

House File 277 - Introduced

HOUSE FILE 277

BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 113)

A BILL FOR

1 An Act providing for programs and regulations administered
2 and enforced by the department of agriculture and land
3 stewardship, providing fees, providing for the allocation of
4 moneys, and making penalties applicable.

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

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DIVISION I

REGULATION OF COMMERCIAL ESTABLISHMENTS

Section 1. Section 162.2, subsection 19, Code 2023, is amended by striking the subsection and inserting in lieu thereof the following:

19. "Pet shop" means a facility where vertebrate animals, excluding fish, not born and reared on the facility's premises are bought, sold, exchanged, or offered for sale or exchange to the public, at retail. "Pet shop" does not include a facility if one of the following applies:

a. The facility receives less than one thousand dollars from the sale or exchange of vertebrate animals, excluding fish, during a twelve-month period.

b. The facility sells or exchanges less than twelve vertebrate animals, excluding fish, during a twelve-month period.

DIVISION II

GRAIN REGULATION

PART A

GRAIN DEALERS

Sec. 2. Section 203.1, Code 2023, is amended by adding the following new subsection:

NEW SUBSECTION. 12A. "Scale weight ticket" means the same as defined in section 203C.1.

Sec. 3. Section 203.5, subsection 8, paragraph a, Code 2023, is amended to read as follows:

a. The applicant has caused liability to the Iowa grain depositors and sellers indemnity fund in regard to a license issued under this chapter or chapter 203C, and the liability has not been discharged, settled, or satisfied.

Sec. 4. Section 203.11, subsection 2, paragraph a, subparagraph (3), Code 2023, is amended to read as follows:

(3) Uses a scale weight ticket or credit-sale contract in violation of this chapter or a requirement established by the department under this chapter.

1 Sec. 5. Section 203.15, subsection 2, paragraph f, Code
2 2023, is amended to read as follows:

3 *f.* The duration of the credit-sale contract, which shall
4 not exceed ~~twelve~~ fifteen months from the date the contract is
5 executed.

6 Sec. 6. Section 203.17, Code 2023, is amended to read as
7 follows:

8 **203.17 Documents and records.**

9 1. The department may adopt rules specifying the form,
10 content, use, and maintenance of documents issued by a grain
11 dealer under this chapter including but not limited to scale
12 weight tickets, settlement sheets, daily position records, and
13 credit-sale contracts. The department may adopt rules for
14 both printed and electronic documents, including rules for
15 the transmission, receipt, authentication, and archiving of
16 electronically generated or stored documents.

17 2. All scale weight ticket forms in the possession of a
18 grain dealer shall have been permanently and consecutively
19 numbered at the time of printing. A grain dealer shall
20 maintain an accurate record of all scale weight ticket numbers.
21 The record shall include the disposition of each numbered form,
22 whether issued, destroyed, or otherwise disposed of.

23 Sec. 7. Section 203.20, Code 2023, is amended to read as
24 follows:

25 **203.20 Shrinkage adjustments — disclosures — penalties.**

26 1. A person who, in connection with the receipt of
27 ~~corn or soybeans~~ grain for storage, processing, or sale,
28 adjusts the scale weight of the grain to compensate for the
29 moisture content of the grain shall compute the amount of
30 the adjustment by multiplying the scale weight of the grain
31 by that factor which results in a rate of adjustment of one
32 and eighteen hundredths percent of weight per one percent of
33 moisture content. ~~The use of~~ person who uses any rate of
34 weight adjustment for moisture content other than the one
35 prescribed by this subsection ~~is~~ commits a fraudulent practice

1 as defined in section 714.8. The person shall post on the
2 business premises in a conspicuous place notice of the rate
3 of adjustment for moisture content ~~that is~~ as prescribed by
4 this subsection. ~~Failure~~ The person who fails to make this
5 disclosure ~~is~~ commits a simple misdemeanor.

6 2. A person who, in connection with the receipt of grain for
7 storage, processing, or sale, adjusts the quantity of the grain
8 received to compensate for losses to be incurred during the
9 handling, processing, or storage of the grain shall post on the
10 business premises in a conspicuous place notice of the rate of
11 adjustment to be made for this shrinkage. ~~Failure~~ The person
12 who fails to make ~~the required~~ this disclosure ~~is~~ commits a
13 simple misdemeanor.

14 3. A person who adjusts the scale weight of ~~corn or soybeans~~
15 ~~both~~ grain for moisture content and for handling, processing,
16 or storage losses may combine the two adjustment factors into
17 a single factor and may use this resulting factor to compute
18 the amount of weight adjustment in connection with storage,
19 processing, or sale transactions, provided that the person
20 shall post on the business premises in a conspicuous place a
21 notice that discloses the moisture shrinkage factor prescribed
22 by [subsection 1](#), the handling shrinkage factor to be imposed,
23 and the single factor that results from combining these
24 factors. ~~Failure~~ The person who fails to make ~~the required~~
25 this disclosure ~~is~~ commits a simple misdemeanor.

26 PART B

27 WAREHOUSE OPERATORS

28 Sec. 8. Section 203C.5, subsection 2, Code 2023, is amended
29 to read as follows:

30 2. a. The department may adopt rules specifying the
31 form, content, and use of documents issued by a warehouse
32 operator under [this chapter](#) including but not limited to scale
33 weight tickets, warehouse receipts, settlement sheets, and
34 daily position records. The department may adopt rules for
35 both printed and electronic documents, including rules for

1 the transmission, receipt, authentication, and archiving of
2 electronically generated or stored documents.

3 **b.** All scale weight ticket forms and warehouse receipt
4 forms in the possession of a warehouse operator shall have been
5 permanently and consecutively numbered at the time of printing.
6 A warehouse operator shall maintain an accurate record of
7 the numbers of these documents. The record shall include
8 the disposition of each form, whether issued, destroyed, or
9 otherwise disposed of. The department may by rule require this
10 use of prenumbered forms and recording for documents other than
11 scale weight tickets and warehouse receipts.

12 Sec. 9. Section 203C.6, subsection 8, paragraph a, Code
13 2023, is amended to read as follows:

14 **a.** The applicant has caused liability to the Iowa grain
15 depositors and sellers indemnity fund through operations under
16 a license issued under this chapter or chapter 203, and the
17 liability has not been discharged, settled, or satisfied.

18 Sec. 10. Section 203C.17, subsections 1, 2, 3, 4, and 5,
19 Code 2023, are amended to read as follows:

20 1. ~~Any grain which has been received at any Grain deposited~~
21 ~~with a licensed warehouse operator for which the actual sale~~
22 ~~price is has not been fixed and either proper documentation~~
23 ~~made has not been furnished or payment has not been made shall~~
24 ~~be construed to be grain held for storage within the meaning of~~
25 ~~this chapter.~~ Grain may be held considered stored grain and
26 may be retained in open storage or placed ~~on~~ under warehouse
27 receipt. A warehouse receipt shall be issued for all grain
28 held in open storage within one year from the date of delivery
29 to the warehouse, unless the depositor has signed a statement
30 that the depositor does not desire a warehouse receipt. ~~A~~ The
31 licensed warehouse operator shall issue a warehouse receipt
32 shall be issued to the depositor upon request by the depositor.
33 The warehouse operator's tariff shall apply ~~for~~ to any grain
34 that is retained in open storage or placed under warehouse
35 receipt as provided in section 203C.18.

1 2. Bulk grain deposited with a licensed warehouse operator
2 for processing, cleaning, drying, shipping for the account of
3 the depositor, or any other purpose shall be removed within
4 thirty days from the date of deposit or such grain shall be
5 ~~determined as considered~~ stored grain and the. The warehouse
6 operator's tariff charges shall apply to the bulk grain as
7 provided in section 203C.28.

8 3. Grain ~~received on~~ deposited and subject to a scale weight
9 ticket ~~which that~~ fails to have the price fixed and properly
10 documented on the records of the licensed warehouse operator
11 shall be ~~construed to be~~ retained in open storage.

12 4. All bulk grain whether retained in open storage and
13 deposited subject to a scale weight ticket or ~~having been~~
14 placed ~~on~~ under warehouse receipt is covered by the grain
15 depositors and sellers indemnity fund ~~created in~~ as provided in
16 chapter 203D.

17 5. ~~Any grain which has been received at any~~ An unlicensed
18 warehouse ~~and for which the~~ operator shall not retain deposited
19 bulk grain, if its actual sale price has not been fixed, and
20 payment for the bulk grain has not been made within thirty days
21 ~~from receipt of the grain~~ its date of deposit, unless covered
22 purchased by a credit-sale contract, ~~shall be construed to be~~
23 ~~unlawful storage within the meaning of~~ this chapter. Bulk
24 ~~grain received at any~~ An unlicensed warehouse for any operator
25 who retains deposited bulk gain under any other purpose
26 circumstance must either ~~be returned~~ return the bulk grain to
27 the depositor, or ~~disposed of~~ dispose of the bulk grain by
28 order of the depositor, within thirty days from date of ~~actual~~
29 the deposit of the bulk grain.

30 Sec. 11. Section 203C.25, Code 2023, is amended to read as
31 follows:

32 **203C.25 Shrinkage adjustments — disclosures — penalties.**

33 1. A person who, in connection with the receipt of
34 ~~corn or soybeans~~ grain for storage, processing, or sale,
35 adjusts the scale weight of the grain to compensate for the

1 moisture content of the grain shall compute the amount of
 2 the adjustment by multiplying the scale weight of the grain
 3 by that factor which results in a rate of adjustment of one
 4 and eighteen hundredths percent of weight per one percent of
 5 moisture content. ~~The use of~~ person who uses any rate of
 6 weight adjustment for moisture content other than the one
 7 prescribed by this subsection ~~is~~ commits a fraudulent practice
 8 as defined in section 714.8. The person shall post on the
 9 business premises in a conspicuous place notice of the rate
 10 of adjustment for moisture content ~~that is~~ as prescribed by
 11 this subsection. ~~Failure~~ The person who fails to make this
 12 disclosure ~~is~~ commits a simple misdemeanor.

13 2. A person who, in connection with the receipt of grain for
 14 storage, processing, or sale, adjusts the quantity of the grain
 15 received to compensate for losses to be incurred during the
 16 handling, processing, or storage of the grain shall post on the
 17 business premises in a conspicuous place notice of the rate of
 18 adjustment to be made for this shrinkage. ~~Failure~~ The person
 19 who fails to make ~~the required~~ this disclosure ~~is~~ commits a
 20 simple misdemeanor.

21 3. A person who adjusts the scale weight of ~~corn or soybeans~~
 22 ~~both~~ grain for moisture content and for handling, processing,
 23 or storage losses may combine the two adjustment factors into
 24 a single factor and may use this resulting factor to compute
 25 the amount of weight adjustment in connection with storage,
 26 processing, or sale transactions, provided that the person
 27 shall post on the business premises in a conspicuous place a
 28 notice that discloses the moisture shrinkage factor prescribed
 29 by subsection 1, the handling shrinkage factor to be imposed,
 30 and the single factor that results from combining these
 31 factors. ~~Failure~~ The person who fails to make ~~the required~~
 32 this disclosure ~~is~~ commits a simple misdemeanor.

33 Sec. 12. Section 203C.36, subsection 2, paragraph a,
 34 subparagraph (3), Code 2023, is amended to read as follows:

35 (3) Uses a scale weight ticket, warehouse receipt, or

1 other document in violation of [this chapter](#) or requirements
2 established by the department under [this chapter](#).

3 PART C

4 INDEMNITY FUND

5 Sec. 13. Section 203D.1, Code 2023, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 14A. *"Scale weight ticket"* means the same
8 as defined in section 203C.1.

9 DIVISION III

10 WEIGHTS AND MEASURES

11 PART A

12 LICENSING, INSPECTIONS, AND FEES

13 Sec. 14. Section 214.2, Code 2023, is amended to read as
14 follows:

15 **214.2 License.**

16 1. A person who uses or displays for use any commercial
17 weighing and measuring device, ~~as defined in [section 215.1](#),~~
18 ~~shall secure~~ must be issued a license ~~from~~ by the department
19 for that device. The department shall issue the license after
20 inspecting the device.

21 2. a. Except as provided in paragraph "b", a license issued
22 under subsection 1 shall expire on December 31 of each year.

23 b. A license issued under subsection 1 for a motor fuel pump
24 shall expire on June 30 of each year.

25 Sec. 15. Section 214.3, subsection 1, Code 2023, is amended
26 by striking the subsection.

27 Sec. 16. Section 214.3, subsection 2, Code 2023, is amended
28 to read as follows:

29 2. The A license inspection fee is imposed on a person
30 who uses or displays for use a commercial weighing and
31 measuring device. The license fee is due the day the device
32 is placed into service department issues the license. A
33 license inspection fee shall be charged to the person owning
34 or operating a commercial weighing and measuring device
35 inspected The amount of the license fee shall be calculated in

1 accordance with the class or section for devices as established
2 by handbook 44 of the United States national institute of
3 standards and technology.

4 Sec. 17. Section 214.11, subsection 1, Code 2023, is amended
5 to read as follows:

6 1. The department shall provide for ~~annual~~ biennial
7 inspections of all motor fuel pumps, including but not limited
8 to motor fuel blender pumps, licensed under this chapter.
9 Inspections shall be for the purpose of determining the
10 accuracy and correctness of motor fuel pumps. For that purpose
11 the department's inspectors may enter upon the premises of any
12 a wholesale dealer or a retail dealer motor fuel site.

13 Sec. 18. Section 215.2, Code 2023, is amended to read as
14 follows:

15 **215.2 Special inspection tests — request — fees.**

16 1. The owner or servicer of a commercial weighing and
17 measuring device may request the department conduct a special
18 inspection test of the device to determine its accuracy and
19 correctness.

20 2. The fee for ~~special tests, including but not limited to,~~
21 ~~using state inspection equipment, for the calibration, testing,~~
22 ~~certification, or repair~~ conducting a special inspection test
23 of a commercial weighing and measuring device shall be paid
24 by the owner or servicer ~~or person~~ requesting the special
25 inspection test in accordance with the following schedule:

26 ~~1-~~ a. Class S, scales, seventy-five dollars per hour.

27 ~~2-~~ b. Class M, meters, fifty-two dollars and fifty cents
28 per hour.

29 Sec. 19. REPEAL. Section 215.12, Code 2023, is repealed.

30 PART B

31 MOTOR FUEL STANDARDS AND CLASSIFICATIONS

32 Sec. 20. Section 159A.6, subsection 1, paragraph c, Code
33 2023, is amended to read as follows:

34 c. Develop standards for decals required pursuant to
35 section ~~214A.16~~ 214A.21A, which shall be designed to promote

1 the advantages of using renewable fuels. The standards may be
2 incorporated within a model decal adopted by the office.

3 Sec. 21. Section 214A.1, subsection 2, Code 2023, is amended
4 to read as follows:

5 2. "*ASTM international*" means a nonprofit organization,
6 previously named the American society for testing and materials
7 international.

8 Sec. 22. Section 214A.1, Code 2023, is amended by adding the
9 following new subsections:

10 NEW SUBSECTION. 33A. *a.* "*Renewable diesel*" means a motor
11 fuel for use in an internal combustion engine and ignited by
12 pressure without the presence of an electric spark, which
13 is produced from nonfossil renewable resources, including
14 agricultural plants, animal fats, residue, and waste generated
15 from the production, processing, and marketing of agricultural
16 products, and other renewable resources.

17 *b.* "*Renewable diesel*" must meet the standards provided in
18 section 214A.2.

19 *c.* "*Renewable diesel*" does not include any of the following:

20 (1) Biodiesel.

21 (2) A fuel that has been coprocessed.

22 NEW SUBSECTION. 33B. "*Renewable diesel blended fuel*" means
23 a blend of renewable diesel with petroleum-based diesel fuel,
24 biodiesel, or a combination of petroleum-based diesel fuel and
25 biodiesel, which meets the standards, including separately
26 the standard for its renewable diesel component, provided in
27 section 214A.2.

28 Sec. 23. Section 214A.2, subsection 4, Code 2023, is amended
29 by adding the following new paragraph:

30 NEW PARAGRAPH. *c.* (1) If the motor fuel is advertised
31 for sale or sold as renewable diesel or renewable diesel
32 blended fuel, the motor fuel must meet departmental standards
33 based in part or in whole on specifications adopted by ASTM
34 international for renewable diesel or renewable diesel blended
35 motor fuel, to every extent applicable, as determined by the

1 department subject to subparagraph (2).

2 (2) Renewable diesel must at least meet departmental
3 standards based in whole or in part on ASTM international
4 specification D975, or a successor ASTM international
5 specification, established by rule. The specification shall
6 apply to renewable diesel before it leaves its place of
7 manufacture.

8 Sec. 24. Section 214A.2, subsection 5, Code 2023, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. *d.* (1) Renewable diesel shall be classified
11 RD-100.

12 (2) Renewable diesel blended fuel shall be classified RD-xx
13 where "xx" is the volume percent of renewable diesel.

14 Sec. 25. Section 214A.2B, Code 2023, is amended to read as
15 follows:

16 **214A.2B Laboratory for motor fuel and biofuels fuels,**
17 **biofuels, and renewable fuels.**

18 ~~A laboratory for motor fuel and biofuels is established at a~~
19 ~~community college which is engaged in biofuels testing on July~~
20 ~~1, 2007, and which testing includes but is not limited to The~~
21 ~~Iowa central fuel testing laboratory at Iowa central community~~
22 ~~college shall test motor fuels, biofuels, and renewable fuels,~~
23 ~~including but not limited to B-20 biodiesel fuel testing for~~
24 ~~use by motor trucks and the ability of biofuels to meet ASTM~~
25 ~~international standards.~~ The laboratory shall conduct the
26 testing of motor ~~fuel~~ fuels sold in this state and ~~biofuel~~
27 ~~which is biofuels blended in with motor ~~fuel~~ fuels in this~~
28 state to ensure that the motor ~~fuel~~ fuels, biofuels, and
29 renewable fuels meet the requirements departmental standards
30 in [section 214A.2](#).

31 PART C

32 CODE EDITOR DIRECTIVE

33 Sec. 26. CODE EDITOR DIRECTIVE.

34 1. The Code editor is directed to make the following
35 transfer:

1 Section 214A.16 to section 214A.21A.

2 2. The Code editor shall correct internal references in the
3 Code and in any enacted legislation as necessary due to the
4 enactment of this section.

5 DIVISION IV

6 WATER QUALITY

7 Sec. 27. Section 466B.43, subsection 6, Code 2023, is
8 amended to read as follows:

9 6. By ~~October 1, 2019, and each~~ October 1 ~~thereafter~~ of
10 each year, the division shall submit a report to the governor
11 and the general assembly itemizing expenditures, by hydrologic
12 unit code 8 watershed, under the programs, if any, during the
13 previous fiscal year, ~~if any~~.

14 Sec. 28. Section 466B.44, subsection 5, Code 2023, is
15 amended to read as follows:

16 5. Notwithstanding any other provision in this section
17 to the contrary, ~~beginning on July 1, 2018~~, the division
18 may use any amount available to support the water quality
19 urban infrastructure program to instead ~~extend~~ do any of the
20 following:

21 a. Extend and support the three-year data collection of
22 in-field agricultural practices project as enacted in 2015 Iowa
23 Acts, ch. 132, §18.

24 b. Support water quality agriculture infrastructure programs
25 created in section 466B.43.

26 Sec. 29. Section 466B.44, subsection 7, Code 2023, is
27 amended to read as follows:

28 7. By ~~October 1, 2019, and by~~ October 1 of each year
29 ~~thereafter~~, the division shall submit a report to the governor
30 and the general assembly itemizing expenditures under the
31 program, if any, during the previous fiscal year.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 GENERAL. This bill relates to a number of regulations

1 and programs administered and enforced by the department of
2 agriculture and land stewardship (DALS). Specifically, the
3 bill amends provisions regulating commercial establishments
4 including pet shops engaged in the business of purchasing and
5 transferring (by sale or exchange) vertebrate animals (animals)
6 other than agricultural animals (Code chapter 162). The
7 bill regulates grain transactions including by grain dealers
8 (dealers) and warehouse operators (operators) (Code chapters
9 203 and 203C) and the indemnification of losses by sellers or
10 depositors from the grain depositors and sellers indemnity fund
11 (Code chapter 203D). The bill also regulates the commercial
12 use of weights and measures, including motor fuel pumps (fuel
13 pumps) that are part of motor fuel dispensers (dispensers),
14 and types of motor fuel advertised for sale (Code chapters
15 214, 214A, and 215), including diesel fuel for use in certain
16 internal combustion engines. Finally, the bill provides for
17 the expenditure of moneys for surface water quality initiatives
18 (initiatives) in order to assess and reduce nutrients in this
19 state's watersheds (Code chapter 466B) in conformance with the
20 Iowa nutrient reduction strategy (Code section 455B.171).

21 **COMMERCIAL ESTABLISHMENTS — PET SHOPS.** Under current law,
22 a business classified as a pet shop is a type of establishment
23 required to be annually licensed (Code section 162.5) and pay
24 an associated fee (Code section 162.2B). A business is not
25 regulated as a pet shop if, during the prior 12-month period,
26 the business either receives less than \$500 or transfers
27 less than six animals. The bill doubles the exemption
28 qualifications to less than \$1,000 or less than 12 animals
29 (amended Code section 162.2).

30 **COMMERCIAL ESTABLISHMENTS — PENALTY.** A person who operates
31 as a pet shop in violation of licensing requirements is guilty
32 of a simple misdemeanor (Code section 162.13).

33 **GRAIN REGULATION — BACKGROUND.** As part of a grain
34 transaction, an operator issues a prenumbered scale
35 weight ticket to a depositor as evidence of stored grain.

1 Alternatively, the operator may issue a warehouse receipt as a
 2 form which may be a document of title and therefore negotiable
 3 (Code chapter 554, Art. 7). In order for a seller or depositor
 4 to be indemnified for a loss by the fund, the dollar value of
 5 a claim for transferred grain is based on either a warehouse
 6 receipt or scale weight ticket (Code section 203D.6).

7 GRAIN REGULATION — TERMS. Currently, several different
 8 terms are used to describe the same item. The bill changes
 9 the terms to be uniform, including "scale ticket" to "scale
 10 weight ticket" and "Iowa grain depositors and sellers indemnity
 11 fund" to "grain depositors and sellers indemnity fund", which
 12 are both defined (amended Code sections 203.1, 203.5, 203.11,
 13 203.17, 203C.5, 203C.6, 203C.17, 203C.36, and 203D.1).

14 GRAIN REGULATION — GRAIN MOISTURE CONTENT. A person
 15 receiving corn or soybeans as part of a transaction involving
 16 storage, processing, or sale may adjust the scale weight to
 17 account for moisture content (i.e., reducing the scale weight
 18 by a special factor calculated for each 1 percent of moisture
 19 content). The bill provides that the adjustment applies to all
 20 grain in which there are standards established by the United
 21 States department of agriculture (Code sections 203.1 and
 22 203C.1 and amended Code sections 203.20 and 203C.25).

23 GRAIN REGULATION — CREDIT-SALE CONTRACT. A buyer and
 24 seller of grain may execute a credit-sale contract, also known
 25 as a price-later contract, for transfer of title, in which the
 26 seller delivers the grain to the buyer who pays the seller
 27 a price more than 30 days later (Code section 203.1). In
 28 order to engage in these transactions, a buyer who is a grain
 29 dealer must maintain a class 1 license requiring a net worth
 30 of at least \$75,000 (Code section 203.3(4)), the parties must
 31 execute a contract form meeting statutory requirements (amended
 32 Code section 203.15(2)), and the grain is not considered as
 33 purchased grain covered by the grain depositors and sellers
 34 indemnity fund (Code section 203D.6(4)). The bill extends the
 35 maximum period of a credit-sale contract's duration, requiring

1 later payment for the delivered grain, from 12 to 15 months
2 (amended Code section 203.15(2)).

3 GRAIN REGULATION — OPEN STORAGE. An operator may retain
4 delivered grain in open storage (meaning without issuing a
5 warehouse receipt or making a purchase) subject to certain
6 limitations. Grain subject to a scale weight ticket without
7 having the price fixed and documented by the operator is
8 considered to be retained in open storage. Currently, if
9 grain is retained in open storage, the operator must issue the
10 depositor a warehouse receipt within one year of the grain's
11 delivery date, unless the depositor signs a statement refusing
12 it. The bill eliminates this requirement. Upon request, the
13 operator must still issue the depositor a warehouse receipt
14 (amended Code section 203C.17).

15 GRAIN REGULATION — PENALTIES. A person who violates Code
16 chapter 203 or 203C is guilty of a simple misdemeanor (Code
17 sections 203.11 and 203C.36).

18 WEIGHTS AND MEASURES. A person who uses or displays a
19 commercial weighing or measuring device (device) must be
20 licensed. The term of the license is 12 months. Generally,
21 the term is on a calendar year basis (January 1 to December
22 31) but for motor fuel pumps the term is on a fiscal year
23 basis (July 1 to June 30). A fee is required for the issuance
24 of the license and an inspection (license inspection fee)
25 first due when the device is placed into service. DALS is
26 expressly required to inspect motor fuel pumps each year. The
27 bill provides that the fee is for the issuance of the license
28 rather than the inspection, the license fee is due when the
29 license is issued, and that DALS must inspect motor fuel pumps
30 on a biennial basis (amended Code sections 214.2, 214.3, and
31 214.11). The bill also eliminates a requirement that persons
32 engaged in repairing scales must file a bond with the state
33 (repealed Code section 215.12).

34 WEIGHTS AND MEASURES — MOTOR FUEL STANDARDS AND
35 CLASSIFICATIONS. Motor fuels include fossil (petroleum) based

1 gasoline and diesel fuel as well as certain biofuel components
2 derived from renewable (nonpetroleum) resources such as ethanol
3 classified as E-100 and biodiesel comprised of monoalkyl esters
4 of long-chain fatty acids and classified as B-100. Both types
5 of substances are used to produce renewable fuels (e.g., E-15
6 or B-5) subject to separate departmental standards based on
7 ASTM international (ASTM) specifications. The bill regulates
8 another liquid fuel referred to renewable diesel classified as
9 RD-100 that may be used as a motor fuel or a blending component
10 and classified as RD-xx. RD-100 is produced from nonfossil
11 renewable resources but is not biodiesel due to manufacturing
12 processes. Petroleum-based diesel fuel and RD-100 are subject
13 to the same ASTM specification D975 while B-100 is subject to
14 ASTM specification D6751 (amended Code sections 214A.1 and
15 214A.2).

16 WEIGHTS AND MEASURES — TESTING LABORATORY. The bill
17 expressly recognizes the Iowa central fuel testing laboratory
18 at Iowa central community college as the official laboratory
19 for testing motor fuels, biofuels, and renewable fuels (amended
20 Code section 214A.2B).

21 WEIGHTS AND MEASURES — CODE EDITOR DIRECTIVE. The bill
22 transfers Code section 214A.16 from subchapter I to subchapter
23 II of Code chapter 214A. The Code section regulates a notice
24 required to be posted for consumers purchasing renewable fuels.
25 In 2022, the general assembly enacted 2022 Iowa Acts, chapter
26 1152, which reorganized Code chapter 214A. Subchapter I
27 regulates general matters such as standards and classifications
28 and subchapter II regulates the advertisement, sale, and use
29 of motor fuel.

30 WEIGHTS AND MEASURES — PENALTY. A person who fails to allow
31 for an inspection of a motor fuel pump is guilty of a simple
32 misdemeanor.

33 WATER QUALITY. DALS regulates two water quality
34 initiatives, including water quality agriculture infrastructure
35 programs (amended Code section 466B.43) and the water quality

1 urban infrastructure program (amended Code section 466B.44).
2 The initiative is supported by the water quality initiative
3 fund (Code section 466B.45), the water quality infrastructure
4 fund (Code section 8.57B), and the water quality financial
5 assistance fund (Code section 16.134A). Moneys in the last
6 fund (15 percent) are appropriated to support the water quality
7 urban infrastructure program. The bill provides that DALSS
8 may use moneys available to support the water quality urban
9 infrastructure program to instead support the water quality
10 agriculture infrastructure programs. The bill also eliminates
11 dates in several Code sections that are now extraneous.

12 APPLICABLE PENALTIES. A simple misdemeanor is punishable by
13 confinement for no more than 30 days and a fine of at least \$105
14 but not more than \$855.