

1 Section 1. Acts of the Sixty-fifth General Assembly,  
 2 1973 Session, chapter thirty-six (36), section one (1), sub-  
 3 section three (3), is amended to read as follows:

	1973-74	1974-75
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
4		
5		
6	3. WAREHOUSE DIVISION	
7	For salaries, support,	
8	maintenance and miscel-	
9	laneous purposes: . . . . . \$454,720 <u>211,850</u> \$456,640 <u>236,770</u>	

10 Sec. 2. It is the intent of the general assembly that the  
 11 funds appropriated pursuant to this Act, which represent an  
 12 increase to funds appropriated by the general assembly in  
 13 the year 1973, shall be used to license and regulate grain  
 14 dealers, as provided in chapter two hundred seventy-six (276)  
 15 of the Acts of the Sixty-fifth General Assembly, 1973 Session.

16 Sec. 3. This Act, being deemed of immediate importance,  
 17 shall take effect and be in force from and after its publica-  
 18 tion in The Holstein Advance, a newspaper published in  
 19 Holstein, Iowa, and in the Fort Dodge Messenger and Chronicle,  
 20 a newspaper published in Fort Dodge, Iowa.

21

FISCAL NOTE  
 SENATE FILE 1286

Date prepared March 28, 1974

Requested by Representative Fischer of Grundy.  
 Prepared in regard to Amendment H—2662 to Senate  
 File 1286. Following is the fiscal effect in dollars of  
 the legislative proposal as required by Joint Rule 16.  
 H—2662 amends Chapter 276 of the Acts of the 65th  
 General Assembly. This amendment exempts trucks owned  
 by licensed grain dealers from paying a registration fee  
 required in Acts of the 65th General Assembly, Chapter  
 276, Section 6, subsection 3.  
 This amendment would reduce receipts to the Commerce  
 Commission from licensed grain dealers approximately  
 \$10,000 to \$15,000 per year.

Filed  
 March 28, 1974

GERRY D. RANKIN  
 Legislative Fiscal Director

H-2621

1 Amend Senate File 1286, as passed by the Senate,  
2 as follows:  
3 1. Page 1, by adding after line 15 the following  
4 new section:  
5 Sec. \_\_\_\_\_. Acts of the Sixty-fifth General Assembly,  
6 1973 Session, chapter two hundred seventy-six (276),  
7 section six (6), is amended by striking subsection  
8 three (3).  
9 2. Amend the title, page 1, line 2, by inserting  
10 after the word "commission" the words "and the law  
11 regulating grain dealers".

H-2621 Filed. *Withdrawn 5/1*  
March 25, 1974

By FISCHER of Grundy

H-2662

1 Amend Senate File 1286, as passed by the Senate,  
2 page 2, line 15, by adding after the period the  
3 words "Trucks owned by grain dealers licensed  
4 under the provisions of Acts of the Sixty-fifth  
5 General Assembly, 1973 Session, chapter two hundred  
6 seventy-six (276), which are already registered  
7 under chapters three hundred twenty-five (325) and  
8 three hundred twenty-seven (327) of the Code as  
9 motor vehicle truck operators are exempt from pay-  
10 ment of the fees imposed under Acts of the Sixty-  
11 fifth General Assembly, 1973 Session, chapter  
12 two hundred seventy-six (276), section six (6),  
13 subsection three (3)."

H-2662 Filed. *Adopted 5/1*  
March 27, 1974

By FISCHER of Grundy

H-2938

1 Amend Senate File 1286, as passed by the Senate,  
2 as follows:  
3 1. Page 2, by inserting after line 15 the follow-  
4 ing new section:  
5 Sec. \_\_\_\_\_. Acts of the Sixty-fifth General Assembly,  
6 1973 Session, chapter two hundred seventy-six (276),  
7 section one (1), subsection three (3), is amended to  
8 read as follows:  
9 3. "Grain dealer" shall mean any person who is  
10 engaged in the business of buying grain for resale  
11 as whole grain. This shall not be construed to mean  
12 a person engaged in buying or selling grain on the  
13 board of trade.  
14 2. Amend the title, page 1, line 2, by inserting  
15 after the word "commission" the words "and the law  
16 regulating grain dealers".

H-2938 Filed. *Withdrawn 5/1*  
April 19, 1974

By PELLETT of Cass

H-2960

1 Amend Senate File 1286, as passed by the Senate,  
2 as follows:  
3 1. Page 2, by inserting after line 15 the follow-  
4 ing new section:  
5 Sec. \_\_\_\_\_. Acts of the Sixty-fifth General Assembly,  
6 1973 Session, chapter two hundred seventy-six (276),  
7 section one (1), subsection three (3), is amended to  
8 read as follows:  
9 3. "Grain dealer" shall mean any person who is  
10 engaged in the business of buying grain for resale.  
11 This shall not be construed to mean a person engaged  
12 in buying or selling grain on the board of trade or  
13 any person who sells purchased grain only in a registered  
14 feed.  
15 2. Amend the title, page 1, line 2, by inserting  
16 after the word "commission" the words "and the law  
17 regulating grain dealers".

H-2960 Filed *Adopted 5/1*  
April 23, 1974

By PELLETT of Cass  
HUSAK of Tama

HOUSE AMENDMENT TO SENATE FILE 1286

1 Amend Senate File 1286, as passed by the Senate, as follows:  
2 1. Page 2, line 15, by adding after the period the words  
3 ("Trucks owned by grain dealers licensed under the provisions  
4 of Acts of the Sixty-fifth General Assembly, 1973 Session,  
5 chapter two hundred seventy-six (276), which are already  
6 registered under chapters three hundred twenty-five (325)  
7 and three hundred twenty-seven (327) of the Code as motor  
8 vehicle truck operators are exempt from payment of the fees  
9 imposed under Acts of the Sixty-fifth General Assembly, 1973  
10 Session, chapter two hundred seventy-six (276), section six  
11 (6), subsection three (3).")<sup>\*</sup>  
12 2. Page 2, by inserting after line 15 the following new  
13 section:  
14 Sec. \_\_\_\_\_. Acts of the Sixty-fifth General Assembly, 1973  
15 Session, chapter two hundred seventy-six (276), section one (1),  
16 subsection three (3), is amended to read as follows:  
17 3. "Grain dealer" shall mean any person who is engaged  
18 in the business of buying grain for resale. This shall not  
19 construed to mean a person engaged in buying or selling  
20 grain on the board of trade or any person who sells purchased  
21 grain only in a registered feed.  
22 3. Amend the title, page 1, line 2, by inserting after  
23 the word "commission" the words "and the law regulating  
24 grain dealers".

Received from the House *\* Item sent to Governor's letter filed after bill. Senate concurred 5/3*  
May 2, 1974

S-3009

1 Amend the House Amendment to Senate File 1286,  
2 by striking lines 2 through 11, inclusive.

S-3009 Filed and lost  
May 3, 1974

By WINKELMAN and HILL



# Office of the Governor

STATE CAPITOL  
DES MOINES, IOWA 50319

ROBERT D RAY  
GOVERNOR

June 3, 1974

The Honorable Melvin D. Synhorst  
Secretary of State  
State Capitol  
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 1286, An Act amending the appropriated funds to the Iowa State Commerce Commission and the law regulating grain dealers.

Senate File 1286 is approved June 3, 1974, with the following exception which I hereby disapprove:

That portion of Section 2, beginning with the entire seventh line of that section and continuing through the fifteenth line of the bill as it was presented to me to the conclusion of Section 2 which reads as follows: "Trucks owned by grain dealers licensed under the provisions of Acts of the Sixty-fifth General Assembly, 1973 Session, chapter two hundred seventy-six (276), which are already registered under chapters three hundred twenty-five (325) and three hundred twenty-seven (327) of the Code as motor vehicle truck operators are exempt from payment of the fees imposed under Acts of the Sixty-fifth General Assembly, 1973 Session, chapter two hundred seventy-six (276), section six (6), subsection three (3)."

I disapprove this item for the following reasons:

First, this provision which I disapprove would exempt trucks owned by grain dealers from paying a \$5.00 registration fee under the Grain Dealers Act of the 1973 session of the General Assembly. The basic intent of that Act is to provide assurance to Iowa farmers that they are indeed selling their grain to licensed and bonded dealers from whom payment is assured.

If allowed to stand this provision I am disapproving would defeat the protection for our farmers heretofore granted.

One principal feature of that Act is to require licensed and bonded dealers to display in their offices and on their

The Honorable Melvin D. Synhorst  
June 3, 1974  
Page 2

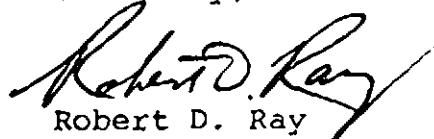
trucks readily-recognizable certification from the Iowa Commerce Commission. On the trucks, this certification is in the form of an identification plate which is issued upon payment of the \$5.00 vehicle registration fee. Without such a plate being displayed, the seller of grain at a farm site has no way to immediately determine if the buyer with whom he is dealing is in fact licensed and bonded under the Grain Dealers Act.

Additionally, this disapproved section of Senate File 1286 is discriminatory in its language in that it exempts from payment of fee only those trucks which are owned by the licensed dealers. Presumably, it would still be necessary for the licensed grain dealers who lease trucks to register those vehicles under the Grain Dealers Act.

Finally, this exemption provision would reduce revenue to the State General Fund which, while perhaps not of major concern here, nonetheless would affect the legislative intent to be self-sufficient in administering provisions of the Grain Dealers Act.

For these reasons, I disapprove the aforementioned item of this bill in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 1286 are hereby approved.

Sincerely,

  
Robert D. Ray  
Governor

RDR:rg