Senate Study Bill 1143 - Introduced

SENATE/HOUSE FILE

BY (PROPOSED DEPARTMENT OF

AGRICULTURE AND LAND

STEWARDSHIP BILL)

A BILL FOR

- 1 An Act providing for the department of agriculture and land
- 2 stewardship's administration of programs regarding a
- 3 conservation practices revolving loan fund, the state
- 4 metrologist, and motor fuel standards.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 DIVISION I SOIL AND WATER CONSERVATION DISTRICTS 2 3 Section 1. Section 161A.71, subsection 1, Code 2013, is 4 amended to read as follows: The division may establish a conservation practices 6 revolving loan fund composed of any money appropriated by the 7 general assembly for that purpose, and of any other moneys 8 available to and obtained or accepted by the committee from 9 the federal government or private sources for placement in 10 that fund. Except as otherwise provided by subsection 3, 11 the assets of the conservation practices revolving loan fund 12 shall be used only to make loans directly to owners of land in 13 this state for the purpose of establishing on that land any 14 new permanent soil and water conservation practice which the 15 commissioners of the soil and water conservation district in 16 which the land is located have found is necessary or advisable 17 to meet the soil loss limits established for that land. A 18 loan shall not be made for establishing a permanent soil and 19 water conservation practice on land that is subject to the 20 restriction on state cost-sharing funds of section 161A.76. 21 Revolving loan funds and public cost-sharing funds shall not 22 may be used in combination for funding a particular soil and 23 water conservation practice. Each loan made under this section 24 shall be for a period not to exceed ten years, shall bear no 25 interest, and shall be repayable to the conservation practices 26 revolving loan fund in equal yearly installments due March 1 of 27 each year the loan is in effect. The interest rate upon loans 28 for which payment is delinquent shall accelerate immediately 29 to the current legal usury limit. Applicants are eligible for 30 no more than ten twenty thousand dollars in loans outstanding 31 at any time under this program. "Permanent soil and water 32 conservation practices" has the same meaning as defined in 33 section 161A.42 and those established under this program are 34 subject to the requirements of section 161A.7, subsection 3.

35 Loans made under this program shall come due for payment upon

- 1 sale of the land on which those practices are established.
- 2 DIVISION II
- 3 WEIGHTS AND MEASURES
- 4 Sec. 2. Section 213.1, Code 2013, is amended to read as
- 5 follows:
- 6 213.1 State metrologist.
- 7 The department shall may designate one of its assistants to
- 8 act as state metrologist of weights and measures. All weights
- 9 and measures sealed by the state metrologist shall be impressed
- 10 with the word "Iowa."
- 11 DIVISION III
- 12 MOTOR FUEL STANDARDS
- 13 Sec. 3. Section 214A.1, subsection 23, Code 2013, is amended
- 14 to read as follows:
- 15 23. "Standard ethanol blended gasoline" means ethanol
- 16 blended gasoline for use in gasoline-powered vehicles other
- 17 than not required to be flexible fuel vehicles, that meets the
- 18 requirements of section 214A.2.
- 19 Sec. 4. Section 214A.2, subsection 2, paragraphs a and b,
- 20 Code 2013, are amended by striking the paragraphs.
- 21 Sec. 5. Section 214A.2, subsection 3, paragraph b,
- 22 subparagraph (2), unnumbered paragraph 1, Code 2013, is amended
- 23 to read as follows:
- 24 Gasoline blended with ethanol must meet any of the following
- 25 requirements established by rules adopted in part or in whole
- 26 based on A.S.T.M. international specification D4814, including
- 27 as follows:
- Sec. 6. Section 214A.2, subsection 3, paragraph b,
- 29 subparagraph (4), Code 2013, is amended to read as follows:
- 30 (4) For standard ethanol blended gasoline, it must be
- 31 ethanol blended gasoline classified as any of the following:
- 32 (a) From E-9 or E-10 to E-15, if the ethanol blended
- 33 gasoline meets the standards for that classification as
- 34 otherwise provided in this paragraph "b".
- 35 (b) Higher than E-10 E-15, if authorized by the department

- 1 pursuant to approval for the use of that classification of
- 2 ethanol blended gasoline in this state by the United States
- 3 environmental protection agency, by granting a waiver or the
- 4 adoption of regulations.
- 5 Sec. 7. Section 214A.7, Code 2013, is amended to read as
- 6 follows:
- 7 214A.7 Department inspection samples tested.
- 8 The department shall, from time to time, make or cause to be
- 9 made tests of any motor fuel or biofuel which is being sold,
- 10 or held or offered for sale within this state. A departmental
- 11 inspector may enter upon the premises of a dealer and take from
- 12 any container a sample of the motor fuel or biofuel, not to
- 13 exceed sixteen fluid ounces one gallon. The sample shall be
- 14 sealed and appropriately marked or labeled by the inspector and
- 15 delivered to the department. The department shall make, or
- 16 cause to be made, complete analyses or tests of the motor fuel
- 17 or biofuel by the methods specified in section 214A.2.
- 18 Sec. 8. Section 214A.16, subsection 1, Code 2013, is amended
- 19 to read as follows:
- 20 1. a. If ethanol blended gasoline is sold from a motor
- 21 fuel pump, the motor fuel pump shall have affixed a decal
- 22 identifying the ethanol blended gasoline.
- 23 b. If the motor fuel pump dispenses ethanol blended gasoline
- 24 classified as E-11 to E-15 for use in gasoline-powered vehicles
- 25 not required to be flexible fuel vehicles, the motor fuel pump
- 26 shall have affixed a decal as prescribed by the United States
- 27 environmental protection agency.
- 28 c. If the motor fuel pump dispenses ethanol blended gasoline
- 29 classified as higher than standard ethanol blended gasoline
- 30 pursuant to section 214A.2, the decal shall contain the
- 31 following notice:
- 32 FOR FLEXIBLE FUEL VEHICLES ONLY.
- 33 b. d. If biodiesel fuel is sold from a motor fuel pump,
- 34 the motor fuel pump shall have affixed a decal identifying the
- 35 biodiesel fuel as provided in 16 C.F.R. pt. 306.

- 1 Sec. 9. REPEAL. Section 214A.9, Code 2013, is repealed.
- 2 EXPLANATION
- 3 GENERAL. This bill amends a number of provisions relating
- 4 to the functions of the department of agriculture and land
- 5 stewardship.
- 6 DIVISION I SOIL AND WATER CONSERVATION DISTRICTS. The
- 7 bill amends a provision which establishes a conservation
- 8 practices revolving loan fund within the soil conservation
- 9 division, to be used only to make loans directly to owners
- 10 of land for the purpose of establishing new permanent soil
- ll and water conservation practices. The bill provides that
- 12 revolving loan fund moneys may be used in combination with
- 13 public cost-sharing moneys. The bill increases the amount that
- 14 an owner may receive under the program from \$10,000 to \$20,000.
- 15 DIVISION II WEIGHTS AND MEASURES. The bill amends a
- 16 provision that requires the department to designate one of
- 17 its assistants to act as the state metrologist of weights
- 18 and measures. Specifically, the bill provides that such
- 19 designation is discretionary.
- 20 DIVISION III MOTOR FUEL STANDARDS. The bill amends a
- 21 number of provisions relating to motor fuel standards (Code
- 22 section 214A.2). It eliminates octane standards for leaded
- 23 gasoline.
- 24 The bill also provides for gasoline that contains a certain
- 25 percentage of ethanol. Ethanol blended gasoline is designated
- 26 E-xx where "xx" is the volume percent of ethanol in the ethanol
- 27 blended gasoline.
- 28 Currently, the term "standard ethanol blended gasoline"
- 29 refers to ethanol blended gasoline that is used to power
- 30 vehicles other than flexible fuel vehicles (Code section
- 31 214A.1). Generally, standard ethanol blended gasoline must
- 32 contain between 9 and 10 percent ethanol by volume (so-called
- 33 E-10). However, it may also contain a higher percentage as
- 34 authorized by the department as long as it is approved by the
- 35 United States environmental protection agency (EPA) (Code

- 1 section 214A.2). The bill provides that such gasoline is for
- 2 use in gasoline-powered vehicles not required to be flexible
- 3 fuel vehicles. It also increases the percentage of ethanol
- 4 allowed in standard ethanol blended gasoline to 15 percent
- 5 by volume (E-15). The department may still increase the
- 6 percentage if authorized by the department with approval by the 7 EPA.
- 8 The department is required to test samples of motor fuel or
- 9 biofuels to ensure that they comply with the standards. It
- 10 increases the maximum sample size from 16 fluid ounces to one
- 11 gallon (Code section 214A.7). The bill eliminates a provision
- 12 allowing a retail dealer of motor fuel to post a notice showing
- 13 the results of the tests (Code section 214A.9).
- 14 The bill amends a provision which requires a decal be affixed
- 15 to a motor fuel pump notifying consumers that it is dispensing
- 16 ethanol blended gasoline (Code section 214A.16). The bill
- 17 provides that a motor fuel pump dispensing ethanol blended
- 18 gasoline containing a percentage of ethanol ranging between 11
- 19 and 15 percent (E-11 to E-15) must be affixed with a decal as
- 20 prescribed by EPA.