

2. The department solicits written bids from all available contractors engaged in the specialized type of work.
3. The work can be done for less than forty thousand dollars.

Approved April 3, 1990

CHAPTER 1138

VALUE-ADDED AGRICULTURAL PRODUCTS AND PROCESSES FINANCIAL ASSISTANCE

S.F. 2385

AN ACT establishing a new agricultural products and processes program and creating a state fund to support the program.

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

Section 1. CODIFICATION.

Sections 2 and 3 of this Act are created as a separate division of chapter 28.

Sec. 2. NEW SECTION. 28.111 VALUE-ADDED AGRICULTURAL PRODUCTS AND PROCESSES FINANCIAL ASSISTANCE PROGRAM.

1. Contingent on the availability of funding for this program, the department may establish a value-added agricultural products and processes financial assistance program. The purpose of the program is to foster the development of new innovative products, practices, and processes related to agriculture through specialized financial or technical assistance to facilitate the acquisition of capital. Financial assistance may be in the form of a loan, loan guarantee, grant, or a combination of financial assistance.

2. A person is eligible to apply for assistance under this section, if the person satisfies the following requirements:

- a. The person is a resident of this state, or the person's principal place of business is located in this state.
- b. The person applies to the department of economic development in a manner and according to procedures required by the department.
- c. The person submits a business plan which demonstrates managerial and technical expertise.
- d. The person operates for profit or not-for-profit and under a single management, and either employs fewer than twenty employees or has an annual gross income of less than three million dollars computed as the average of the three preceding fiscal years.

3. The department of economic development may grant financial or technical assistance to a person eligible to receive assistance under this section, upon review of the person's application by the agricultural products advisory council as established in section 15.203. The council shall make recommendations to approve or disapprove an application to the department. The department shall consider the recommendations in granting or denying assistance. The department shall not approve an application for assistance under this section to refinance an existing loan, or to finance traditional agricultural operations. An application is eligible for consideration if the application seeks assistance for any of the following purposes:

- a. The development of value-added agricultural processes not commonly available in this state which are to be carried out by the person in this state.
- b. The development of an innovative or diversified agricultural product not commonly produced in this state which is to be carried out by the person in this state.

c. The development of an innovative processing, packaging, marketing, or management practice not commonly available in this state which is to be carried out by the person in this state.

4. Assistance by the department granted to an eligible person shall be subject to the following restrictions:

a. The person shall not receive financial assistance totaling more than eighty thousand dollars under this program.

b. Interest on a loan shall not exceed the current fair market interest rate. A loan shall not exceed fifty thousand dollars.

c. A loan guarantee shall not exceed eighty thousand dollars. A loan guarantee shall guarantee not more than eighty percent of a conventionally obtained loan.

d. A grant shall not exceed twenty-five thousand dollars. A grant shall be made only to provide leverage for a conventionally obtained loan. The conventionally obtained loan must be for an amount significantly larger than the amount of the grant.

5. Notwithstanding restrictions contained in subsection 4, the department may use up to five thousand dollars to contract for technical assistance in order to aid a person having a pending or approved application under this section.

Sec. 3. NEW SECTION. 28.112 VALUE-ADDED AGRICULTURAL PRODUCTS AND PROCESSES FINANCIAL ASSISTANCE FUND.

1. The department may establish a value-added agricultural products and processes financial assistance fund. The fund shall be a revolving fund composed of any money appropriated by the general assembly for that purpose, any other moneys available to and obtained or accepted by the department from the federal government or private sources for placement in the fund, and any earned interest. Except as otherwise provided in subsection 2, the assets of the fund shall be used by the department only for carrying out the purposes of section 28.111.

2. The department may use moneys in the fund to do any of the following:

a. Contract, sue and be sued, and adopt administrative rules necessary to carry out the provisions of this section and section 28.111, but the department shall not in any manner directly or indirectly pledge the credit of the state.

b. Authorize payment from the fund, from any income received by investments of moneys in the fund for costs, commissions, attorney fees, and other reasonable expenses related to and necessary for insuring or guaranteeing loans under section 28.111, and for the recovery of loan moneys insured or guaranteed or the management of property acquired in connection with such loans.

c. Section 8.33 shall not apply to moneys in the fund.

Approved April 3, 1990

CHAPTER 1139

PROTECTION OF INDIVIDUAL RIGHTS

S.F. 2197

AN ACT relating to violations of an individual's rights, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor rights violations, and providing a penalty.

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

Section 1. NEW SECTION. 80.40 CRIME INFORMATION.

The department shall establish a program to collect, classify, and disseminate information relating to violations of section 729.5. Planning for this project shall be completed and data collection shall commence no later than January 1, 1991.