

CHAPTER 1108**THEFT DETECTION AND DETECTION SHIELDING DEVICES***H.F. 2391*

AN ACT establishing a criminal offense relating to theft detection shielding devices and theft detection devices and providing a penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 714.7B THEFT DETECTION DEVICES — SHIELD OR REMOVAL PROHIBITED.

1. A person shall not intentionally manufacture or attempt to manufacture, sell or attempt to sell, possess, use, distribute or attempt to distribute, a theft detection shielding device.

2. A person shall not remove or attempt to remove a theft detection device with the intent of committing a theft and without the permission of the merchant who is displaying or selling the goods, wares, or merchandise.

3. A person shall not possess any tool, instrument, or device with the intent to use it in the unlawful removal of a theft detection device.

4. For purposes of this section, “theft detection shielding device” means any laminated or coated bag or device designed to shield merchandise from detection by an electronic or magnetic theft alarm system or any other system designed to alert a person of a possible theft. “Theft detection device” means any electronic or other device attached to goods, wares, or merchandise on display or for sale by a merchant.

5. A person who violates subsection 1 or 3 commits a serious misdemeanor.

6. A person who violates subsection 2 commits the following:

a. A simple misdemeanor if the value of the goods, wares, or merchandise does not exceed two hundred dollars.

b. A serious misdemeanor if the value of the goods, wares, or merchandise exceeds two hundred dollars.

Approved April 18, 2000

CHAPTER 1109**STATE AGENCY PURCHASING PREFERENCE —
BIO-BASED FLUIDS, GREASES, AND LUBRICANTS***S.F. 2249*

AN ACT relating to a state agency purchasing preference for bio-based hydraulic fluids, greases, and other industrial lubricants.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 18.6, subsection 12, paragraph b, Code Supplement 1999, is amended to read as follows:

b. The procurement by state agencies of biodegradable bio-based hydraulic fluids, greases, and other industrial lubricants manufactured from soybeans in accordance with the requirements of section 18.22.

Sec. 2. Section 18.22, subsection 4, Code 1999, is amended to read as follows:

4. a. Provide that when purchasing hydraulic fluids, greases, and other industrial lubricants the department or a state agency authorized by the department to directly purchase hydraulic fluids, greases, and other industrial lubricants shall give preference to purchasing biodegradable bio-based hydraulic fluids, greases, and other industrial lubricants manufactured from soybeans.

b. ~~The department or state agency purchasing the hydraulic fluid shall purchase biodegradable hydraulic fluid, if both of the following apply:~~

~~(1) The purchase is within the purchasing budget of the department or a state agency.~~

~~(2) The use of biodegradable hydraulic fluid in the equipment operated by the department or state agency is consistent with the manufacturer's specifications for the equipment.~~

e. ~~b.~~ The department shall provide for the implementation of requirements necessary in order to carry out this subsection by the department or state agency making the purchase, which shall include all of the following:

(1) Including the preference requirements in publications used to solicit bids for hydraulic fluids, greases, and other industrial lubricants.

(2) Describing the preference requirements at bidders' conferences in which bids for the sale of hydraulic fluids, greases, and other industrial lubricants are sought by the department or authorized state agency.

(3) Discussing the preference requirements in procurement solicitations or invitations to bid for hydraulic fluids, greases, and other industrial lubricants.

(4) Informing industry trade associations about the preference requirements.

c. As used in this section, unless the context otherwise requires:

(1) "Bio-based hydraulic fluids, greases, and other industrial lubricants" means as defined by the United States department of agriculture, if the department has adopted such a definition. If the United States department of agriculture has not adopted a definition, "bio-based hydraulic fluids, greases, and other industrial lubricants" means hydraulic fluids, greases, and other lubricants containing a minimum of fifty-one percent soybean oil.

(2) "Other industrial lubricants" means lubricants used or applied to machinery.

Sec. 3. Section 216B.3, subsection 17, Code Supplement 1999, is amended to read as follows:

17. Comply with the requirements for the purchase of lubricating oils, industrial oils, greases, and hydraulic fluids as established pursuant to section 18.22.

Sec. 4. Section 260C.19B, Code 1999, is amended to read as follows:

260C.19B PURCHASE OF BIODEGRADABLE BIO-BASED HYDRAULIC FLUIDS, GREASES, AND OTHER INDUSTRIAL LUBRICANTS.

Hydraulic fluids, greases, and other industrial lubricants purchased by or used under the direction of the board of directors to provide services to a merged area shall be purchased in compliance with the preference requirements for purchasing biodegradable bio-based hydraulic fluids, greases, and other industrial lubricants as provided pursuant to section 18.22.

Sec. 5. Section 262.25B, Code 1999, is amended to read as follows:

262.25B PURCHASE OF BIODEGRADABLE BIO-BASED HYDRAULIC FLUIDS, GREASES, AND OTHER INDUSTRIAL LUBRICANTS.

The state board of regents and institutions under the control of the board purchasing hydraulic fluids, greases, and other industrial lubricants shall give preference to purchasing biodegradable bio-based hydraulic fluids, greases, and other industrial lubricants as provided in section 18.22.

Sec. 6. Section 307.21, subsection 4, paragraph b, subparagraph (4), Code Supplement 1999, is amended to read as follows:

(4) Comply with the requirements for the purchase of lubricating oils, industrial oils, greases, and hydraulic fluids as established pursuant to section 18.22.

Sec. 7. Section 904.312B, Code 1999, is amended to read as follows:

904.312B PURCHASE OF ~~BIODEGRADABLE~~ BIO-BASED HYDRAULIC FLUIDS, GREASES, AND OTHER INDUSTRIAL LUBRICANTS.

The department when purchasing hydraulic fluids, ~~greases, and other industrial lubricants~~ shall give preference to purchasing ~~biodegradable~~ bio-based hydraulic fluids, ~~greases, and other industrial lubricants~~ as provided in section 18.22.

Approved April 19, 2000

CHAPTER 1110

PSEUDORABIES CONTROL

S.F. 2312

AN ACT relating to pseudorabies control, making penalties applicable, for implementation, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 166D.2, Code 1999, is amended by adding the following new subsections:

NEW SUBSECTION. 7A. "Cleanup plan" means a herd cleanup plan or feeder pig cooperator herd cleanup plan as provided in section 166D.8.

NEW SUBSECTION. 8A. "Cull swine" means mature swine fed for purposes of direct slaughter. However, "cull swine" does not include swine kept for purposes of breeding or reproduction.

NEW SUBSECTION. 19A. "Fixed concentration point" means a concentration point which is a permanent location where swine are assembled for purposes of sale and movement to a slaughtering establishment as provided in section 166D.12.

NEW SUBSECTION. 26A. "Isowean feeder pig" means a feeder pig that weighs twenty pounds or less.

NEW SUBSECTION. 44A. "Stage II county" means a county designated by the department as in stage II of the national pseudorabies eradication program.

Sec. 2. Section 166D.2, subsections 2, 11, 17, 19, 38, and 42, Code 1999, are amended to read as follows:

2. "Approved premises" means a dry lot facility located in an area with confirmed cases of pseudorabies infection, which is ~~authorized~~ certified by the department to receive, ~~hold, or~~ and feed and move or relocate infected swine, ~~exposed animals, or swine of unknown status as provided in section 166D.10B.~~ The premises and all swine on the premises shall be considered under quarantine. However, swine may be moved to slaughter under a transportation certificate or may be moved to another pseudorabies approved premises under a certificate of inspection.

11. "Differentiable vaccine" means a vaccine which has a licensed companion differentiable test, and includes a modified-live differentiable vaccine.

17. "Feeder pig" means an immature swine fed for purposes of direct slaughter which is weighs one hundred pounds or less than slaughter weight.

19. "Feeder swine" means a ~~porcine animal~~ swine fed for purposes of direct slaughter, including feeder pigs, ~~and cull sows, and bears~~ swine. However, "feeder swine" does not include ~~animals~~ swine kept for purposes of breeding or reproduction.