

FILED JAN 17 1972

*Judiciary - Page 2/24 (714)*

SENATE FILE

1019

By COMMITTEE ON JUDICIARY

Passed Senate, Date 1-27-72 Passed House, Date 3-6-72  
 Vote: Ayes 46 Nays 0 Vote: Ayes 86 Nays 0  
 Approved 3-9-72

### A BILL FOR

1 An Act making the violation of the Iowa Commercial Feed Law  
 2 of 1964 a misdemeanor and providing a penalty therefor.

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

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SENATE FILE 1019

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1 Amend Senate File 1019, page 2, by striking lines 18 through  
 2 22 and inserting the following:  
 3 "Sec. 2. This Act, being deemed of immediate importance,  
 4 shall take effect and be in force from and after its publica-  
 5 tion in The Sioux County Index-Reporter, a newspaper published  
 6 in Hull, Iowa, and in The Marion Sentinel, a newspaper published  
 7 in Marion, Iowa."

Filed

By DE KOSTER and RILEY

January 17, 1972

*Adopted 1-27-72*

1 Section 1. Section one hundred ninety-eight point thirteen  
2 (198.13), Code 1971, is amended by striking subsection one  
3 (1) and inserting in lieu thereof the following:

4 1. Any person convicted of violating any of the provisions  
5 of this chapter or the rules and regulations issued thereunder  
6 or who shall impede, obstruct, hinder, or otherwise prevent  
7 or attempt to prevent said secretary or his duly authorized  
8 agent in performance of his duty in connection with the pro-  
9 visions of this chapter, shall be adjudged guilty of a mis-  
10 demeanor and shall be fined not less than twenty-five dollars  
11 or more than one hundred dollars for the first violation,  
12 and not less than fifty dollars or more than three hundred  
13 dollars for a subsequent violation. In all prosecutions under  
14 this chapter involving the composition of a lot of commercial  
15 feed, a certified copy of the official analysis signed by  
16 the secretary shall be accepted as prima facie evidence of  
17 the composition.

18 Sec. 2. This Act, being deemed of immediate importance,  
19 shall take effect and be in force from and after its publica-  
20 tion in \_\_\_\_\_, a newspaper published in  
21 \_\_\_\_\_, Iowa, and in \_\_\_\_\_,  
22 a newspaper published in \_\_\_\_\_, Iowa.

23 EXPLANATION

24 The title of the original enactment of the Iowa Commercial  
25 Feed Law of 1964, Chapter 137, 60 GA, failed to provide that  
26 the violation of said law would be a crime. This amendment  
27 will overcome the constitutional question raised in State  
28 v Nickelson, 169 N.W.2d 832. In addition the maximum penalty  
29 for a first offense is reduced from one hundred fifty to one  
30 hundred dollars, thus conforming to laws enforced in other  
31 regulatory divisions of the Department of Agriculture.

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