

Reprinted 3/1/88

FEB 19 1988

Place On Calendar

HOUSE FILE 2283
BY COMMITTEE ON AGRICULTURE

(Formerly House Study Bill 506)

Passed House, Date 2/23/88 (p. 492) Passed Senate, Date _____

Vote: Ayes 72 Nays 20 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

5192.5194/1 An Act relating to agricultural property holdings by providing
 5200 2 certain definitions; establishing family farm limited
 3 partnerships; restricting the number of acres of agricultural
 4 land that other limited partnerships may acquire or otherwise
 5 obtain or lease; restricting persons from becoming limited
 6 partners, stockholders, or beneficiaries in more than a number
 7 of certain limited partnerships, authorized farm corporations,
 8 or authorized trusts; providing certain restrictions on family
 5540 9 trusts; and requiring reporting of certain agricultural
 10 related property and the confidentiality of certain
 5540 11 information; and providing penalties.

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

- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 2283

54401 Section 1. Section 172C.1, subsection 11, Code 1987, is
2 amended to read as follows:

3 11. "Family trust" means a trust:

4 a. In which a majority interest in the trust is held by
5 and the majority of the beneficiaries are persons related to
6 each other as spouse, parent, grandparent, lineal ascendants
7 of grandparents or their spouses and other lineal descendants
8 of the grandparents or their spouses, or persons acting in a
9 fiduciary capacity for persons so related; and

10 b. In which all the beneficiaries are natural persons, who
11 are not acting as a trustee or in a similar capacity for a
12 trust, as defined in subsection 10 of this section, or persons
13 acting in a fiduciary capacity, or nonprofit corporations;
14 and

15 c. If the trust is established on or after July 1, 1988,
16 the trust must be established for the purpose of farming and
17 sixty percent of the gross revenues of the trust over the last
18 consecutive three-year period must come from farming.

19 Sec. 2. Section 172C.1, Code 1987, is amended by adding
20 the following new subsections:

21 NEW SUBSECTION. 18. "Contract feeder" means a person
22 owning in the applicable reporting year, as provided in
23 section 172C.5B, more than five hundred cattle, one thousand
24 hogs, or five thousand head of poultry if the cattle, hogs, or
25 poultry are subject to a contract or contracts for care and
26 feeding by a person or persons other than the owner on land
27 which is not owned, leased, or held by the owner.

28 NEW SUBSECTION. 19. "Family farm limited partnership"
29 means a limited partnership which meets all of the following
30 conditions:

31 a. The limited partnership is formed for the purpose of
32 farming and the ownership of agricultural land in which the
33 general partner and a majority of the partnership interest is
34 held by and the majority of limited partners are persons
35 related to each other as spouse, parent, grandparent, lineal

1 ascendants of grandparents or their spouses and other lineal
2 descendants of the grandparents or their spouses, or persons
3 acting in a fiduciary capacity for persons so related.

4 b. The general partner manages and supervises the day-to-
5 day farming operations on the agricultural land.

6 c. All of the limited partners are natural persons or
7 persons acting in a fiduciary capacity for the benefit of
8 natural persons or family trusts.

9 d. Sixty percent of the gross revenues of the partnership
10 over the last consecutive three-year period come from farming.

11 Sec. 3. Section 172C.5, Code Supplement 1987, is amended
12 to read as follows:

13 172C.5 RESTRICTIONS ON AUTHORIZED FARM CORPORATIONS, AND
14 AUTHORIZED TRUSTS, AND LIMITED PARTNERSHIPS.

15 1. An authorized farm corporation or authorized trust
16 shall not knowingly, on or after July 1, 1987, and a limited
17 partnership other than a family farm limited partnership shall
18 not knowingly, on or after July 1, 1988, either directly or
19 indirectly, acquire or otherwise obtain or lease agricultural
20 land, if the total agricultural land either directly or
21 indirectly owned or leased by the authorized farm corporation
22 or authorized trust would then exceed one thousand five
23 hundred acres.

24 a. However, the restrictions provided in this paragraph
25 does subsection do not apply to agricultural land that is
26 leased by an authorized farm corporation, or authorized trust,
27 or limited partnership to the immediate prior owner of the
28 land for the purpose of farming, as defined in section 172C.1.
29 Upon cessation of the lease to the immediate prior owner, the
30 authorized farm corporation, or authorized trust, or limited
31 partnership shall, within three years following the date of
32 the cessation, sell or otherwise dispose of the agricultural
33 land leased to the immediate prior owner.

34 b. This paragraph subsection also does not apply to land
35 that is held or acquired and maintained by an authorized farm

1 corporation, authorized trust, or limited partnership to
2 protect significant elements of the state's natural open space
3 heritage, including but not limited to significant river,
4 lake, wetland, prairie, forest areas, other biologically
5 significant areas, land containing significant archaeological,
6 historical, or cultural value, or fish or wildlife habitats,
7 as defined in rules adopted by the department of natural
8 resources.

9 2. A person shall not after July 1, 1987 become a
10 stockholder of any authorized farm corporation if the person
11 is a stockholder of any other authorized farm corporation or a
12 beneficiary of an authorized trust. A person shall not after
13 July 1, 1987 become a beneficiary of an authorized trust if
14 the person is a beneficiary of another authorized trust or a
15 stockholder of an authorized farm corporation. A person shall
16 not, after July 1, 1988, become a stockholder of an authorized
17 farm corporation, a beneficiary of an authorized trust, or a
18 limited partner in a limited partnership which owns or leases
19 agricultural land if the person is also any of the following:
20 a. A stockholder of an authorized farm corporation.
21 b. A beneficiary of an authorized trust.
22 c. A limited partner in a limited partnership which owns
23 or leases agricultural land.

24 However, this subsection shall not apply to limited
25 partners in a family farm limited partnership.

26 3. a. Any authorized farm corporation, or authorized
27 trust, or limited partnership knowingly violating the
28 provisions of this section shall upon conviction, be punished
29 by a fine of not more than fifty thousand dollars and shall
30 divest itself of any land acquired in violation of this
31 section within one year after conviction. A penalty of not
32 more than one thousand dollars shall be imposed on a person
33 who knowingly becomes a stockholder of an authorized farm
34 corporation, or a beneficiary of an authorized trust, or
35 limited partner in a limited partnership in violation of this

1 section. The person shall divest the interest held by the
2 person in the corporation or trust to comply with this
3 section.

4 b. The courts of this state may prevent and restrain
5 violations of this section through the issuance of an
6 injunction. The attorney general or a county attorney shall
7 institute suits on behalf of the state to prevent and restrain
8 violations of this section.

9 Sec. 4. NEW SECTION. 172C.5A REPORTING.

10 1. An annual report shall be filed by a reporting entity
11 with the secretary of state on or before June 30 of 1989, and
12 thereafter on or before March 31 of each year on forms adopted
13 pursuant to chapter 17A and supplied by the secretary of
14 state.

15 2. As used in this section, a "reporting entity" means any
16 of the following:

17 a. A person serving as the president or other officer or
18 authorized representative of a corporation (other than a
19 family farm corporation) and including an authorized farm
20 corporation, owning or leasing agricultural land or engaged in
21 farming in this state.

22 b. A person acting as the general partner of a limited
23 partnership, other than a family farm limited partnership,
24 owning or leasing agricultural land or engaged in farming in
25 this state.

26 c. A person acting in a fiduciary capacity or as a trustee
27 on behalf of a person, including a corporation, limited
28 partnership, or nonresident alien, who holds in a trust (other
29 than through a family trust) including through an authorized
30 trust, agricultural land in this state.

31 3. The report shall contain information for the last year
32 regarding the reporting entity's corporation, limited
33 partnership, or trust, and the agricultural land owned,
34 leased, or held. However, this subsection shall not apply to
35 a family farm corporation, a family farm limited partnership,

1 or a family trust. The report shall contain the following
2 information, if applicable:

3 a. Whether the reporting entity represents a corporation,
4 trust, or limited partnership. If the reporting entity
5 represents a corporation the report shall specify if the
6 corporation is foreign or domestic, profit or nonprofit, or an
7 authorized farm corporation. If the reporting entity
8 represents a trust the report shall specify if the trust is an
9 authorized trust.

10 b. The name of the reporting entity and the name and
11 address of the person supervising the daily operations on the
12 agricultural land.

13 c. The name, address, and citizenship if not from the
14 United States, of each shareholder, limited partner, or
15 beneficiary of a corporation, trust, or limited partnership.

16 d. The total approximate number of acres, and the
17 approximate number of acres by named county, of agricultural
18 land which is owned, leased, or held by the corporation,
19 trust, or limited partnership.

20 e. The approximate number of acres of agricultural land
21 which is owned and operated by the corporation or limited
22 partnership; the approximate number of acres of agricultural
23 land which is leased by the corporation, limited partnership,
24 or trust as a lessee; the approximate number of acres of
25 agricultural land which is leased from the corporation,
26 limited partnership, or trust as a lessor; and the approximate
27 number of acres of agricultural land which is held in fee and
28 operated by a trust.

29 f. The approximate number of acres of agricultural land
30 which the corporation, trust, or limited partnership used for
31 the production of row crops.

32 g. The approximate number of livestock, including cattle,
33 sheep, swine, or poultry, owned, contracted for, or kept by
34 the corporation, trust, or limited partnership, and the
35 approximate number of offspring produced from the livestock.

1 Sec. 5. NEW SECTION. 172C.5B REPORTING BY CONTRACTORS.

2 A contract feeder shall file with the secretary of state on
3 or before March 31 of each year on forms adopted pursuant to
4 chapter 17A and supplied by the secretary of state an annual
5 report containing all of the following information, if
6 applicable:

7 1. The name and address of the person.

8 2. For each county, which the contractor shall identify,
9 the approximate total number of hogs, cattle, or head of
10 poultry subject to a contract for feeding and care as
11 described in section 172C.1, subsection 18.

12 3. The name and address of the processor who purchased the
13 hogs, cattle, or poultry.

14 Sec. 6. Section 172C.9, Code 1987, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 5. The total number of hogs or cattle for
17 which the processor has contracted for purchase or feeding as
18 provided in section 172C.2.

19 Sec. 7. Section 172C.8, Code 1987, is amended to read as
20 follows:

21 172C.8 REPORTS BY BENEFICIARIES.

22 1. Any limited partnership or corporation identified as a
23 beneficiary in a report filed with the secretary of state
24 pursuant to section ~~172C.7, subsection 27~~ 172C.5A shall file
25 with the secretary of state on or before March 31 of each
26 year, on forms supplied by the secretary of state, a report
27 containing the information set forth in section ~~172C.5,~~
28 172C.5A with respect to land owned by a fiduciary or trustee
29 on behalf of the limited partnership or corporation.

30 2. Any nonresident alien identified as a beneficiary in a
31 report filed with the secretary of state pursuant to section
32 ~~172C.7, subsection 37~~ 172C.5A shall file with the secretary of
33 state on or before March 31 of each year on forms supplied by
34 the secretary of state, a report containing the information
35 set forth in section 567.8, with respect to land owned by a

1 fiduciary or trustee on behalf of the nonresident alien.

2 Sec. 8. Section 172C.14, Code 1987, is amended to read as
3 follows:

4 172C.14 DUTIES OF SECRETARY OF STATE -- LEGISLATIVE USE.

5 The secretary of state shall do all things necessary to
6 implement this chapter. It is the intent of this section that
7 information shall be made available to members of the general
8 assembly and appropriate committees of the general assembly in
9 order to determine the extent of farming being carried out in
10 this state by corporations and other business entities and the
11 effect of such farming practices upon the economy of this
12 state. The reports of contractors, and processors required in
13 ~~section-172C-9~~ this chapter shall be confidential reports
14 except as to the general assembly and appropriate committees
15 of the general assembly whose members upon receipt of such
16 reports treat such information as confidential and to the
17 attorney general for review and appropriate action when
18 necessary. The secretary of state shall assist any committee
19 of the general assembly existing or established for the
20 purposes of studying the effects of this chapter and the
21 practices this chapter seeks to study and regulate.

22 Sec. 9. Sections 172C.6 and 172C.7, Code 1987, are
23 repealed.

24 EXPLANATION

25 This bill relates to agricultural property holdings. It
26 provides certain restrictions on family trusts, and defines
27 and provides for certain contract feeders and family farm
28 limited partnerships. It prohibits certain limited
29 partnerships from acquiring or leasing agricultural land on or
30 after July 1, 1988, if the total agricultural land owned or
31 leased by the limited partnership would exceed a certain
32 number of acres. It also provides that certain land held by
33 authorized farm corporations, authorized trusts, or limited
34 partnerships, including land leased back to the immediate
35 prior owner, is exempted under certain circumstances from this

1 prohibition. The bill restricts a person from becoming a
2 limited partner in certain limited partnerships which own or
3 lease agricultural land if the person is a stockholder in an
4 authorized farm corporation, a beneficiary in an authorized
5 trust, or a limited partner in another certain limited
6 partnership which owns or leases agricultural land.

7 The bill provides for reporting by certain corporations,
8 limited partnerships, contract feeders, and processors of
9 certain agricultural holdings annually to the secretary of
10 state. It also provides that certain information provided to
11 the secretary of state shall remain confidential.

12 SIMILAR TO HSB 506 (LSB 7079HC)

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 2283

H-5182

1 Amend House File 2283 as follows:

2 1. Page 2, by inserting after line 10, the
3 following:

4 "Sec. ____ . Section 172C.2, unnumbered paragraph 1,
5 Code 1987, is amended to read as follows:

6 In order to preserve free and private enterprise,
7 prevent monopoly, and protect consumers, it is
8 unlawful for any processor of beef or pork or limited
9 partnership in which a processor holds partnership
10 shares as a general partner or partnership shares as a
11 limited partner, to own, control or operate a feedlot
12 in Iowa in which hogs or cattle are fed for slaughter.
13 In addition, a processor shall not directly or
14 indirectly control the manufacturing, processing, or
15 preparation for sale of pork products derived from
16 swine if the processor contracted for the care and
17 feeding of the pork in this state. However, this
18 section shall not preclude a processor or limited
19 partnership from contracting for the purchase or
20 feeding of hogs or cattle, provided that where the
21 contract sets a date for delivery which is more than
22 twenty days after the making of the contract it
23 shall:".

BY SVOBODA of Tama
BRANSTAD of Winnebago
SKOW of Guthrie
OSTERBERG of Linn

H-5182 FILED FEBRUARY 25, 1988

*Amended by 5194, 5195
2/26 (p 487)*

HOUSE FILE 2283

H-5184

1 Amend House File 2283 as follows:

2 1. By striking page 4, line 9, through page 7,
3 line 23.

4 2. Title page, by striking lines 9 through 11 and
5 inserting the following: "trusts, and providing
6 penalties."

H-5184 FILED FEBRUARY 25, 1988 BY SCHNEKLOTH of Scott

2/26 (p 490)

HOUSE FILE 2283

H-5186

1 Amend House File 2283 as follows:

2 1. Page 3, by striking lines 16 through 19, and
3 inserting the following: "not, after July 1, 1988,
4 hold a controlling interest as a stockholder of an
5 authorized farm corporation, a beneficiary of an
6 authorized trust, or a limited partner in a limited
7 partnership which owns or leases agricultural land if
8 the person is also already any of the following:".

H-5186 FILED FEBRUARY 25, 1988 BY BENNETT of Ida

2/26 (p 490)

HOUSE FILE 2283

H-5143

1 Amend House File 2283 as follows:

- 2 1. Page 6, by striking lines 12 and 13 and
3 inserting the following:
4 "3. The name and address of the purchaser of the
5 hogs, cattle, or poultry."

H-5143 FILED FEBRUARY 22, 1988 BY BENNETT of Ida

Adopted 2/24/88 (p. 41)

HOUSE FILE 2283

H-5171

1 Amend House File 2283 as follows:

- 2 1. Page 2, line 16, by striking the word
3 "knowingly".
4 2. Page 2, line 18, by striking the word
5 "knowingly".
6 3. Page 3, line 27, by striking the word
7 "knowingly".
8 4. Page 3, line 32, by striking the word "shall"
9 and inserting the following: "shall may".
10 5. Page 3, line 33, by striking the word
11 "knowingly".
12 6. Page 4, line 2, by striking the words
13 "corporation or trust" and inserting the following:
14 "corporation-or-trust corporation, trust, or limited
15 partnership".
16 7. Page 4, line 3, by inserting after the word
17 "section." the following: "The court may determine
18 the method of divesting an interest held by a person
19 found to be in violation of this chapter. A financial
20 gain realized by a person who disposes of an interest
21 held in violation of this chapter shall be forfeited
22 to the state's general fund. All court costs and fees
23 shall be paid by the person holding the interest in
24 violation of this chapter."

BY KREMER of Buchanan

H-5171 FILED FEBRUARY 24, 1988

OSTERBERG of Linn

Adopted 2/26/88 (p. 48)

HOUSE FILE 2283

H-5174

1 Amend House File 2283 as follows:

- 2 1. Page 2, line 5, by inserting after the word
3 "land" the following: ", or the general partner
4 managed and supervised the day-to-day farming
5 operations on the agricultural land at least fifty
6 percent of the time for any five-year period within
7 the last ten years".
8 2. Page 3, line 25, by inserting after the word
9 "partnership" the following: ", shareholders in a
10 family farm corporation, or beneficiaries in a family
11 trust".

H-5174 FILED FEBRUARY 25, 1988 BY SCHNEKLOTH of Scott

A. 2/26/88 (p. 48)
B. 2/26/88 (p. 48)

HOUSE FILE 2283

H-5188

1 Amend House File 2283 as follows:

2 1. Page 2, line 23, by inserting after the word
3 "acres" the following: "and the corporation, trust,
4 or limited partnership has a net worth of more than
5 three million five hundred thousand dollars".

H-5188 FILED FEBRUARY 25, 1988 BY BENNETT of Ida

Link 2/26/88 4887

HOUSE FILE 2283

FISCAL NOTE

REQUESTED BY REPRESENTATIVE OSTERBERG

In compliance with a written request received February 17, 1988, a fiscal note for HOUSE FILE 2283 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

HOUSE FILE 2283 provides certain restrictions on family trusts, and defines and provides for certain contract feeders and family farm limited partnerships. It prohibits certain limited partnerships from acquiring or leasing agricultural land on or after July 1, 1988, if the total agricultural land owned or leased by the limited partnership would exceed a certain number of acres. It also provides that certain land held by authorized farm corporations, authorized trusts, or limited partnerships, including land leased back to the immediate prior owner, is exempted under certain circumstances from this prohibition. The bill restricts a person from becoming a limited partner in certain limited partnerships which own or lease agricultural land if the person is a stockholder in an authorized farm corporation, a beneficiary in an authorized trust, or a limited partner in another certain limited partnership which owns or leases agricultural land.

The bill provides for reporting by certain corporations, limited partnerships, contract feeders, and processors of certain agricultural holdings annually to the Secretary of State. It also provides that certain information provided to the Secretary of State shall remain confidential.

Assumptions:

1. A one time computer programming expense will be required to set up data collection for the revised reporting requirement.
2. Approximately 1,000 reports will be processed each year by the office of Secretary of State. These will be processed by current staff.

FISCAL IMPACT: The fiscal impact of House File 2283 would be a one-time cost of \$3,000 to established a computer program to process approximately 1,000 reports annually by the Office of Secretary of State.

Source: Secretary of State

(LSB 7079H, KNM)

FILED FEBRUARY 29, 1988

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 2283

H-5181

1 Amend House File 2283 as follows:

2 1. Page 3, by inserting after line 8 the
3 following:

4 "c. This subsection also does not apply to land
5 that is held or acquired and maintained by a
6 corporation, limited partnership, or trust if all of
7 the following apply:

8 (1) The management of the agricultural land owned,
9 leased, or held by the corporation, limited
10 partnership, or trust is done by residents of the
11 state.

12 (2) Any farming done on the agricultural land by
13 the corporation, limited partnership, or trust, or a
14 tenant follows the conservation plan for that land.

15 (3) If the corporation, limited partnership, or
16 trust leases the land to a tenant farmer, the rental
17 payments shall be on a fifty-fifty crop share with the
18 corporation, limited partnership, or trust and the
19 tenant splitting equally the cost of the seed,
20 chemicals, fertilizer, and harvesting.

21 (4) If the corporation, trust, or limited
22 partnership leases the land to a tenant farmer, the
23 amount of acres which the tenant farmer farms in the
24 county, including all land owned or leased by the
25 tenant, shall not exceed one hundred fifty percent of
26 the average farm size for that county. In determining
27 the average farm size, farms under one hundred acres
28 shall not be included. The average farm size shall be
29 determined once each year by the secretary of
30 agriculture."

H-5181 FILED FEBRUARY 25, 1988 BY BLANSHAN of Greene

2/26 (g. 491)

HOUSE FILE 2283

H-5185

1 Amend House File 2283 as follows:

2 1. Page 7, by striking lines 12 through 18 and
3 inserting the following: "state. The reports of
4 corporations, limited partnerships, trusts,
5 contractors, and processors required in section-1726-9
6 this chapter shall be confidential reports except as
7 to the general-assembly-and-appropriate-committees-of
8 the-general-assembly-whose-members-upon-receipt-of
9 such-reports-treat-such-information-as-confidential
10 and-to-the attorney general for review and appropriate
11 action when necessary. The secretary of state shall
12 assist any committee".

H-5185 FILED FEBRUARY 25, 1988 BY DE GROOT of Lyon

Adopted 2/26 (g. 490)

HOUSE FILE 2283

H-5202

- 1 Amend amendment H-5182 to House File 2283 as
- 2 follows:
- 3 1. Page 1, line 14, by inserting after the word
- 4 "processing," the word "financing".

H-5202 FILED FEBRUARY 26, 1988 BY VAN CAMP of Scott
OUT OF ORDER (p. 492)

HOUSE FILE 2283

H-5195

- 1 Amend the amendment H-5182 to House File 2283 as
- 2 follows:
- 3 1. Page 1, line 17, by striking the word "pork" and
- 4 inserting the word "swine".

H-5195 FILED FEBRUARY 26, 1988 BY KREMER of Buchanan
ADOPTED BY UNANIMOUS CONSENT (p. 485)

HOUSE FILE 2283

H-5205

- 1 Amend House File 2283 as follows:
- 2 1. Title page, line 2, by inserting after the
- 3 word "definitions;" the words "restricting processors;"

H-5205 FILED FEBRUARY 26, 1988 BY KREMER of Buchanan
ADOPTED BY UNANIMOUS CONSENT (p. 472)

HOUSE FILE 2283

H-5200

- 1 Amend amendment H-5181 to House File 2283 as follows:
- 2 1. Page 1, by striking lines 21 through 30.

H-5200 FILED FEBRUARY 26, 1988 BY MAULSBY of Calhoun
ADOPTED (p. 471)

SEVENTY—SECOND GENERAL ASSEMBLY
1988 REGULAR SESSION

DAILY
HOUSE CLIP SHEET

MONDAY, FEBRUARY 29, 1988

HOUSE FILE 2283

H-5193

- 1 Amend House File 2283 as follows:
2 1. Page 1, line 23, by striking the words "five
3 hundred cattle,".
4 2. Page 1, line 24, by striking the words
5 "cattle, hogs," and inserting the following: "hogs".
6 3. Page 6, line 9, by striking the word
7 "cattle,".
8 4. Page 6, line 13, by striking the word
9 "cattle,".
10 5. Page 6, line 16, by striking the words "or
11 cattle".

H-5193 FILED FEBRUARY 26, 1988 BY MULLINS of Kossuth
ADOPTED (p. 477) FOGARTY of Palo Alto

HOUSE FILE 2283

H-5192

- 1 Amend House File 2283 as follows:
2 1. Page 1, by striking lines 20 through 27 and
3 inserting the following: "the following new
A 4 subsection:".
5 2. By striking page 4, line 9, through page 7,
6 line 23.
7 3. Title page, by striking lines 9 through 11 and
B 8 inserting the following: "trusts, and providing
9 penalties."
10 4. By renumbering as necessary.

H-5192 FILED FEBRUARY 26, 1988 BY SCHNEKLOTH of Scott
DIVISIONS A AND B WITHDRAWN (p. 492)

HOUSE FILE 2283

H-5194

- 1 Amend amendment H-5182 to House File 2283 as
2 follows:
3 1. Page 1, line 17, by inserting after the word
4 "state" the following: "for a period of more than
5 twenty days".

H-5194 FILED FEBRUARY 26, 1988 BY BENNETT of Ida
ADOPTED (p. 486)

By 3/1 Amend from 5372 to Pass 3/15 (p. 513)

HOUSE FILE 2283
BY COMMITTEE ON AGRICULTURE

(As Amended and Passed by the House February 26, 1988)

Passed House, Date 4/14/88 (p. 1921) Passed Senate, Date 4/14/88 (p. 1544)
Vote: Ayes 76 Nays 18 Vote: Ayes 42 Nays 7
Approved May 9, 1988

A BILL FOR

1 An Act relating to agricultural property holdings by providing
2 certain definitions; restricting processors; establishing
3 family farm limited partnerships; restricting the number of
4 acres of agricultural land that other limited partnerships may
5 acquire or otherwise obtain or lease; restricting persons from
6 becoming limited partners, stockholders, or beneficiaries in
7 more than a number of certain limited partnerships, authorized
8 farm corporations, or authorized trusts; providing certain
9 restrictions on family trusts; and requiring reporting of
10 certain agricultural related property and the confidentiality
11 of certain information; and providing penalties.

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

13
14
15
16
17
18
19
20
21
22
23

House Amendments _____
Deleted Language *

21 Section 1. Section 172C.1, subsection 11, Code 1987, is
2 amended to read as follows:

3 11. "Family trust" means a trust:

4 a. In which a majority interest in the trust is held by
5 and the majority of the beneficiaries are persons related to
6 each other as spouse, parent, grandparent, lineal ascendants
7 of grandparents or their spouses and other lineal descendants
8 of the grandparents or their spouses, or persons acting in a
9 fiduciary capacity for persons so related; and

10 b. In which all the beneficiaries are natural persons, who
11 are not acting as a trustee or in a similar capacity for a
12 trust, as defined in subsection 10 of this section, or persons
13 acting in a fiduciary capacity, or nonprofit corporations;
14 and

15 c. If the trust is established on or after July 1, 1988,
16 the trust must be established for the purpose of farming and
17 sixty percent of the gross revenues of the trust over the last
18 consecutive three-year period must come from farming.

19 Sec. 2. Section 172C.1, Code 1987, is amended by adding
20 the following new subsections:

21 NEW SUBSECTION. 18. "Contract feeder" means a person
22 owning in the applicable reporting year, as provided in
*23 section 172C.5B, more than one thousand hogs, or five thousand
24 head of poultry if the hogs or poultry are subject to a
25 contract or contracts for care and feeding by a person or
26 persons other than the owner on land which is not owned,
27 leased, or held by the owner.

28 NEW SUBSECTION. 19. "Family farm limited partnership"
29 means a limited partnership which meets all of the following
30 conditions:

31 a. The limited partnership is formed for the purpose of
32 farming and the ownership of agricultural land in which the
33 general partner and a majority of the partnership interest is
34 held by and the majority of limited partners are persons
35 related to each other as spouse, parent, grandparent, lineal

1 ascendants of grandparents or their spouses and other lineal
 2 descendants of the grandparents or their spouses, or persons
 3 acting in a fiduciary capacity for persons so related.

4 b. The general partner manages and supervises the day-to-
 5 day farming operations on the agricultural land.

6 c. All of the limited partners are natural persons or
 7 persons acting in a fiduciary capacity for the benefit of
 8 natural persons or family trusts.

9 d. Sixty percent of the gross revenues of the partnership
 10 over the last consecutive three-year period come from farming.

11 Sec. 3. Section 172C.2, unnumbered paragraph 1, Code 1987,
 12 is amended to read as follows:

13 In order to preserve free and private enterprise, prevent
 14 monopoly, and protect consumers, it is unlawful for any
 15 processor of beef or pork or limited partnership in which a
 16 processor holds partnership shares as a general partner or
 17 partnership shares as a limited partner, to own, control or
 18 operate a feedlot in Iowa in which hogs or cattle are fed for
 19 slaughter. In addition, a processor shall not directly or
 20 indirectly control the manufacturing, processing, or
 21 preparation for sale of pork products derived from swine if
 22 the processor contracted for the care and feeding of the swine
 23 in this state for a period of more than twenty days. However,
 24 this section shall not preclude a processor or limited
 25 partnership from contracting for the purchase or-feeding of
 26 hogs or cattle, provided that where the contract sets a date
 27 for delivery which is more than twenty days after the making
 28 of the contract it shall:

29 Sec. 4. Section 172C.5, Code Supplement 1987, is amended
 30 to read as follows:

31 172C.5 RESTRICTIONS ON AUTHORIZED FARM CORPORATIONS, AND
 32 AUTHORIZED TRUSTS, AND LIMITED PARTNERSHIPS.

33 1. An authorized farm corporation or authorized trust
 *34 shall not, on or after July 1, 1987, and a limited partnership
 *35 other than a family farm limited partnership shall not, on or

1 after July 1, 1988, either directly or indirectly, acquire or
2 otherwise obtain or lease agricultural land, if the total
3 agricultural land either directly or indirectly owned or
4 leased by the authorized farm corporation or authorized trust
5 would then exceed one thousand five hundred acres.

6/46 a. However, the restrictions provided in this paragraph
7 does subsection do not apply to agricultural land that is
8 leased by an authorized farm corporation, or authorized trust,
9 or limited partnership to the immediate prior owner of the
10 land for the purpose of farming, as defined in section 172C.1.
11 Upon cessation of the lease to the immediate prior owner, the
12 authorized farm corporation, or authorized trust, or limited
13 partnership shall, within three years following the date of
14 the cessation, sell or otherwise dispose of the agricultural
15 land leased to the immediate prior owner.

16 b. This paragraph subsection also does not apply to land
17 that is held or acquired and maintained by an authorized farm
18 corporation, authorized trust, or limited partnership to
19 protect significant elements of the state's natural open space
20 heritage, including but not limited to significant river,
21 lake, wetland, prairie, forest areas, other biologically
22 significant areas, land containing significant archaeological,
23 historical, or cultural value, or fish or wildlife habitats,
24 as defined in rules adopted by the department of natural
25 resources.

26 2. A person shall not after July 17, 1987 become a
27 stockholder of any authorized farm corporation if the person
28 is a stockholder of any other authorized farm corporation or a
29 beneficiary of an authorized trust. A person shall not after
30 July 17, 1987 become a beneficiary of an authorized trust if
31 the person is a beneficiary of another authorized trust or a
32 stockholder of an authorized farm corporation. A person shall
33 not, after July 1, 1988, become a stockholder of an authorized
34 farm corporation, a beneficiary of an authorized trust, or a
35 limited partner in a limited partnership which owns or leases

1 agricultural land if the person is also any of the following:

2 a. A stockholder of an authorized farm corporation.

3 b. A beneficiary of an authorized trust.

4 c. A limited partner in a limited partnership which owns
5 or leases agricultural land.

6 However, this subsection shall not apply to limited
7 partners in a family farm limited partnership.

8 3. a. Any authorized farm corporation, or authorized
* 9 trust, or limited partnership violating the provisions of this
10 section shall upon conviction, be punished by a fine of not
11 more than fifty thousand dollars and shall divest itself of
12 any land acquired in violation of this section within one year
13 after conviction. A penalty of not more than one thousand
* 14 dollars shall may be imposed on a person who becomes a
15 stockholder of an authorized farm corporation, or a
16 beneficiary of an authorized trust, or limited partner in a
17 limited partnership in violation of this section. The person
18 shall divest the interest held by the person in the
19 corporation or trust corporation, trust, or limited
20 partnership to comply with this section. The court may
21 determine the method of divesting an interest held by a person
22 found to be in violation of this chapter. A financial gain
23 realized by a person who disposes of an interest held in
24 violation of this chapter shall be forfeited to the state's
25 general fund. All court costs and fees shall be paid by the
26 person holding the interest in violation of this chapter.

27 b. The courts of this state may prevent and restrain
28 violations of this section through the issuance of an
29 injunction. The attorney general or a county attorney shall
30 institute suits on behalf of the state to prevent and restrain
31 violations of this section.

32 Sec. 5. NEW SECTION. 172C.5A REPORTING.

33 1. An annual report shall be filed by a reporting entity
34 with the secretary of state on or before June 30 of 1989, and
35 thereafter on or before March 31 of each year on forms adopted

1 pursuant to chapter 17A and supplied by the secretary of
2 state.

3 2. As used in this section, a "reporting entity" means any
4 of the following:

5 a. A person serving as the president or other officer or
6 authorized representative of a corporation (other than a
7 family farm corporation) and including an authorized farm
8 corporation, owning or leasing agricultural land or engaged in
9 farming in this state.

10 b. A person acting as the general partner of a limited
11 partnership, other than a family farm limited partnership,
12 owning or leasing agricultural land or engaged in farming in
13 this state.

14 c. A person acting in a fiduciary capacity or as a trustee
15 on behalf of a person, including a corporation, limited
16 partnership, or nonresident alien, who holds in a trust (other
17 than through a family trust) including through an authorized
18 trust, agricultural land in this state.

19 3. The report shall contain information for the last year
20 regarding the reporting entity's corporation, limited
21 partnership, or trust, and the agricultural land owned,
22 leased, or held. However, this subsection shall not apply to
23 a family farm corporation, a family farm limited partnership,
24 or a family trust. The report shall contain the following
25 information, if applicable:

26 a. Whether the reporting entity represents a corporation,
27 trust, or limited partnership. If the reporting entity
28 represents a corporation the report shall specify if the
29 corporation is foreign or domestic, profit or nonprofit, or an
30 authorized farm corporation. If the reporting entity
31 represents a trust the report shall specify if the trust is an
32 authorized trust.

33 b. The name of the reporting entity and the name and
34 address of the person supervising the daily operations on the
35 agricultural land.

1 c. The name, address, and citizenship if not from the
2 United States, of each shareholder, limited partner, or
3 beneficiary of a corporation, trust, or limited partnership.

4 d. The total approximate number of acres, and the
5 approximate number of acres by named county, of agricultural
6 land which is owned, leased, or held by the corporation,
7 trust, or limited partnership.

8 e. The approximate number of acres of agricultural land
9 which is owned and operated by the corporation or limited
10 partnership; the approximate number of acres of agricultural
11 land which is leased by the corporation, limited partnership,
12 or trust as a lessee; the approximate number of acres of
13 agricultural land which is leased from the corporation,
14 limited partnership, or trust as a lessor; and the approximate
15 number of acres of agricultural land which is held in fee and
16 operated by a trust.

17 f. The approximate number of acres of agricultural land
18 which the corporation, trust, or limited partnership used for
19 the production of row crops.

20 g. The approximate number of livestock, including cattle,
21 sheep, swine, or poultry, owned, contracted for, or kept by
22 the corporation, trust, or limited partnership, and the
23 approximate number of offspring produced from the livestock.

24 Sec. 6. NEW SECTION. 172C.5B REPORTING BY CONTRACTORS.

25 A contract feeder shall file with the secretary of state on
26 or before March 31 of each year on forms adopted pursuant to
27 chapter 17A and supplied by the secretary of state an annual
28 report containing all of the following information, if
29 applicable:

30 1. The name and address of the person.

31 2. For each county, which the contractor shall identify,
32 the approximate total number of hogs, or head of poultry
33 subject to a contract for feeding and care as described in
34 section 172C.1, subsection 18.

35 3. The name and address of the purchaser of the hogs, or

1 poultry.

2 Sec. 7. Section 172C.9, Code 1987, is amended by adding
3 the following new subsection:

4 NEW SUBSECTION. 5. The total number of hogs for which the
5 processor has contracted for purchase or feeding as provided
6 in section 172C.2.

7 Sec. 8. Section 172C.8, Code 1987, is amended to read as
8 follows:

9 172C.8 REPORTS BY BENEFICIARIES.

10 1. Any limited partnership or corporation identified as a
11 beneficiary in a report filed with the secretary of state
12 pursuant to section ~~172C.77-subsection-2~~ 172C.5A shall file
13 with the secretary of state on or before March 31 of each
14 year, on forms supplied by the secretary of state, a report
15 containing the information set forth in section ~~172C.67~~
16 172C.5A with respect to land owned by a fiduciary or trustee
17 on behalf of the limited partnership or corporation.

18 2. Any nonresident alien identified as a beneficiary in a
19 report filed with the secretary of state pursuant to section
20 ~~172C.77-subsection-3~~ 172C.5A shall file with the secretary of
21 state on or before March 31 of each year on forms supplied by
22 the secretary of state, a report containing the information
23 set forth in section 567.8, with respect to land owned by a
24 fiduciary or trustee on behalf of the nonresident alien.

25 Sec. 9. Section 172C.14, Code 1987, is amended to read as
26 follows:

27 172C.14 DUTIES OF SECRETARY OF STATE -- LEGISLATIVE USE.

28 The secretary of state shall do all things necessary to
29 implement this chapter. It is the intent of this section that
30 information shall be made available to members of the general
31 assembly and appropriate committees of the general assembly in
32 order to determine the extent of farming being carried out in
33 this state by corporations and other business entities and the
34 effect of such farming practices upon the economy of this
35 state. The reports of corporations, limited partnerships,

1 trusts, contractors, and processors required in section-172C-9
2 this chapter shall be confidential reports except as to the
3 general-assembly-and-appropriate-committees-of-the-general
4 assembly-whose-members-upon-receipt-of-such-reports-treat-such
5 information-as-confidential-and-to-the attorney general for
6 review and appropriate action when necessary. The secretary
7 of state shall assist any committee of the general assembly
8 existing or established for the purposes of studying the
9 effects of this chapter and the practices this chapter seeks
10 to study and regulate.

11 Sec. 10. Sections 172C.6 and 172C.7, Code 1987, are
12 repealed.

172, 174, 177

SIMILAR TO HSB 506 (LSB 7079HC)

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

S-5472

1 Amend House File 2283, as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 1 and 2, and
4 inserting the following:

5 "Section 1. Section 172C.1, subsections 8 and 11,
6 Code 1987, are amended to read as follows:

7 8. "Family farm corporation" means a corporation:

8 a. Founded for the purpose of farming and the
9 ownership of agricultural land in which the majority
10 of the voting stock is held by and the majority of the
11 stockholders are persons related to each other as
12 spouse, parent, grandparent, lineal ascendants of
13 grandparents or their spouses and other lineal
14 descendants of the grandparents or their spouses, or
15 persons acting in a fiduciary capacity for persons so
16 related;

17 b. All of its stockholders are natural persons or
18 persons acting in a fiduciary capacity for the benefit
19 of natural persons or family trusts as defined in
20 subsection 11 of this section; and

21 c. Sixty percent of the gross revenues of the
22 corporation over the last consecutive three-year
23 period comes from farming; and

24 d. The person managing or supervising the day-to-
25 day farming operations on the agricultural land must
26 be a voting stockholder of the corporation and must be
27 related to a majority of the other stockholders as
28 provided in paragraph "a".

29 2. Page 8, by inserting after line 12 the /
30 following:

31 "Sec. ____ . Section 1 of this Act takes effect on
32 January 1, 1989."

33 3. Title page, line 9, by inserting after the
34 words "restrictions on" the following: "family farm
35 corporations and".

36 4. Title page, line 11, by striking the words
37 "and providing penalties" and inserting the following:
38 "providing penalties; and providing for an effective
39 date".

40 5. By renumbering as necessary.

S-5472

Filed March 21, 1988

w/d 4/13 (p. 1521)

BY LARRY MURPHY
JIM RIORDAN
DALE TIEDEN
JOHN W. JENSEN
BERL E. PRIEBE
RICHARD VARN

S-5372

1 Amend House File 2283, as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 172C.1, subsection 8,
6 paragraph a, Code 1987, is amended to read as follows:

7 a. Founded for the purpose of farming and the
8 ownership of agricultural land in which the majority
9 two-thirds of the voting stock is held by and the
10 majority two-thirds of the stockholders are persons
11 related to each other as spouse, parent, grandparent,
12 lineal ascendants of grandparents or their spouses and
13 other lineal descendants of the grandparents or their
14 spouses, or persons acting in a fiduciary capacity for
15 ~~persons so related;~~"

16 2. Page 1, line 23, by striking the words "one
17 thousand" and inserting the following: "two thousand
18 five hundred".

19 3. Page 2, line 23, by striking the words "for a
20 period of more than twenty days".

21 4. Page 7, line 5, by striking the words
22 "purchase or".

23 5. Page 8, by inserting after line 12, the
24 following:

25 "Sec. ____ . Section 1 of this Act takes effect on
26 January 1, 1989."

27 6. Title page, line 9, by inserting after the
28 words "restrictions on" the following: "family farm
29 corporations and".

30 7. Title page, line 11, by striking the words
31 "and providing penalties" and inserting the following:
32 "providing penalties; and providing an effective date
33 for a provision".

34 8. By renumbering as necessary.

S-5372
Filed March 15, 1988

A - w/10
B - Adopted 4/13 (p. 1521)

BY COMMITTEE ON AGRICULTURE
BERL E. PRIEBE, Chairperson

HOUSE FILE 2283

S-5700

- 1 Amend the amendment, S-5552, to House File 2283, as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 1, line 6, by striking the words "which
5 acts as a processor,".
6 2. Page 1, line 13, by striking the words "acts
7 as a processor, and" and inserting the following:
8 "contracts with a member which is a cooperative
9 association organized under chapter 497, 498, or 499,
10 which".
11 3. Page 1, line 14, by inserting after the word
12 "member" the following: "of the cooperative".
13 4. Page 1, line 15, by striking the words ", or
14 in the case of a".
15 5. Page 1, by striking lines 16 through 19 and
16 inserting the following: "This"."

S-5700

Filed March 30, 1988

Adopted 4/13 (f 1522)

BY LEONARD L. BOSWELL
JOHN E. SOORHOLTZ
KENNETH SCOTT

HOUSE FILE 2283

S-5559

- 1 Amend House File 2283, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 4, by striking the word
- 4 "majority" and inserting the following: "two-thirds".
- 5 2. Page 1, line 5, by striking the words "the
- 6 majority" and inserting the following: "two-thirds".
- 7 3. Page 1, line 33, by striking the words "a
- 8 majority" and inserting the following: "two-thirds".
- 9 4. Page 1, line 34, by striking the words "the
- 10 majority of" and inserting the following: "two-thirds
- 11 of the".
- 12 5. Page 8, by inserting after line 12, the
- 13 following:
- 14 "Sec. _____. The amendment in this Act to section
- 15 172C.1, subsection 11, takes effect on January 1,
- 16 1989." ✓
- 17 6. Title page, line 11, by striking the words
- 18 "and providing penalties" and inserting the following:
- 19 "providing penalties, and providing effective dates".
- 20 7. By renumbering as necessary.

S-5559

Filed March 25, 1988

BY JIM RIORDAN

Law 4/13 (7.1522)

HOUSE FILE 2283

S-5560

- 1 Amend the amendment, S-5372, to House File 2283, as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 1, by inserting after line 15 the
- 5 following:
- 6 "_____. Page 1, line 4, by striking the word
- 7 "majority" and inserting the following: "two-thirds".
- 8 _____. Page 1, line 5, by striking the words "the
- 9 majority" and inserting the following: "two-thirds".
- 10 2. Page 1, by inserting after line 18 the
- 11 following:
- 12 "_____. Page 1, line 33, by striking the words "a
- 13 majority" and inserting the following: "two-thirds".
- 14 _____. Page 1, line 34, by striking the words "the
- 15 majority of" and inserting the following: "two-thirds
- 16 of the".
- 17 3. Page 1, line 25, by striking the words and
- 18 figure "Section 1 of this Act takes" and inserting the
- 19 following: "Sections 1 and 2 of this Act take".
- 20 4. Page 1, lines 32 and 33, by striking the words
- 21 "an effective date for a provision" and inserting the
- 22 following: "effective dates".

S-5560

Filed March 25, 1988

BY JIM RIORDAN

Placed o/o 4/13 (7.1522)

HOUSE FILE 2283

S-5484

1 Amend House File 2283, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 3, line 10, by inserting after the figure
4 "172C.1" the following: ", or to a family farm
5 corporation, family trust, or family farm limited
6 partnership".
7 2. Page 3, line 11, by inserting after the word
8 "owner," the following: "family farm corporation,
9 family trust, or family farm limited partnership,".
10 3. Page 3, line 15, by inserting after the word
11 "owner" the following: ", family farm corporation,
12 family trust, or family farm limited partnership".

S-5484

Filed March 21, 1988

BY AL STURGEON

Low 4/13 (p. 1523)

HOUSE FILE 2283

S-5552

1 Amend House File 2283, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 2, line 24, by inserting after the word
4 "this" the following: "section does not apply to a
5 cooperative association organized under chapter 497,
6 498, or 499, which acts as a processor, if the co-
7 operative association contracts for the care and
8 feeding of swine with a member of the cooperative
9 association who is actively engaged in farming. This
10 section does not apply to an association organized as
11 a cooperative in which another cooperative association
12 organized under chapter 497, 498, or 499 is a member,
13 if the association acts as a processor and contracts
14 for the care and feeding of swine with a member who is
15 actively engaged in farming, or in the case of a
16 member which is a cooperative association organized
17 under chapter 497, 498, or 499, a member of such
18 cooperative association who is actively engaged in
19 farming. This".

S-5552

Filed March 24, 1988

BY LEONARD BOSWELL
KENNETH SCOTT
JOHN SOORHOLTZ

Adopted as amended by 5700 4/13 (p. 1522)

5440

1 Amend House File 2283, as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 1 and 2, and
4 inserting the following:

5 "Section 1. Section 172C.1, subsections 8 and 11,
6 Code 1987, are amended to read as follows:

7 8. "Family farm corporation" means a corporation:

8 a. Founded for the purpose of farming and the
9 ownership of agricultural land in which the majority
10 of the voting stock is held by and the majority of the
11 stockholders are persons related to each other as
12 spouse, parent, grandparent, lineal ascendants of
13 grandparents or their spouses and other lineal
14 descendants of the grandparents or their spouses, or
15 persons acting in a fiduciary capacity for persons so
16 related;

17 b. All of its stockholders are natural persons or
18 persons acting in a fiduciary capacity for the benefit
19 of natural persons or family trusts as defined in
20 subsection 11 of this section; and

21 c. Sixty percent of the gross revenues of the
22 corporation over the last consecutive three-year
period comes from farming; and

23 d. The person managing or supervising the day-to-
24 day farming operations on the agricultural land must
25 be a voting stockholder of the corporation and must be
26 related to a majority of the other stockholders as
27 provided in paragraph "a".

28 2. Page 8, by inserting after line 12 the
29 following:

30 "Sec. ____ . Section 1 of this Act takes effect on
31 January 1, 1989."

32 3. Title page, line 9, by inserting after the
33 words "restrictions on" the following: "family farm
34 corporations and".

35 4. Title page, line 11, by striking the words
36 "and providing penalties" and inserting the following:
37 "providing penalties; and providing effective dates".

38 5. By renumbering as necessary.
39

S-5440

Filed March 17, 1988

BY LARRY MURPHY

Law 4/14 (p. 1543)

HOUSE FILE 2283

S-5791

1 Amend amendment, S-5372, to House File 2283, as
2 amended, passed and reprinted by the House, as
3 follows:
4 1. Page 1, by striking line 6 and inserting the
5 following: "paragraphs a and c, Code 1987, are
6 amended to read as follows":
7 2. Page 1, by striking line 15 and inserting the
8 following: "persons so related;
9 c. Sixty percent of the gross revenues of the
10 corporation over the last consecutive three-year
11 period comes from farming; and
12 Sec. ____ . Section 172C.1, subsection 8, Code 1987,
13 is amended by adding the following new lettered
14 paragraph:
15 NEW LETTERED PARAGRAPH. d. The person managing or
16 supervising the day-to-day farming operations on the
17 agricultural land must be a voting stockholder of the
18 corporation and must be related to a majority of the
19 other stockholders as provided in paragraph "a"."

S-5791

Filed April 6, 1988

Placed on 4/13 (p. 1521)

BY LARRY MURPHY
JIM RIORDAN
RICHARD VARN

HOUSE FILE 2283

S-5844

1 Amend the amendment, S-5472, to House File 2283, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking lines 3 through 28, and
5 inserting the following:
6 "____. Page 1, by inserting before line 1, the
7 following:
8 "Section 1. Section 172C.1, subsection 8,
9 paragraph c, Code 1987, is amended to read as follows:
10 c. Sixty percent of the gross revenues of the
11 corporation over the last consecutive three-year
12 period comes from farming; and
13 Sec. ____ . Section 172C.1, subsection 8, Code 1987,
14 is amended by adding the following new lettered
15 paragraph:
16 NEW LETTERED PARAGRAPH. d. The person managing or
17 supervising the day-to-day farming operations on the
18 agricultural land must be a voting stockholder of the
19 corporation and must be a family member as provided in
20 paragraph "a".""
21 2. Page 1, line 31, by striking the word and
22 figure "1 of" and inserting the following: "172C.1,
23 subsection 8, as amended by".
24 3. By renumbering as necessary.

S-5844

Filed April 7, 1988

Placed on 4/13 (p. 1521)

BY LARRY MURPHY
RICHARD VARN
JIM RIORDAN

HOUSE FILE 2283

S-6002

1 Amend House File 2283, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 3, line 4, by inserting after the word
4 "corporation" the following: ", limited
5 partnership,".

S-6002

Filed April 14, 1988

ADOPTED
(p. 1544)

BY KENNETH SCOTT

HOUSE FILE 2283

S-5986

1 Amend House File 2283, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 2, by inserting after line 28, the
4 following:
5 "Sec. ____ . Section 172C.4, Code 1987, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 12. Agricultural land which is
8 purchased from a willing seller of the land."
9 2. Page 3, by inserting after line 25, the
10 following:
11 "c. This subsection also does not apply to land
12 which is purchased from a willing seller of the land."
13 3. By striking page 4, line 32 through page 8,
14 line 12.
15 4. Title page, lines 9 through 11, by striking
16 the words "and requiring reporting of certain
17 agricultural related property and the confidentiality
18 of certain information;" and inserting the following:
19 "providing for the purchase of agricultural land;".

S-5986

Filed April 14, 1988

LOST
(p. 1543)

BY CALVIN O. HULTMAN

SENATE AMENDMENT TO HOUSE FILE 2283

H-6468

1 Amend House File 2283, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 1, line 23, by striking the words "one
4 thousand" and inserting the following: "two thousand
5 five hundred".

6 2. Page 2, line 23, by striking the words "for a
7 period of more than twenty days".

8 3. Page 2, line 24, by inserting after the word
9 "this" the following: "section does not apply to a
10 cooperative association organized under chapter 497,
11 498, or 499, if the co-operative association contracts
12 for the care and feeding of swine with a member of the
13 cooperative association who is actively engaged in
14 farming. This section does not apply to an
15 association organized as a cooperative in which
16 another cooperative association organized under
17 chapter 497, 498, or 499 is a member, if the
18 association contracts with a member which is a
19 cooperative association organized under chapter 497,
20 498, or 499, which contracts for the care and feeding
21 of swine with a member of the cooperative who is
22 actively engaged in farming. This".

23 4. Page 3, line 4, by inserting after the word
24 "corporation" the following: ", limited
25 partnership,".

26 5. Page 7, line 5, by striking the words
27 "purchase or".

28 6. By renumbering, relettering, or redesignating
29 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-6468 FILED APRIL 14, 1988
CONCURRED (p. 1931)

HSB 506

Agriculture

House Study Bill 506
Agriculture: Osterberg, Chair; Johnson and Pellett.

HOUSE FILE 2283
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to agricultural land holdings by restricting the
2 number of acres of agricultural land that limited partnerships
3 may acquire or otherwise obtain or lease; restricting persons
4 from becoming limited partners, stockholders, or beneficiaries
5 in more than a certain number of limited partnerships,
6 authorized farm corporations, or authorized trusts; requiring
7 corporate reporting of agricultural land holdings; and
8 providing penalties.

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

- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

1 Section 1. Section 172C.5, Code Supplement 1987, is
2 amended to read as follows:

3 172C.5 RESTRICTIONS ON AUTHORIZED FARM CORPORATIONS, AND
4 AUTHORIZED TRUSTS, AND LIMITED PARTNERSHIPS.

5 1. An authorized farm corporation or authorized trust
6 shall not, on or after July 1, 1987, and a limited partnership
7 shall not, on or after July 1, 1988, either directly or
8 indirectly, acquire or otherwise obtain or lease agricultural
9 land, if the total agricultural land either directly or
10 indirectly owned or leased by the authorized farm corporation
11 or authorized trust would then exceed one thousand five
12 hundred acres.

13 a. However, the restrictions provided in this paragraph
14 does subsection do not apply to agricultural land that is
15 leased by an authorized farm corporation, or authorized trust,
16 or limited partnership to the immediate prior owner of the
17 land for the purpose of farming, as defined in section 172C.1.
18 Upon cessation of the lease to the immediate prior owner, the
19 authorized farm corporation, or authorized trust, or limited
20 partnership shall, within three years following the date of
21 the cessation, sell or otherwise dispose of the agricultural
22 land leased to the immediate prior owner.

23 b. This paragraph subsection also does not apply to land
24 that is held or acquired and maintained by an authorized farm
25 corporation, authorized trust, or limited partnership to
26 protect significant elements of the state's natural open space
27 heritage, including but not limited to significant river,
28 lake, wetland, prairie, forest areas, other biologically
29 significant areas, land containing significant archaeological,
30 historical, or cultural value, or fish or wildlife habitats,
31 as defined in rules adopted by the department of natural
32 resources.

33 c. This subsection also does not apply to land that is
34 held or acquired and maintained by an authorized farm
35 corporation, authorized trust, or limited partnership par-

1 icipating in the conservation reserve program if the land is
2 subject to a conservation reserve program contract, as
3 provided in 16 U.S.C. ch. 58 and regulations adopted pursuant
4 to that chapter. Upon cessation of the contract the
5 authorized farm corporation, authorized trust, or limited
6 partnership, within three years following the date of
7 cessation, shall sell or otherwise dispose of the agricultural
8 land subject to the contract.

9 2. A person shall not after July 1, 1987, become a
10 stockholder of any authorized farm corporation if the person
11 is a stockholder of any other authorized farm corporation or a
12 beneficiary of an authorized trust. A person shall not after
13 July 1, 1987, become a beneficiary of an authorized trust if
14 the person is a beneficiary of another authorized trust or a
15 stockholder of an authorized farm corporation. A person shall
16 not, after July 1, 1988, become a stockholder of an authorized
17 farm corporation, a beneficiary of an authorized trust, or a
18 limited partner in a limited partnership which owns or leases
19 agricultural land if the person is also any of the following:

- 20 a. A stockholder of an authorized farm corporation.
21 b. A beneficiary of an authorized trust.
22 c. A limited partner in a limited partnership which owns
23 or leases agricultural land.

24 3. a. Any authorized farm corporation, or authorized
25 trust, or limited partnership violating the provisions of this
26 section shall upon conviction, be punished by a fine of not
27 more than fifty thousand dollars and shall divest itself of
28 any land acquired in violation of this section within one year
29 after conviction. A penalty of not more than one thousand
30 dollars shall be imposed on a person who becomes a stockholder
31 of an authorized farm corporation, or a beneficiary of an
32 authorized trust, or limited partner in a limited partnership
33 in violation of this section. The person shall divest the
34 interest held by the person in the corporation or trust to
35 comply with this section.

1 **b.** The courts of this state may prevent and restrain
2 violations of this section through the issuance of an
3 injunction. The attorney general or a county attorney shall
4 institute suits on behalf of the state to prevent and restrain
5 violations of this section.

6 Sec. 2. NEW SECTION. 172C.6A REPORTS BY CORPORATIONS.

7 A corporation which owns or leases agricultural land in
8 this state, or which owns or leases any land in this state on
9 which poultry or livestock are confined for feeding or other
10 purposes for ten days or more, or which contracts for keeping
11 and feeding poultry or livestock or for the growing of agri-
12 cultural crops, fruits, or other horticultural products in
13 this state, shall file with its annual report, on forms
14 prescribed by administrative rules adopted by the secretary of
15 state and supplied by the secretary of state, the following
16 information, unless otherwise provided:

17 1. Declaration of the type of agricultural activity
18 engaged in by the corporation and the name, address, and title
19 of the agent or person in charge of the corporation's daily
20 operations.

21 2. The acreage and location listed by township and county,
22 or legally described urban plat of each lot or parcel of
23 agricultural land in this state owned or leased by the
24 corporation at the end of the preceding calendar or fiscal
25 year.

26 3. The approximate number and kind of poultry or livestock
27 owned, contracted for, fed, or kept by the corporation during
28 the preceding calendar or fiscal year.

29 4. The approximate number of acres used for each
30 agricultural crop, fruit, or other horticultural product grown
31 or contracted for during the preceding calendar or fiscal
32 year.

33 5. The number of acres owned and operated by the
34 corporation, the number of acres leased by the corporation,
35 and the number of acres leased to the corporation. If the

1 lease is a livestock or crop-share lease, the corporation
2 shall disclose the share of the livestock or the crop to which
3 the corporation is entitled under the lease.

4 6. If the corporation holds agricultural land for
5 immediate or potential use in nonfarming purposes, a statement
6 specifying the purpose for which the land is being held.

7 7. The names and addresses of, and the number of shares of
8 stock by class held by, all stockholders owning ten percent or
9 more of any class of stock of the corporation.

10 8. The name, address, residence, citizenship of, and
11 number of shares of each class held by any nonresident alien
12 stockholder holding five percent or more of any class of stock
13 of the corporation.

14 9. Whether the corporation is a family farm corporation as
15 defined in section 172C.1. If the corporation is a family
16 farm corporation, the number of shares held by persons
17 residing on or actively engaged in farming.

18 10. Whether the corporation is an authorized farm
19 corporation as defined in section 172C.1. If the corporation
20 is an authorized farm corporation, the number of shares held
21 by persons residing on or actively engaged in farming.

22 This section does not apply to land held for the purpose of
23 railroad or highway rights-of-way, and does not apply to lots
24 within city limits which are smaller than twenty acres.

25 The annual report from any corporation owning agricultural
26 land in Iowa used for research, testing, or experimental
27 purposes or held for the potential expansion of its physical
28 facilities shall include only the information required by
29 subsections 1 through 6.

30 Corporations organized under chapter 504 shall file only
31 the additional report required by this section.

32 Sec. 3. Section 496A.121, subsections 8 and 9, Code 1987,
33 are amended by striking the subsections.

34 EXPLANATION

35 This bill prohibits a limited partnership from acquiring or

1 leasing agricultural land on or after July 1, 1988, if the
2 total agricultural land owned or leased by the limited
3 partnership would exceed a certain number of acres. It also
4 provides that certain land held by authorized farm
5 corporations, authorized trusts, or limited partnerships,
6 including land subject to a conservation reserve program
7 contract, is exempted from this prohibition. The bill
8 restricts a person from becoming a limited partner in a
9 limited partnership which owns or leases agricultural land and
10 a stockholder in an authorized farm corporation, a beneficiary
11 in an authorized trust, or a limited partner in another
12 limited partnership which owns or leases agricultural land.

13 The bill also provides that all corporations must report
14 certain agricultural holdings annually to the secretary of
15 state.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 2283

AN ACT

RELATIVE TO AGRICULTURAL PROPERTY HOLDINGS BY PROVIDING CERTAIN DEFINITIONS; RESTRICTING PROCESSORS; ESTABLISHING FAMILY FARM LIMITED PARTNERSHIPS; RESTRICTING THE NUMBER OF ACRES OF AGRICULTURAL LAND THAT OTHER LIMITED PARTNERSHIPS MAY ACQUIRE OR OTHERWISE OBTAIN OR LEASE; RESTRICTING PERSONS FROM BECOMING LIMITED PARTNERS, STOCKHOLDERS, OR BENEFICIARIES IN MORE THAN A NUMBER OF CERTAIN LIMITED PARTNERSHIPS, AUTHORIZED FARM CORPORATIONS, OR AUTHORIZED TRUSTS; PROVIDING CERTAIN RESTRICTIONS ON FAMILY TRUSTS; AND REQUIRING REPORTING OF CERTAIN AGRICULTURAL RELATED PROPERTY AND THE CONFIDENTIALITY OF CERTAIN INFORMATION; AND PROVIDING PENALTIES.

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

Section 1. Section 172C.1, subsection 11, Code 1987, is amended to read as follows:

11. "Family trust" means a trust:

a. In which a majority interest in the trust is held by and the majority of the beneficiaries are persons related to each other as spouse, parent, grandparent, lineal ascendants of grandparents or their spouses and other lineal descendants of the grandparents or their spouses, or persons acting in a fiduciary capacity for persons so related; and

b. In which all the beneficiaries are natural persons, who are not acting as a trustee or in a similar capacity for a trust, as defined in subsection 10 of this section, or persons acting in a fiduciary capacity, or nonprofit corporations; and

c. If the trust is established on or after July 1, 1988, the trust must be established for the purpose of farming and sixty percent of the gross revenues of the trust over the last consecutive three-year period must come from farming.

Sec. 2. Section 172C.1, Code 1987, is amended by adding the following new subsections:

NEW SUBSECTION. 18. "Contract feeder" means a person owning in the applicable reporting year, as provided in section 172C.5B, more than two thousand five hundred hogs, or five thousand head of poultry if the hogs or poultry are subject to a contract or contracts for care and feeding by a person or persons other than the owner on land which is not owned, leased, or held by the owner.

NEW SUBSECTION. 19. "Family farm limited partnership" means a limited partnership which meets all of the following conditions:

a. The limited partnership is formed for the purpose of farming and the ownership of agricultural land in which the general partner and a majority of the partnership interest is held by and the majority of limited partners are persons related to each other as spouse, parent, grandparent, lineal ascendants of grandparents or their spouses and other lineal descendants of the grandparents or their spouses, or persons acting in a fiduciary capacity for persons so related.

b. The general partner manages and supervises the day-to-day farming operations on the agricultural land.

c. All of the limited partners are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons or family trusts.

d. Sixty percent of the gross revenues of the partnership over the last consecutive three-year period come from farming.

Sec. 3. Section 172C.2, unnumbered paragraph 1, Code 1987, is amended to read as follows:

In order to preserve free and private enterprise, prevent monopoly, and protect consumers, it is unlawful for any processor of beef or pork or limited partnership in which a processor holds partnership shares as a general partner or partnership shares as a limited partner, to own, control or operate a feedlot in Iowa in which hogs or cattle are fed for

slaughter. In addition, a processor shall not directly or indirectly control the manufacturing, processing, or preparation for sale of pork products derived from swine if the processor contracted for the care and feeding of the swine in this state. However, this section does not apply to a cooperative association organized under chapter 497, 498, or 499, if the cooperative association contracts for the care and feeding of swine with a member of the cooperative association who is actively engaged in farming. This section does not apply to an association organized as a cooperative in which another cooperative association organized under chapter 497, 498, or 499 is a member, if the association contracts with a member which is a cooperative association organized under chapter 497, 498, or 499, which contracts for the care and feeding of swine with a member of the cooperative who is actively engaged in farming. This section shall not preclude a processor or limited partnership from contracting for the purchase or feeding of hogs or cattle, provided that where the contract sets a date for delivery which is more than twenty days after the making of the contract it shall:

Sec. 4. Section 172C.5, Code Supplement 1987, is amended to read as follows:

172C.5 RESTRICTIONS ON AUTHORIZED FARM CORPORATIONS, AND AUTHORIZED TRUSTS, AND LIMITED PARTNERSHIPS.

1. An authorized farm corporation or authorized trust shall not, on or after July 1, 1987, and a limited partnership other than a family farm limited partnership shall not, on or after July 1, 1988, either directly or indirectly, acquire or otherwise obtain or lease agricultural land, if the total agricultural land either directly or indirectly owned or leased by the authorized farm corporation, limited partnership, or authorized trust would then exceed one thousand five hundred acres.

a. However, the restrictions provided in this paragraph does subsection do not apply to agricultural land that is

leased by an authorized farm corporation, or authorized trust, or limited partnership to the immediate prior owner of the land for the purpose of farming, as defined in section 172C.1. Upon cessation of the lease to the immediate prior owner, the authorized farm corporation, or authorized trust, or limited partnership shall, within three years following the date of the cessation, sell or otherwise dispose of the agricultural land leased to the immediate prior owner.

b. This paragraph subsection also does not apply to land that is held or acquired and maintained by an authorized farm corporation, authorized trust, or limited partnership to protect significant elements of the state's natural open space heritage, including but not limited to significant river, lake, wetland, prairie, forest areas, other biologically significant areas, land containing significant archaeological, historical, or cultural value, or fish or wildlife habitats, as defined in rules adopted by the department of natural resources.

2. A person shall not after July 1, 1987 become a stockholder of any authorized farm corporation if the person is a stockholder of any other authorized farm corporation or a beneficiary of an authorized trust--A person shall not after July 1, 1987 become a beneficiary of an authorized trust if the person is a beneficiary of another authorized trust or a stockholder of an authorized farm corporation. A person shall not, after July 1, 1988, become a stockholder of an authorized farm corporation, a beneficiary of an authorized trust, or a limited partner in a limited partnership which owns or leases agricultural land if the person is also any of the following:

a. A stockholder of an authorized farm corporation.

b. A beneficiary of an authorized trust.

c. A limited partner in a limited partnership which owns or leases agricultural land.

However, this subsection shall not apply to limited partners in a family farm limited partnership.

3. a. Any authorized farm corporation, or authorized trust, or limited partnership violating the provisions of this section shall upon conviction, be punished by a fine of not more than fifty thousand dollars and shall divest itself of any land acquired in violation of this section within one year after conviction. A penalty of not more than one thousand dollars shall may be imposed on a person who becomes a stockholder of an authorized farm corporation, or a beneficiary of an authorized trust, or limited partner in a limited partnership in violation of this section. The person shall divest the interest held by the person in the corporation-or-trust corporation, trust, or limited partnership to comply with this section. The court may determine the method of divesting an interest held by a person found to be in violation of this chapter. A financial gain realized by a person who disposes of an interest held in violation of this chapter shall be forfeited to the state's general fund. All court costs and fees shall be paid by the person holding the interest in violation of this chapter.

b. The courts of this state may prevent and restrain violations of this section through the issuance of an injunction. The attorney general or a county attorney shall institute suits on behalf of the state to prevent and restrain violations of this section.

Sec. 5. NEW SECTION. 172C.5A REPORTING.

1. An annual report shall be filed by a reporting entity with the secretary of state on or before June 30 of 1989, and thereafter on or before March 31 of each year on forms adopted pursuant to chapter 17A and supplied by the secretary of state.

2. As used in this section, a "reporting entity" means any of the following:

a. A person serving as the president or other officer or authorized representative of a corporation (other than a family farm corporation) and including an authorized farm

corporation, owning or leasing agricultural land or engaged in farming in this state.

b. A person acting as the general partner of a limited partnership, other than a family farm limited partnership, owning or leasing agricultural land or engaged in farming in this state.

c. A person acting in a fiduciary capacity or as a trustee on behalf of a person, including a corporation, limited partnership, or nonresident alien, who holds in a trust (other than through a family trust) including through an authorized trust, agricultural land in this state.

3. The report shall contain information for the last year regarding the reporting entity's corporation, limited partnership, or trust, and the agricultural land owned, leased, or held. However, this subsection shall not apply to a family farm corporation, a family farm limited partnership, or a family trust. The report shall contain the following information, if applicable:

a. Whether the reporting entity represents a corporation, trust, or limited partnership. If the reporting entity represents a corporation the report shall specify if the corporation is foreign or domestic, profit or nonprofit, or an authorized farm corporation. If the reporting entity represents a trust the report shall specify if the trust is an authorized trust.

b. The name of the reporting entity and the name and address of the person supervising the daily operations on the agricultural land.

c. The name, address, and citizenship if not from the United States, of each shareholder, limited partner, or beneficiary of a corporation, trust, or limited partnership.

d. The total approximate number of acres, and the approximate number of acres by named county, of agricultural land which is owned, leased, or held by the corporation, trust, or limited partnership.

e. The approximate number of acres of agricultural land which is owned and operated by the corporation or limited partnership; the approximate number of acres of agricultural land which is leased by the corporation, limited partnership, or trust as a lessee; the approximate number of acres of agricultural land which is leased from the corporation, limited partnership, or trust as a lessor; and the approximate number of acres of agricultural land which is held in fee and operated by a trust.

f. The approximate number of acres of agricultural land which the corporation, trust, or limited partnership used for the production of row crops.

g. The approximate number of livestock, including cattle, sheep, swine, or poultry, owned, contracted for, or kept by the corporation, trust, or limited partnership, and the approximate number of offspring produced from the livestock.

Sec. 6. NEW SECTION. 172C.5B REPORTING BY CONTRACTORS.

A contract feeder shall file with the secretary of state on or before March 31 of each year on forms adopted pursuant to chapter 17A and supplied by the secretary of state an annual report containing all of the following information, if applicable:

1. The name and address of the person.
2. For each county, which the contractor shall identify, the approximate total number of hogs, or head of poultry subject to a contract for feeding and care as described in section 172C.1, subsection 18.
3. The name and address of the purchaser of the hogs, or poultry.

Sec. 7. Section 172C.9, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The total number of hogs for which the processor was contracted for feeding as provided in section 172C.2.

Sec. 8. Section 172C.8, Code 1987, is amended to read as follows:

172C.8 REPORTS BY BENEFICIARIES.

1. Any limited partnership or corporation identified as a beneficiary in a report filed with the secretary of state pursuant to section ~~172E-7~~-subsection-2, 172C.5A shall file with the secretary of state on or before March 31 of each year, on forms supplied by the secretary of state, a report containing the information set forth in section ~~172E-6~~ 172C.5A with respect to land owned by a fiduciary or trustee on behalf of the limited partnership or corporation.

2. Any nonresident alien identified as a beneficiary in a report filed with the secretary of state pursuant to section ~~172E-7~~-subsection-3, 172C.5A shall file with the secretary of state on or before March 31 of each year on forms supplied by the secretary of state, a report containing the information set forth in section 567.8, with respect to land owned by a fiduciary or trustee on behalf of the nonresident alien.

Sec. 9. Section 172C.14, Code 1987, is amended to read as follows:

172C.14 DUTIES OF SECRETARY OF STATE -- LEGISLATIVE USE.

The secretary of state shall do all things necessary to implement this chapter. It is the intent of this section that information shall be made available to members of the general assembly and appropriate committees of the general assembly in order to determine the extent of farming being carried out in this state by corporations and other business entities and the effect of such farming practices upon the economy of this state. The reports of corporations, limited partnerships, trusts, contractors, and processors required in section-~~172E-9~~ this chapter shall be confidential reports except as to the ~~general assembly and appropriate committees of the general assembly whose members upon receipt of such reports treat such information as confidential and to the attorney general for review and appropriate action when necessary.~~ The secretary

of state shall assist any committee of the general assembly existing or established for the purposes of studying the effects of this chapter and the practices this chapter seeks to study and regulate.

Sec. 10. Sections 172C.6 and 172C.7, Code 1987, are repealed.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2283, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 9, 1988

HF 2283

TERRY E. BRANSTAD
Governor