

FILED MAR 8 1976

SENATE FILE 1241

By COMMITTEE ON AGRICULTURE

Passed Senate, Date 3-12-76 (p. 852) Passed House, Date \_\_\_\_\_

Vote: Ayes 43 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

*Motion to reconsider filed 3/13 (271)  
prevented 3/17*

## A BILL FOR

1 An Act relating to the moisture sampling of grain or soybeans.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Chapter two hundred fifteen A (215A), Code  
2 1975, is amended by adding the following new sections:

3 NEW SECTION. MOISTURE CONTENT SAMPLE. In sampling grain  
4 or soybeans to determine the moisture content under this  
5 chapter, a sample of at least two hundred fifty grams shall  
6 be used.

7 NEW SECTION. PRESERVATION OF SAMPLE.

8 1. The results of a moisture test shall be recorded and  
9 a data slip containing the results of the test shall be sealed  
10 in a container with the sample. The last twenty samples of  
11 each grain or soybeans shall be preserved by this method.  
12 A sample shall not be discarded prior to the expiration of  
13 seventy-two hours after its taking. However, if other grain  
14 or soybeans and its sample replaces the grain or soybeans  
15 of the sample, this first sample may be discarded. A report  
16 of discarded samples shall be kept on file only when samples  
17 are not available to be tested.

18 2. The sample container shall be constructed of a substance  
19 and in a manner to prevent moisture loss.

20 NEW SECTION. RETESTING UPON COMPLAINT--NOTIFICATION.

21 Upon a random basis, the department shall test any samples  
22 of grain or soybeans in a container pursuant to this Act.  
23 If the department test results vary more than five-tenths  
24 of a point from the original test, the department shall notify  
25 the owner or operator of the facility which tested the grain  
26 or soybeans. Within ten days of notification by the  
27 department, the owner or operator shall notify all persons  
28 whose grain or soybeans was tested by such facility within  
29 thirty days prior to the date of retesting by the department.  
30 The owner or operator shall also notify all persons whose  
31 grain or soybeans was tested by the operator or owner between  
32 time of retesting by the department and notification of the  
33 owner or operator by the department.

34 NEW SECTION. FACTOR APPLIED BY PURCHASER. A factor of  
35 greater than one point three percent of weight shrinkage and

1 loss for every one percent of moisture removed from the grain  
2 or soybeans shall not be applied by any purchaser of grain  
3 or soybeans or any facility storing grain or soybeans in  
4 determining the purchase or storage price of the grain or  
5 soybeans.

6 NEW SECTION. NOTICE OF REMEDIES. All grain or soybean  
7 elevators shall post a notice of remedies available to the  
8 seller or person having the grain or soybeans stored or sold  
9 who is dissatisfied with the results of the moisture tests.  
10 The notice shall be conspicuously posted within the immediate  
11 vicinity of the moisture measuring device.

12 EXPLANATION

13 This bill provides for the random retesting of disputed  
14 grain or soybean moisture samples.

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Amend Senate File 1241 as follows:

1. Page 1, line 11, by striking the word "method." and inserting in lieu thereof the word "method".
2. Page 1, line 12, by striking the words "A sample" and inserting in lieu thereof the words "and they".
3. Page 1, line 13, by striking the word "its" and inserting in lieu thereof the word "their".

S-5332 FILED - *Adopted 3/17 (895)*  
MARCH 16, 1976

BY DALE L. TIEDEN

S-5349

Amend Senate File 1241 as follows:

1. Page 1, line 10, by striking the word "twenty" and inserting in lieu thereof the word "ten".

S-5349 FILED - *Adopted 4/12 (1269)*  
MARCH 17, 1976

BY KENNETH D. SCOTT  
BERL E. PRIEBE

S-5353

- 1 Amend Senate File 1241, page 1, line 29 by
- 2 striking the word "thirty" and inserting the word
- 3 "fifteen".

S-5353 FILED  
MARCH 17, 1976

BY RAY TAYLOR  
BERL E. PRIEBE  
KENNETH D. SCOTT

S-5372

- 1 Amend Senate File 1241 as follows:
- 2 1. Page 1, line 8, by inserting after the
- 3 word "test" the words "number two grade or higher on
- 4 grain and number one or higher on soybeans".

S-5372 FILED - *Adopted 4/12 (1269)*  
MARCH 18, 1976

BY RAY TAYLOR  
ELIZABETH R. MILLER  
KENNETH D. SCOTT  
BASS VAN GILST  
BERL E. PRIEBE  
C. JOSEPH COLEMAN

S-5503

- 1 Amend Senate File 1241 as follows:
- 2 1. Page 2, by striking line 9 and inserting
- 3 in lieu thereof the words "who has been notified
- 4 pursuant to the provisions of this Act by a moisture-
- 5 testing facility of an incorrect determination of the
- 6 moisture content of the grain or soybeans stored or
- 7 sold."

S-5503 FILED  
APRIL 12, 1976

BY LOWELL L. JUNKINS  
CALVIN O. HULTMAN  
CLOYD E. ROBINSON

- 1 Amend Senate File 1241 as follows:
- 2 1. Page 1, line 19, by inserting after the word
- 3 "loss" the words "and shall be refrigerated at a
- 4 temperature between fifty-five and sixty degrees
- 5 fahrenheit or its equivalent".
- 6 2. Page 1, line 23, by striking the words "five-
- 7 tenths".
- 8 3. Page 1, line 24, by striking the word "of".
- 9 4. Page 1, by striking lines 34 and 35.
- 10 5. Page 2, by striking lines 1 through 5.
- 11 6. Page 2, line 10, by striking the words "The
- 12 notice" and inserting in lieu thereof the following:
- 13 "These elevators shall also post a notice of the
- 14 discount rate being applied for weight shrinkage from
- 15 drying. Both notices".

S-5393 FILED - *Lost 4/12 (1270) A, B and C*  
 MARCH 23, 1976 *B. Amended and adopted 33-14 4/13 (1290)* BY JOAN ORR

## SENATE FILE 1241

S-5501

- 1 Amend Senate File 1241 as follows:
- 2 1. Page 2, by inserting after line 11 the following
- 3 new sections:
- 4 "Sec. \_\_\_\_\_. Section two hundred fifteen A point
- 5 two (215A.2), Code 1975, is amended to read as follows:
- 6 215A.2 INSPECTION USE OF DEVICES--TESTS BY
- 7 DEPARTMENT. ~~The department shall inspect or cause~~
- 8 ~~to be inspected at least annually every moisture-~~
- 9 ~~measuring device used in commerce in this state,~~
- 10 ~~except those belonging to the United States or the~~
- 11 ~~state, or any subdivision of either, except as herein~~
- 12 ~~provided. A person, other than the United States~~
- 13 ~~government or its employees, who uses a moisture-~~
- 14 ~~measuring device in this state shall comply with and~~
- 15 ~~be subject to the provisions of this chapter. The~~
- 16 ~~department may inspect or cause to be inspected at~~
- 17 ~~the convenience of the department any moisture-~~
- 18 ~~measuring device moisture test sample owner thereof.~~
- 19 Sec. \_\_\_\_\_. Sections two hundred fifteen
- 20 A point five (215A.5), two hundred fifteen A point
- 21 six (215A.6), two hundred fifteen A point eight
- 22 (215A.8), two hundred fifteen A point nine (215A.9)
- 23 and two hundred fifteen A point ten (215A.10), Code
- 24 1975, are repealed."
- 25 2. By renumbering sections and correcting
- 26 internal references as necessary.

S-5501 FILED  
 APRIL 12, 1976

BY BERL E. PRIEBE