

MAR 21 1983

SENATE FILE

509

BY COMMITTEE ON AGRICULTURE

Approved 3/15/83 (p. 883)

(FORMERLY SSB 202 & 203)

Passed Senate, Date 3-23-83 (p. 922) Passed House, Date 4-8-83 (p. 1131)

Vote: Ayes 45 Nays 2 Vote: Ayes 91 Nays 0

Approved April 22, 1983 (p. 1395)

### A BILL FOR

1 An Act relating to the collection of the Iowa corn and  
2 soybeans assessment at the time corn and soybeans are  
3 pledged to secure a loan extended under a federal price  
4 support loan program.

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

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S.F. 509

1 Section 1. Section 185.1, subsection 6, Code 1983, is  
2 amended to read as follows:

3 6. "First purchaser" means any a person, public or private  
4 corporation, governmental subdivision, association, co-  
5 operative, partnership, commercial buyer, dealer, or processor  
6 who resells purchases soybeans purchased from a producer or  
7 offers-for-sale-any-product-produced-from-such-soybeans-for  
8 any-purpose for the first time for any purpose except to feed  
9 it to the purchaser's livestock or to manufacture a product  
10 from the soybeans purchased for the purchaser's personal  
11 consumption.

12 Sec. 2. Section 185.1, Code 1983, is amended by adding  
13 the following new subsection:

14 NEW SUBSECTION. 13. "Sale" or "purchase" includes but  
15 is not limited to the pledge or other encumbrance of soybeans  
16 as security for a loan extended under a federal price support  
17 loan program. Actual delivery of the soybeans occurs when  
18 the soybeans are pledged or otherwise encumbered to secure  
19 the loan. The purchase price of the soybeans is the principal  
20 amount of the loan extended and the purchase invoice for the  
21 soybeans is the documentation required for extension of the  
22 loan.

23 Sec. 3. Section 185C.1, subsection 6, Code 1983, is amended  
24 to read as follows:

25 6. "First purchaser" means any a person, public or private  
26 corporation, governmental subdivision, association, co-  
27 operative, partnership, commercial buyer, dealer, or processor  
28 who resells purchases corn purchased from a producer or-offers  
29 for-sale-any-product-produced-from-such-corn-for-any-purpose  
30 for the first time for any purpose except to feed it to the  
31 purchaser's livestock or to manufacture a product from the  
32 corn purchased for the purchaser's personal consumption.

33 Sec. 4. Section 185C.1, Code 1983, is amended by adding  
34 the following new subsection:

35 NEW SUBSECTION. 13. "Sale" or "purchase" includes but

1 is not limited to the pledge or other encumbrance of corn  
2 as security for a loan extended under a federal price support  
3 loan program. Actual delivery of the corn occurs when the  
4 corn is pledged or otherwise encumbered to secure the loan.  
5 The purchase price of the corn is the principal amount of  
6 the loan extended and the purchase invoice for the corn is  
7 the documentation required for extension of the loan.

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EXPLANATION

9 This bill provides that the assessment on soybeans or corn  
10 pledged to secure a loan extended under a federal price sup-  
11 port loan program shall be collected at the time the loan  
12 is extended. Sections 1 and 3 provide that a first purchaser  
13 may be a public or private corporation or governmental  
14 subdivision which purchases soybeans or corn from a producer  
15 for the first time. Sections 2 and 4 create new sections  
16 which specify that a sale or purchase means a pledge or other  
17 encumbrance of soybeans or corn as security for a loan extended  
18 under a federal price support loan program. This bill takes  
19 effect July 1 following enactment.

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H-3520

1 Amend Senate File 509 as passed by the Senate as  
2 follows:

3 1. Page 1, by striking line 17 and inserting in  
4 lieu thereof the following: "loan program. For the  
5 purposes of this chapter actual delivery of the  
6 soybeans also occurs when".

7 2. Page 2, by striking line 3 and inserting in  
8 lieu thereof the following: "loan program. For the  
9 purposes of this chapter actual delivery of the corn  
10 also occurs when the".

H-3520 FILED APRIL 5, 1983

BY SPEAR of Lee

*Law 4/8/83 (p. 1131)*

SENATE FILE 509

H-3556

1 Amend Senate File 509 as follows:

2 1. Page 1, by inserting after line 22 the  
3 following:

4 "Sec. 3. Chapter 185, Code 1983, is amended by  
5 adding the following new section:

6 NEW SECTION. 185.35 EXEMPTION FROM COLLECTION  
7 ON FEDERAL LOAN--CERTIFICATION OF ASSESSMENT. There  
8 shall be available at all agricultural soil  
9 conservation service offices where an assessment will  
10 be collected upon the extension of a federal price  
11 support loan, an affidavit which a producer may sign  
12 to certify that the producer intends to repurchase  
13 the soybeans for the producer's own use and that the  
14 soybeans repurchased will not be sold. If the producer  
15 pays the assessment at the time the loan is extended,  
16 there shall be forms available to the producer upon  
17 repurchase of the soybeans which will certify upon  
18 sale of the soybeans to any other purchaser authorized  
19 to collect the assessment that the assessment has  
20 already been collected."

21 2. Page 2, by inserting after line 7 the following:

22 "Sec. 6. Chapter 185C, Code 1983, is amended by  
23 adding the following new section:

24 NEW SECTION. 185C.35 EXEMPTION FROM COLLECTION  
25 ON FEDERAL LOAN--CERTIFICATION OF ASSESSMENT. There  
26 shall be available at all agricultural soil  
27 conservation service offices where an assessment  
28 will be collected upon the extension of a federal  
29 price support loan, an affidavit which a producer  
30 may sign to certify that the producer intends to  
31 repurchase the corn for the producer's own use and  
32 that the corn repurchased will not be sold. If the  
33 producer pays the assessment at the time the loan  
34 is extended, there shall be forms available to the  
35 producer upon repurchase of the corn which will certify  
36 upon sale of the corn to any other purchaser authorized  
37 to collect the assessment that the assessment has  
38 already been collected."

H-3556 FILED APRIL 6, 1983

BY SCHROEDER of Pottawattamie

*4/8 4/8 (p. 1130)*

SENATE FILE 509

AN ACT

RELATING TO THE COLLECTION OF THE IOWA CORN AND SOYBEANS ASSESSMENT AT THE TIME CORN AND SOYBEANS ARE PLEDGED TO SECURE A LOAN EXTENDED UNDER A FEDERAL PRICE SUPPORT LOAN PROGRAM.

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

Section 1. Section 185.1, subsection 6, Code 1983, is amended to read as follows:

6. "First purchaser" means any a person, public or private corporation, governmental subdivision, association, cooperative, partnership, commercial buyer, dealer, or processor who ~~receives~~ purchases soybeans purchased from a producer ~~or offers-for-sale-any-product-produced-from-such-soybeans-for any-purpose~~ for the first time for any purpose except to feed it to the purchaser's livestock or to manufacture a product from the soybeans purchased for the purchaser's personal consumption.

Sec. 2. Section 185.1, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 13. "Sale" or "purchase" includes but is not limited to the pledge or other encumbrance of soybeans as security for a loan extended under a federal price support loan program. Actual delivery of the soybeans occurs when the soybeans are pledged or otherwise encumbered to secure the loan. The purchase price of the soybeans is the principal amount of the loan extended and the purchase invoice for the soybeans is the documentation required for extension of the loan.

Sec. 3. Section 185C.1, subsection 6, Code 1983, is amended to read as follows:

6. "First purchaser" means any a person, public or private corporation, governmental subdivision, association, cooperative, partnership, commercial buyer, dealer, or processor who ~~receives~~ purchases corn purchased from a producer ~~or-offers~~

~~for-sale-any-product-produced-from-such-corn-for-any-purpose for the first time for any purpose except to feed it to the purchaser's livestock or to manufacture a product from the corn purchased for the purchaser's personal consumption.~~

Sec. 4. Section 185C.1, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 13. "Sale" or "purchase" includes but is not limited to the pledge or other encumbrance of corn as security for a loan extended under a federal price support loan program. Actual delivery of the corn occurs when the corn is pledged or otherwise encumbered to secure the loan. The purchase price of the corn is the principal amount of the loan extended and the purchase invoice for the corn is the documentation required for extension of the loan.

ROBERT T. ANDERSON  
President of the Senate

DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 509, Seventieth General Assembly.

K. MARIE THAYER  
Secretary of the Senate

Approved April 22, 1983

TERRY E. BRANSTAD  
Governor