

See Page 1 of 2 4/12 2019 (p. 2119)

FILED APR 12 1984

SENATE FILE 2346

BY COMMITTEE ON WAYS AND MEANS
Approved 4/12 (p. 1497)

Passed Senate, Date 4-12-84 (p. 1502) Passed House, Date 4-17-84 (p. 2327)
Vote: Ayes 43 Nays 0 Vote: Ayes 95 Nays 0
Approved April 30, 1984

A BILL FOR

1 An Act to suspend the Iowa dairy industry commission during
2 the effective period of a national promotional order
3 established pursuant to the 1983 dairy Act.

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

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S 2346

1 Section 1. Section 179.2, Code 1983, is amended by adding
2 the following new unnumbered paragraphs:

3 NEW UNNUMBERED PARAGRAPH. When a national promotional
4 order is established by the United States department of
5 agriculture pursuant to the dairy product stabilization Act
6 of 1983, collection of the excise tax in section 179.5 shall
7 be suspended for the period in which the national order is
8 in effect. The commission shall continue to operate thereafter
9 for only such period of time as is necessary to pay refunds
10 and disburse the funds remaining in the dairy industry fund
11 for the purposes enumerated in this chapter. Upon completion
12 of these acts, the existence of the Iowa dairy industry
13 commission shall be suspended. The secretary of agriculture
14 shall certify the suspension of the commission as of a date
15 certain to the Iowa dairy industry commission and the Iowa
16 state dairy association. When the existence of the commission
17 is suspended, the terms of office being served by individual
18 commissioners shall also be suspended.

19 NEW UNNUMBERED PARAGRAPH. When the national promotional
20 order expires, the period of suspension of the excise tax
21 in section 179.5 shall terminate and the secretary of
22 agriculture shall take such steps as are necessary to collect
23 that excise tax and otherwise fulfill the duties of the
24 commission, except that of expending funds collected under
25 the excise tax, until those duties can be resumed by the
26 reactivated commission. When the national promotional order
27 expires, the period of suspension of the commission shall
28 terminate and the terms of office of the individual
29 commissioners shall continue and the period of the suspension
30 shall not be counted to determine the time left in the terms
31 of office. Vacancies occurring in the commission during the
32 period of suspension shall be filled when the suspension is
33 terminated. The secretary of agriculture shall call the first
34 meeting of the reactivated commission. Upon reactivation,
35 the commission shall reimburse the secretary of agriculture

1 for any expenses incurred in carrying out the duties provided
2 in this paragraph.

3 Sec. 2. This Act, being deemed of immediate importance,
4 takes effect from and after its publication in The Messenger,
5 a newspaper published in Fort Dodge, Iowa, and in the Oskaloosa
6 Daily Herald, a newspaper published in Oskaloosa, Iowa.

7 EXPLANATION

8 The dairy product stabilization Act of 1983 requires the
9 United States secretary of agriculture to issue a dairy pro-
10 ducts promotion and research order to include an excise tax
11 for a purpose similar to that in chapter 179. This bill re-
12 quires the Iowa secretary of agriculture to suspend the
13 existence of the dairy industry commission and suspend col-
14 lection of the state excise tax for the period of the sus-
15 pension. When the national promotional order expires, the
16 period of suspension shall terminate and the commission shall
17 continue in existence.

18 This bill takes effect upon publication.
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SENATE FILE 2346

AN ACT

TO SUSPEND THE IOWA DAIRY INDUSTRY COMMISSION DURING THE EFFECTIVE PERIOD OF A NATIONAL PROMOTIONAL ORDER ESTABLISHED PURSUANT TO THE 1983 DAIRY ACT.

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

Section 1. Section 179.2, Code 1983, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. When a national promotional order is established by the United States department of agriculture pursuant to the dairy product stabilization Act of 1983, collection of the excise tax in section 179.5 shall be suspended for the period in which the national order is in effect. The commission shall continue to operate thereafter for only such period of time as is necessary to pay refunds and disburse the funds remaining in the dairy industry fund for the purposes enumerated in this chapter. Upon completion of these acts, the existence of the Iowa dairy industry commission shall be suspended. The secretary of agriculture shall certify the suspension of the commission as of a date certain to the Iowa dairy industry commission and the Iowa state dairy association. When the existence of the commission is suspended, the terms of office being served by individual commissioners shall also be suspended.

NEW UNNUMBERED PARAGRAPH. When the national promotional order expires, the period of suspension of the excise tax in section 179.5 shall terminate and the secretary of agriculture shall take such steps as are necessary to collect that excise tax and otherwise fulfill the duties of the commission, except that of expending funds collected under the excise tax, until those duties can be resumed by the reactivated commission. When the national promotional order expires, the period of suspension of the commission shall terminate and the terms of office of the individual commissioners shall continue and the period of the suspension

shall not be counted to determine the time left in the terms of office. Vacancies occurring in the commission during the period of suspension shall be filled when the suspension is terminated. The secretary of agriculture shall call the first meeting of the reactivated commission. Upon reactivation, the commission shall reimburse the secretary of agriculture for any expenses incurred in carrying out the duties provided in this paragraph.

Sec. 2. This Act, being deemed of immediate importance, takes effect from and after its publication in The Messenger, a newspaper published in Fort Dodge, Iowa, and in the Oskaloosa Daily Herald, a newspaper published in Oskaloosa, Iowa.

CHARLES P. MILLER
President Pro Tempore 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 2346, Seventieth General Assembly.

K. MARIE TRAYER
Secretary of the Senate

Approved April 30, 1984

TERRY E. BRANSTAD
Governor