

Sec. 38. Section five hundred two point two hundred two (502.202), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred twenty (120), sections five (5) and six (6), is amended by adding the following new subsection:

NEW SUBSECTION. Any security issued by the Iowa family farm development authority under sections one (1) through thirty-two (32) of this Act.

Sec. 39. TRANSFER OF EXISTING ASSETS AND LIABILITIES. The trust assets and liabilities of the former Iowa rural rehabilitation corporation under the jurisdiction of the department of social services shall be transferred to the jurisdiction of the authority on the effective date of this Act. The authority shall be the successor in interest to the agreements in effect between the United States government and the department of social services on behalf of the state of Iowa on the effective date of this Act.

Sec. 40. Sections two hundred thirty-four point fifteen (234.15), through two hundred thirty-four point twenty (234.20), Code 1979, are repealed.

Approved May 23, 1980

CHAPTER 1051
SOYBEAN PROMOTION

S. F. 2238

AN ACT relating to the Iowa soybean promotion law by increasing the maximum soybean assessment, requiring the Iowa soybean promotion board to collect the statutory soybean assessment and to pay refunds, making the ex officio board members nonvoting, deleting certain references to the American soybean association and American soybean institute, and adding a new definition.

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

Section 1. Section one hundred eighty-five point one (185.1), subsections nine (9) and eleven (11), Code 1979, are amended to read as follows:

9. "Soybeans" means and includes all kinds of varieties of soybeans ~~grown in-this-state-and~~ marketed or sold as soybeans by the producer.

11. "Assessment" means an excise tax on each bushel of soybeans ~~raised and-sold~~ marketed in this state as provided in this chapter.

Sec. 2. Section one hundred eighty-five point one (185.1), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. "Marketed in this state" refers to a sale of soybeans to a first purchaser who is a resident of or doing business in this state where actual delivery of the soybeans occurs in this state.

Sec. 3. Section one hundred eighty-five point ten (185.10), Code 1979, is amended to read as follows:

185.10 EX OFFICIO MEMBERS. The secretary, the dean of the college of agriculture of Iowa State University of science and technology, and the director of the Iowa development commission, or their designees, and two representatives of first purchaser organizations shall serve on the board as nonvoting ex officio members. One each of the two first purchaser representatives shall be appointed by, and serve at the pleasure of, the Iowa grain and feed association and ~~the-farmers-grain-dealers-association-of-iowa agri-industries.~~

Sec. 4. Section one hundred eighty-five point thirteen (185.13), subsection four (4), Code 1979, is amended to read as follows:

4. Enter into arrangements for collection of the assessment on ~~iowa-grown soybeans from--persons--purchasing-soybeans-outside-of-iowa~~ marketed in this state.

Sec. 5. Section one hundred eighty-five point twenty-one (185.21), Code 1979, is amended to read as follows:

185.21 ASSESSMENT. The board shall set the assessment rate. Assessments pursuant to the promotional order shall be paid into the soybean promotion fund established in section 185.26. An assessment shall not exceed ~~one-half~~ one cent per bushel upon soybeans ~~produced~~ marketed in this state and sold to a first purchaser. The rate of assessment shall be determined by the board but shall not be changed, once established, during a marketing year.

Sec. 6. Chapter one hundred eighty-five (185), Code 1979, is amended by adding the following new section:

NEW SECTION. SPECIAL REFERENDUM. At any time prior to expiration of the four-year promotional order which commenced December 15, 1979 and upon the petition of one hundred producers, the secretary shall call a special referendum on the question whether an increase of the assessment above the statutory maximum of one-half cent per bushel in effect prior to July 1, 1980, shall be authorized. The special referendum shall be conducted as provided in this chapter for referendum elections and shall not affect the existence or length of the promotional order in effect. If a majority of the producers voting in the special referendum approve, the board may at the end of a marketing year increase the assessment to the amount approved in the special referendum, not to exceed one cent per bushel. This section is repealed effective December 15, 1983.

Sec. 7. Section one hundred eighty-five point twenty-three (185.23), Code 1979, is amended to read as follows:

185.23 DEDUCTION OF ASSESSMENT. The assessment shall be deducted from the purchase price of soybeans at the time of sale, and forwarded to the ~~secretary~~ board by the first purchaser in the manner and at intervals determined by the board.

Sec. 8. Section one hundred eighty-five point twenty-four (185.24), Code 1979, is amended to read as follows:

185.24 CANCELLATION OF ORDER. If a promotional order has been canceled by a referendum, and all funds expended, the board shall cease to function. Any funds remaining one year following the termination of a promotional order shall be disbursed by the board to the Iowa soybean association, ~~American soybean-association, or the American-soybean-institute-for-market-development~~

activities. However, if a future referendum passes, the board shall be reorganized by the secretary and members shall serve out their terms as though there had been no lapse of time between effective orders.

Sec. 9. Section one hundred eighty-five point twenty-six (185.26), Code 1979, is amended to read as follows:

185.26 DEPOSIT OF FUNDS. Assessments collected by the ~~secretary~~ board from a sale of soybeans shall be deposited in the office of the treasurer of state together with any gifts, or any federal or state grant as may be received by the board, and placed in a special fund to be known as the soybean promotion fund. Moneys collected shall be subject to audit by the auditor of state. From moneys collected, the board shall first pay the costs of referendums, elections and other expenses incurred in the administration of this chapter, and thereafter moneys may be expended for the purpose of market development. The fund shall be subject at all times to warrants by the state comptroller, drawn upon the written requisition of the chairman of the board and attested to by the secretary of the board.

Sec. 10. Section one hundred eighty-five point twenty-seven (185.27), Code 1979, is amended to read as follows:

185.27 REFUND OF ASSESSMENT. A producer who has sold soybeans and had an assessment deducted from the sale price may, by application in writing to the ~~secretary~~ board, secure a refund in the amount deducted. The refund shall be payable only when the application shall have been made to the ~~secretary~~ board within sixty days after the deduction. Application forms shall be given by the board to each first purchaser when requested and the first purchaser shall make the applications available to any producer. Each application for refund by a producer shall have attached thereto proof of assessment deducted. The proof of assessment may be in the form of a duplicate or certified copy of the purchase invoice by the first purchaser. The ~~secretary~~ board shall have thirty days from the date the application for refund is received to remit the refund to the producer.

Sec. 11. Section one hundred eighty-five point twenty-nine (185.29), Code 1979, is amended to read as follows:

185.29 REMISSION OF EXCESS FUNDS. After the costs of elections, referendum, necessary board expenses and administrative costs have been paid, at least seventy-five percent of the remaining funds in the soybean promotion fund shall be ~~remitted to such organizations as the Iowa Soybean Association and the American Soybean Association~~ expended for market development activities to include developing and expanding new markets for soybeans and soybean products worldwide. The funds can only be used for research, promotion, and education in co-operation with agencies who are equipped to do this kind of work.

~~Notwithstanding the provisions of this section, not more than three hundred thousand dollars of the funds in the soybean promotion fund may be made available for relocating the American Soybean Association within the state of Iowa.~~

Sec. 12. Section one hundred eighty-five point thirty-two (185.32), Code 1979, is amended to read as follows:

185.32 FIRST PURCHASER INFORMATION. Every first purchaser shall upon request furnish the secretary with such information as is necessary to enable the secretary and the board to carry out the provisions of this chapter. Such information shall be provided as prescribed by the secretary. The secretary may examine any records relating to the purchase, sale, storage, processing, handling, or assessment of soybeans by any first purchaser. The secretary may hold hearings, take testimony, administer oaths, subpoena witnesses, and issue subpoenas as may be necessary ~~to carry out the provisions~~ for the proper administration of this chapter.

Sec. 13. Section one hundred eighty-five point thirty-three (185.33), Code 1979, is amended to read as follows:

185.33 ANNUAL REPORT. The secretary board shall make an annual report to the secretary on or before November 1 of each year, showing all income and expenses and other relevant information concerning assessments collected and expended under the provisions of this chapter.

Approved May 22, 1980

CHAPTER 1052
IOWA CORN PROMOTION BOARD
S. F. 2183

AN ACT providing that the Iowa corn promotion board shall collect the assessment on corn marketed in this state and make refunds, and adding a new definition.

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

Section 1. Section one hundred eighty-five C point one (185C.1), subsections nine (9) and eleven (11), Code 1979, are amended to read as follows:

9. "Corn" means and includes all kinds of varieties of corn ~~grown in this state and~~ marketed or sold as corn by the producer but shall not include sweet corn, or popcorn or seed corn.

11. "Assessment" means an excise tax on each bushel of corn ~~raised and sold~~ marketed in this state as provided in this chapter.

Sec. 2. Section one hundred eighty-five C point one (185C.1), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. 12. "Marketed in this state" refers to a sale of corn to a first purchaser who is a resident of or doing business in this state where actual delivery of the corn occurs in this state.

Sec. 3. Section one hundred eighty-five C point ten (185C.10), Code 1979, is amended to read as follows:

185C.10 EX OFFICIO MEMBERS. The secretary, the dean of the college of agriculture of Iowa State University of science and technology, and the