

FEB 7 2006
Agriculture

HOUSE FILE 2268
BY SHOULTZ

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act regulating anhydrous ammonia stored by persons licensed as
2 fertilizer dealers by the department of agriculture and land
3 stewardship, and making penalties applicable.

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

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HF 2268

1 Section 1. NEW SECTION. 200.17B ANHYDROUS AMMONIA TANK.

2 A licensee who sells anhydrous ammonia on a retail basis
3 shall store the anhydrous ammonia in a tank which is secured
4 and equipped with a lock in a manner which reasonably prevents
5 unauthorized access to the tank or its theft. When the tank
6 is on the premises of the licensee, the licensee shall keep
7 the tank secured and locked during any period that the
8 licensee is not routinely monitoring the tank.

9 Sec. 2. Section 200.18, subsection 3, Code Supplement
10 2005, is amended to read as follows:

11 3. A person who is licensed pursuant to section 200.4 who
12 fails to comply with the requirements of section 200.17A or
13 200.17B shall be subject to disciplinary action by the
14 department. For a first violation, the department may suspend
15 the person's license for up to ninety days. For a subsequent
16 violation, the department may suspend the person's license for
17 a longer period or revoke the person's license.

18 EXPLANATION

19 This bill amends provisions in Code chapter 200, the "Iowa
20 fertilizer law". The bill regulates the storage of anhydrous
21 ammonia by persons licensed as fertilizer dealers by the
22 department of agriculture and land stewardship. The bill
23 requires a licensee to store anhydrous ammonia in a tank which
24 is secured and equipped with a lock in a manner which
25 reasonably prevents unauthorized access or theft. When the
26 tank is on the licensee's premises, the tank must be secured
27 and locked during any period that the licensee is not
28 routinely monitoring the tank. Code section 200.18 is amended
29 to provide that a licensee who violates a provision of the
30 bill is subject to disciplinary action by the department. The
31 disciplinary action is a suspension or revocation of the
32 license. Generally, a person who violates a provision of Code
33 chapter 200 is guilty of a simple misdemeanor. A simple
34 misdemeanor is punishable by confinement for no more than 30
35 days or a fine of at least \$50 but not more than \$500, or by

- 1 both.
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