

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

director of the Iowa development commission, or their designees, and two representatives of first purchaser organizations shall serve on the board as 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 C point thirteen (185C.13), subsection four (4), Code 1979, is amended to read as follows:

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

Sec. 5. Section one hundred eighty-five C point twenty-one (185C.21), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter forty-nine (49), section one (1), is amended to read as follows:

185C.21 ASSESSMENT. The board shall set the assessment rate. Assessments pursuant to the promotional order shall be paid into the corn promotion fund established in section 185C.26. An assessment shall not exceed one-quarter of one cent per bushel upon corn ~~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. Section one hundred eighty-five C point twenty-three (185C.23), Code 1979, is amended to read as follows:

185C.23 DEDUCTION OF ASSESSMENT. The assessment shall be deducted from the purchase price of corn 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. 7. Section one hundred eighty-five C point twenty-six (185C.26), Code 1979, is amended to read as follows:

185C.26 DEPOSIT OF FUNDS. Assessments collected by the ~~secretary~~ board from a sale of corn 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 corn promotion fund. Moneys collected shall be subject to audit by the auditor of state. From moneys collected, the board shall first pay all the direct and indirect costs incurred by the secretary and 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~~ chairperson of the board and attested to by the secretary of the board.

Sec. 8. Section one hundred eighty-five C point twenty-seven (185C.27), Code 1979, is amended to read as follows:

185C.27 REFUND OF ASSESSMENT. A producer who has sold corn 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. 9. Section one hundred eighty-five C point thirty-two (185C.32), Code 1979, is amended to read as follows:

185C.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 or assessment of corn 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. When requested by the board, the secretary shall employ these powers in the manner requested.

Sec. 10. Section one hundred eighty-five C point thirty-three (185C.33), Code 1979, is amended to read as follows:

185C.33 ANNUAL REPORT. The secretary board shall make an annual report to the secretary on or before December 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 April 21, 1980

CHAPTER 1053

SALE OF EGGS

H. F. 225

AN ACT relating to the licensing and regulations of the sale of eggs.

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

Section 1. Section one hundred ninety-six point one (196.1), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. "Consumer" means a person who buys eggs for personal consumption.

Sec. 2. Section one hundred ninety-six point one (196.1), subsection two (2), Code 1979, is amended to read as follows:

2. "Egg handler" or "handler" means a person who buys or sells eggs, or uses eggs in the preparation of human food. "Egg handler" or "handler" does not include a retailer, a consumer, an ~~institution~~ establishment, or a producer who sells eggs as provided in section 196.4.