

# House Amendment 2040

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1 1 Amend the House amendment, S=3436, to Senate File  
1 2 551, as amended, passed, and reprinted by the Senate,  
1 3 as follows:  
1 4 #1. Page 1, by inserting before line 3, the  
1 5 following:  
1 6 <#\_\_\_\_. Page 3, by striking line 9, and inserting  
1 7 the following: <maintenance, miscellaneous purposes,  
1 8 and for not more than the following full-time  
1 9 equivalent positions:>  
1 10 #\_\_\_\_. Page 3, by inserting after line 10, the  
1 11 following:  
1 12 <..... FTEs 1.00>  
1 13 #\_\_\_\_. Page 11, line 26, by striking the figure  
1 14 <1,500,000> and inserting the following: <1,480,000>.  
1 15 #\_\_\_\_. Page 12, line 35, by striking the figure  
1 16 <600,000> and inserting the following: <580,000>.  
1 17 #\_\_\_\_. Page 13, line 2, by striking the figure  
1 18 <400,000> and inserting the following: <386,667>.  
1 19 #\_\_\_\_. Page 13, line 8, by striking the figure  
1 20 <200,000> and inserting the following: <193,333>.  
1 21 #\_\_\_\_. Page 13, by inserting after line 17, the  
1 22 following:  
1 23 <\_\_\_\_. For purposes of supporting a farm-to-school  
1 24 program, as provided in chapter 190A, if enacted by  
1 25 2007 Iowa Acts, Senate File 601, including salaries,  
1 26 support, maintenance, and miscellaneous purposes:  
1 27 ..... \$ 80,000  
1 28 \_\_\_\_\_. For purposes of supporting the office of  
1 29 state apiarist, including the state apiarist who shall  
1 30 be appointed by the secretary of agriculture pursuant  
1 31 to section 160.1, and for carrying out the duties of  
1 32 the state apiarist as provided in chapter 160:  
1 33 ..... \$ 40,000>  
1 34 #\_\_\_\_. Page 14, line 5, by striking the figure  
1 35 <2,490,000> and inserting the following: <2,470,000>.  
1 36 #\_\_\_\_. Page 14, line 19, by striking the figure  
1 37 <400,000> and inserting the following: <360,000>.  
1 38 #\_\_\_\_. Page 15, line 9, by striking the figure  
1 39 <500,000> and inserting the following: <480,000>.  
1 40 #2. Page 2, by inserting after line 16 the  
1 41 following:  
1 42 <#\_\_\_\_. Page 20, by inserting after line 27 the  
1 43 following:  
1 44 <DIVISION \_\_\_\_  
1 45 E=85 GASOLINE  
1 46 Sec. \_\_\_\_\_. Section 455G.31, Code 2007, is amended  
1 47 to read as follows:  
1 48 455G.31 E=85 GASOLINE STORAGE AND DISPENSING  
1 49 INFRASTRUCTURE.  
1 50 1. As used in this section, unless the context  
2 1 otherwise requires:  
2 2 a. "E=85 gasoline", "ethanol blended gasoline",  
2 3 and "retail dealer" mean the same as defined in  
2 4 section 214A.1.  
2 5 b. "Gasoline storage and dispensing  
2 6 infrastructure" means any storage tank located below  
2 7 ground or above ground and any associated equipment  
2 8 including but not limited to a pipe, hose, connection,  
2 9 fitting seal, or pump, which is used to store,  
2 10 measure, and dispense gasoline by a retail dealer.  
2 11 2. A retail dealer may use gasoline storage and  
2 12 dispensing infrastructure to store and dispense E=85  
2 13 gasoline if all of the following apply:  
2 14 a. For gasoline storage and dispensing  
2 15 infrastructure other than the dispenser, the  
2 16 department of natural resources under this chapter or  
2 17 the state fire marshal under chapter 101 must  
2 18 determine that it is compatible with E=85 gasoline.  
2 19 If the compatibility of the thread sealant or adhesive  
2 20 is undetermined, the thread sealant or adhesive may  
2 21 continue to be used if precision line testing is  
2 22 conducted annually and if an analysis to determine  
2 23 compatibility of the thread sealant or adhesive is  
2 24 completed by July 1, 2011.

2 25 b. For a dispenser, the manufacturer must state  
2 26 all of the following shall apply:  
2 27 (1) ~~That the dispenser is, in the opinion of the~~  
2 28 ~~manufacturer, not incompatible with E-85 gasoline.~~  
2 29 The manufacturer must state that the dispenser is  
2 30 listed by an independent testing laboratory as  
2 31 compatible with ethanol blended gasoline.  
2 32 (2) ~~The manufacturer has initiated the process of~~  
2 33 ~~applying to an independent testing laboratory for~~  
2 34 ~~listing of the equipment for use in dispensing E-85~~  
2 35 ~~gasoline.~~  
2 36 A manufacturer's statement must include a written  
2 37 statement, with reference to a particular type and  
2 38 model of equipment for use in dispensing E-85  
2 39 gasoline, signed by a responsible official on behalf  
2 40 of the manufacturer, provided either to the retail  
2 41 dealer using the gasoline storage and dispensing  
2 42 infrastructure or to the department of natural  
2 43 resources or the state fire marshal. ~~If the written~~  
2 44 ~~statement is provided to a retail dealer, the~~  
2 45 ~~statement shall be retained in the files on the~~  
2 46 ~~premises of the retail dealer and shall be available~~  
2 47 ~~to personnel of the department of natural resources or~~  
2 48 ~~the state fire marshal upon request. The owner or~~  
2 49 ~~operator or a person authorized by the owner or~~  
2 50 ~~operator must visually inspect the dispenser and the~~  
3 1 ~~dispenser sump daily for leaks and equipment failure~~  
3 2 ~~and maintain a record of such inspection for at least~~  
3 3 ~~one year after the inspection. If a leak is detected,~~  
3 4 ~~the department of natural resources shall be notified~~  
3 5 ~~pursuant to section 455B.386.~~  
3 6 If a commercially available dispenser is listed as  
3 7 compatible for use with E-85 gasoline by an  
3 8 independent testing laboratory, this paragraph "b"  
3 9 shall not apply to new dispensers installed after the  
3 10 commercial availability of such a certified dispenser.  
3 11 3. ~~This section is repealed July 1, 2009.>>~~  
3 12 #3. By renumbering, relettering, or redesignating  
3 13 and correcting internal references as necessary.  
3 14 SF 551.S  
3 15 da/cc/26