

CHAPTER 93

CORPORATIONS FOR PECUNIARY PROFIT. EXTENSION OF CHARTER

S. F. 227

AN EMERGENCY ACT to amend the law relating to corporations for pecuniary profit as it now appears in section eighty-three hundred sixty-four (8364), code, 1931; lengthening, by three (3) years, the corporate life of all such corporations whose charter would otherwise expire during the year 1935 or 1936; postponing the time within which the charter of such corporations may be renewed; suspending all laws, or parts of law, in conflict herewith, and providing for the termination of this emergency act.

WHEREAS, the governor of the state of Iowa in his inaugural address to the Forty-fifth General Assembly of Iowa, and also to the Forty-sixth, has declared that an economic emergency exists, which emergency is general throughout the state and adversely affects its future welfare; and,

WHEREAS, the Forty-fifth and Forty-sixth General Assemblies of Iowa have both declared that such economic emergency does now so exist and that it adversely affects the general welfare of the people of the state of Iowa and makes it necessary that the corporate life of those private corporations whose charters expire during this financial depression be lengthened so that the liquidation of such corporations, or the sale of its corporate stock or property, could not be forced during these times of economic depression when such property has little or no market value, now, therefore,

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

1 SECTION 1. That the law as it appears in section eighty-three hundred
2 sixty-four (8364), code, 1931, be and the same is hereby amended by
3 changing the period at the end thereof to a semicolon, and by adding
4 thereto, immediately following such semicolon, the following:
5 "provided, however, that the corporate life of any such corporation
6 whose charter expired during the calendar year 1934 and which, at the
7 time this act becomes effective, has not been legally renewed in accord-
8 ance with the provisions of section eighty-three hundred sixty-five
9 (8365), code, 1931, and the corporate life of any other such corpora-
10 tion whose charter expires during the calendar years 1935 or 1936 shall
11 hereby be extended for a period of two years from its respective expira-
12 tion date, and no corporate charter of any such corporation shall be
13 renewed under and by virtue of or in accordance with section eighty-
14 three hundred sixty-five (8365), code, 1931, for a period of two years
15 following such expiration date."

1 SEC. 2. That the law as it appears in section eighty-five hundred
2 eighty-three (8583), code, 1931, be and the same is hereby amended by
3 changing the period at the end thereof to a semicolon and by adding
4 thereto, immediately following such semicolon, the following:
5 "provided, however, that the corporate life of any such corporation
6 whose charter expires during the calendar year 1935 or 1936 shall
7 hereby be extended for a period of two years from its respective
8 expiration date, and no corporate charter of any such corporation shall
9 be renewed under and by virtue of, or in accordance with, the provisions
10 of section eighty-five hundred ninety-two (8592), code, 1931, for a
11 period of two years following such expiration date."

1 SEC. 3. In no event shall this act be in force after December 31, 1938.

1 SEC. 4. This act being adopted to meet an emergency through police
2 power of the state and being deemed of immediate importance shall be
3 in full force and effect after its passage and publication in the Mount
4 Pleasant Free Press and the Des Moines Register, newspapers pub-
5 lished at Mount Pleasant, Iowa, and Des Moines, Iowa, respectively.

Senate File 227. Approved May 14, 1935.

I hereby certify that the foregoing was published in the Mount Pleasant Free Press, May 23, 1935, and the Des Moines American Citizen, May 24, 1935.

MRS. ALEX MILLER, *Secretary of State.*

Note: The Des Moines American Citizen substituted for the Des Moines Register in accordance with section 55, code, 1931.

CHAPTER 94

COOPERATIVE CORPORATIONS

S. F. 113

AN ACT to revise and modernize the laws relating to cooperative corporations with and without capital stock; to define such corporations, and other terms; to provide for the incorporation, regulation, renewal, dissolution and internal affairs of such corporations; to define their necessary and permissible powers and activities; to provide for classes of stockholders and the rights, privileges, duties and obligations of stockholders and members; to exempt certain cooperative securities from the Iowa securities act; to permit marketing contracts and provide remedies thereon; to require certain fees, reports and penalties; to regulate the use of the word "cooperative"; to extend the act to certain existing cooperatives; to permit the admission of foreign cooperatives; to limit the application of chapters three hundred eighty-nine (389) and three hundred ninety (390) of the 1931 code of Iowa, and for other related purposes.

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

1 SECTION 1. This act applies only to cooperative associations as de-
2 fined in section two (2) hereof. All such associations hereafter formed
3 must be organized under this act.

1 SEC. 2. a. A "cooperative association" is one which, in serving some
2 purpose enumerated in section six (6) hereof, deals with or functions
3 for its members at least to the extent required by section three (3),
4 and which distributes its net earnings among its members in proportion
5 to their dealings with it, except for limited dividends or other items
6 permitted in this act; and in which each voting member has one vote
7 and no more.

8 b. "Association" means a corporation formed under this act.

9 c. "Agricultural products" include horticultural, viticultural, forest-
10 ry, dairy, livestock, poultry, bee and any other farm products.

11 d. "Agricultural associations" are those formed for a purpose speci-
12 fied in subsection b, section six (6).

13 e. "Member" refers not only to members of nonstock associations
14 but also to common stockholders of stock associations, unless the con-
15 text of a particular provision otherwise indicates.

1 SEC. 3. Dealing with non-members. a. A nonstock livestock ship-
2 ping association shall not handle livestock of any non-members.

3 b. Any association may limit its dealings or any class thereof to
4 members only.