fuels, biofuels, and renewable fuels,~~
18 ~~including but not limited to B-20 biodiesel fuel testing for~~
19 ~~use by motor trucks and the ability of biofuels to meet ASTM~~
20 ~~international standards.~~ The laboratory shall conduct the
21 testing of motor fuel fuels sold in this state and ~~biofuel~~
22 ~~which is biofuels blended in with motor fuel fuels in this~~
23 state to ensure that the motor fuel ~~or~~ fuels, biofuels, and
24 renewable fuels meet ~~the requirements~~ departmental standards
25 in [section 214A.2](#).

26 PART C

27 CODE EDITOR DIRECTIVE

28 Sec. 25. CODE EDITOR DIRECTIVE.

29 1. The Code editor is directed to make the following
30 transfer:

31 Section 214A.16 to section 214A.21A.

32 2. The Code editor shall correct internal references in the
33 Code and in any enacted legislation as necessary due to the
34 enactment of this section.

35 DIVISION IV

1 WATER QUALITY

2 Sec. 26. Section 466B.43, subsection 6, Code 2023, is
3 amended to read as follows:

4 6. ~~By October 1, 2019, and each October 1 thereafter of~~
5 each year, the division shall submit a report to the governor
6 and the general assembly itemizing expenditures, by hydrologic
7 unit code 8 watershed, under the programs, if any, during the
8 previous fiscal year, ~~if any~~.

9 Sec. 27. Section 466B.44, subsection 5, Code 2023, is
10 amended to read as follows:

11 5. Notwithstanding any other provision in this section
12 to the contrary, ~~beginning on July 1, 2018~~, the division
13 may use any amount available to support the water quality
14 urban infrastructure program to instead ~~extend~~ do any of the
15 following:

16 a. Extend and support the three-year data collection of
17 in-field agricultural practices project as enacted in 2015 Iowa
18 Acts, ch. 132, §18.

19 b. Support water quality agriculture infrastructure programs
20 created in section 466B.43.

21 Sec. 28. Section 466B.44, subsection 7, Code 2023, is
22 amended to read as follows:

23 7. ~~By October 1, 2019, and by~~ October 1 of each year
24 ~~thereafter~~, the division shall submit a report to the governor
25 and the general assembly itemizing expenditures under the
26 program, if any, during the previous fiscal year.

27 EXPLANATION

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

30 GENERAL. This bill relates to a number of regulations
31 and programs administered and enforced by the department of
32 agriculture and land stewardship (DALSS). Specifically, the
33 bill amends provisions regulating commercial establishments
34 including pet shops engaged in the business of purchasing and
35 transferring (by sale or exchange) vertebrate animals (animals)

1 other than agricultural animals (Code chapter 162). The
2 bill regulates grain transactions including by grain dealers
3 (dealers) and warehouse operators (operators) (Code chapters
4 203 and 203C) and the indemnification of losses by sellers or
5 depositors from the grain depositors and sellers indemnity fund
6 (Code chapter 203D). The bill also regulates the commercial
7 use of weights and measures, including motor fuel pumps (fuel
8 pumps) that are part of motor fuel dispensers (dispensers),
9 and types of motor fuel advertised for sale (Code chapters
10 214, 214A, and 215), including diesel fuel for use in certain
11 internal combustion engines. Finally, the bill provides for
12 the expenditure of moneys for surface water quality initiatives
13 (initiatives) in order to assess and reduce nutrients in this
14 state's watersheds (Code chapter 466B) in conformance with the
15 Iowa nutrient reduction strategy (Code section 455B.171).

16 COMMERCIAL ESTABLISHMENTS — PET SHOPS. Under current law,
17 a business classified as a pet shop is a type of establishment
18 required to be annually licensed (Code section 162.5) and pay
19 an associated fee (Code section 162.2B). A business is not
20 regulated as a pet shop if, during the prior 12-month period,
21 the business either receives less than \$500 or transfers
22 less than six animals. The bill doubles the exemption
23 qualifications to less than \$1,000 or less than 12 animals
24 (amended Code section 162.2).

25 COMMERCIAL ESTABLISHMENTS — PENALTY. A person who operates
26 as a pet shop in violation of licensing requirements is guilty
27 of a simple misdemeanor (Code section 162.13).

28 GRAIN REGULATION — BACKGROUND. As part of a grain
29 transaction, an operator issues a prenumbered scale
30 weight ticket to a depositor as evidence of stored grain.
31 Alternatively, the operator may issue a warehouse receipt as a
32 form which may be a document of title and therefore negotiable
33 (Code chapter 554, Art. 7). In order for a seller or depositor
34 to be indemnified for a loss by the fund, the dollar value of
35 a claim for transferred grain is based on either a warehouse

1 receipt or scale weight ticket (Code section 203D.6).

2 GRAIN REGULATION — TERMS. Currently, several different
3 terms are used to describe the same item. The bill changes
4 the terms to be uniform, including "scale ticket" to "scale
5 weight ticket" and "Iowa grain depositors and sellers indemnity
6 fund" to "grain depositors and sellers indemnity fund", which
7 are both defined (amended Code sections 203.1, 203.5, 203.11,
8 203.17, 203C.5, 203C.6, 203C.17, 203C.36, and 203D.1).

9 GRAIN REGULATION — GRAIN MOISTURE CONTENT. A person
10 receiving corn or soybeans as part of a transaction involving
11 storage, processing, or sale may adjust the scale weight to
12 account for moisture content (i.e., reducing the scale weight
13 by a special factor calculated for each 1 percent of moisture
14 content). The bill provides that the adjustment applies to all
15 grain in which there are standards established by the United
16 States department of agriculture (Code sections 203.1 and
17 203C.1 and amended Code sections 203.20 and 203C.25).

18 GRAIN REGULATION — OPEN STORAGE. An operator may retain
19 delivered grain in open storage (meaning without issuing a
20 warehouse receipt or making a purchase) subject to certain
21 limitations. Grain subject to a scale weight ticket without
22 having the price fixed and documented by the operator is
23 considered to be retained in open storage. Currently, if
24 grain is retained in open storage, the operator must issue the
25 depositor a warehouse receipt within one year of the grain's
26 delivery date, unless the depositor signs a statement refusing
27 it. The bill eliminates this requirement. Upon request, the
28 operator must still issue the depositor a warehouse receipt
29 (amended Code section 203C.17).

30 GRAIN REGULATION — PENALTIES. A person who violates Code
31 chapter 203 or 203C is guilty of a simple misdemeanor (Code
32 sections 203.11 and 203C.36).

33 WEIGHTS AND MEASURES. A person who uses or displays a
34 commercial weighing or measuring device (device) must be
35 licensed. The term of the license is 12 months. Generally,

1 the term is on a calendar year basis (January 1 to December
2 31) but for motor fuel pumps the term is on a fiscal year
3 basis (July 1 to June 30). A fee is required for the issuance
4 of the license and an inspection (license inspection fee)
5 first due when the device is placed into service. DALS is
6 expressly required to inspect motor fuel pumps each year. The
7 bill provides that the fee is for the issuance of the license
8 rather than the inspection, the license fee is due when the
9 license is issued, and that DALS must inspect motor fuel pumps
10 on a biennial basis (amended Code sections 214.2, 214.3, and
11 214.11). The bill also eliminates a requirement that persons
12 engaged in repairing scales must file a bond with the state
13 (repealed Code section 215.12).

14 WEIGHTS AND MEASURES — MOTOR FUEL STANDARDS AND
15 CLASSIFICATIONS. Motor fuels include fossil (petroleum) based
16 gasoline and diesel fuel as well as certain biofuel components
17 derived from renewable (nonpetroleum) resources such as ethanol
18 classified as E-100 and biodiesel comprised of monoalkyl esters
19 of long-chain fatty acids and classified as B-100. Both types
20 of substances are used to produce renewable fuels (e.g., E-15
21 or B-5) subject to separate departmental standards based on
22 ASTM international (ASTM) specifications. The bill regulates
23 another liquid fuel referred to renewable diesel classified as
24 RD-100 that may be used as a motor fuel or a blending component
25 and classified as RD-xx. RD-100 is produced from nonfossil
26 renewable resources but is not biodiesel due to manufacturing
27 processes. Petroleum-based diesel fuel and RD-100 are subject
28 to the same ASTM specification D975 while B-100 is subject to
29 ASTM specification D6751 (amended Code sections 214A.1 and
30 214A.2).

31 WEIGHTS AND MEASURES — TESTING LABORATORY. The bill
32 expressly recognizes the Iowa central fuel testing laboratory
33 at Iowa central community college as the official laboratory
34 for testing motor fuels, biofuels, and renewable fuels (amended
35 Code section 214A.2B).

1 WEIGHTS AND MEASURES — CODE EDITOR DIRECTIVE. The bill
2 transfers Code section 214A.16 from subchapter I to subchapter
3 II of Code chapter 214A. The Code section regulates a notice
4 required to be posted for consumers purchasing renewable fuels.
5 In 2022, the general assembly enacted 2022 Iowa Acts, chapter
6 1152, which reorganized Code chapter 214A. Subchapter I
7 regulates general matters such as standards and classifications
8 and subchapter II regulates the advertisement, sale, and use
9 of motor fuel.

10 WEIGHTS AND MEASURES — PENALTY. A person who fails to allow
11 for an inspection of a motor fuel pump is guilty of a simple
12 misdemeanor.

13 WATER QUALITY. DALS regulates two water quality
14 initiatives, including water quality agriculture infrastructure
15 programs (amended Code section 466B.43) and the water quality
16 urban infrastructure program (amended Code section 466B.44).
17 The initiative is supported by the water quality initiative
18 fund (Code section 466B.45), the water quality infrastructure
19 fund (Code section 8.57B), and the water quality financial
20 assistance fund (Code section 16.134A). Moneys in the last
21 fund (15 percent) are appropriated to support the water quality
22 urban infrastructure program. The bill provides that DALS
23 may use moneys available to support the water quality urban
24 infrastructure program to instead support the water quality
25 agriculture infrastructure programs. The bill also eliminates
26 dates in several Code sections that are now extraneous.

27 APPLICABLE PENALTIES. A simple misdemeanor is punishable by
28 confinement for no more than 30 days and a fine of at least \$105
29 but not more than \$855.