

See by H-3977 (2625) to Sen 4/12/91

SENATE FILE

429

BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 69)

Passed Senate, Date 3/25/91 (p. 831) Passed House, Date 4/17/91 (p. 1325)
Vote: Ayes 44 Nays 0 Vote: Ayes 96 Nays 0

Approved May 14, 1991

Proposed Senate as further amended
4/25/91 (p. 1442)
ayes 48, Nays 0

Proposed House as further amended
5/1/91 (p. 1453)
ayes 98, Nays 0

A BILL FOR

- 1 An Act relating to agricultural land held by corporations,
- 2 limited partnerships, and trusts, and providing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 429
H-3977

- 1 Amend the House amendment, S-3504, to Senate File
- 2 429, as passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 15 through 26.
- 4 2. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-3977 FILED APRIL 30, 1991 *House amendment 5/1/91 (p. 1453)*

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

429

1 Section 1. Section 172C.1, subsection 1, Code 1991, is
2 amended to read as follows:

3 1. "Corporation" means a domestic or foreign corporation
4 ~~and includes~~ subject to chapter 490, a nonprofit corporation
5 ~~and co-operatives, or a cooperative.~~

6 Sec. 2. Section 172C.3, Code 1991, is amended to read as
7 follows:

8 172C.3 PENALTIES FOR PROHIBITED OPERATION -- INJUNCTIVE
9 RELIEF.

10 Any A processor violating the ~~provisions of~~ section 172C.2
11 shall, ~~upon conviction,~~ be punished by a fine assessed a civil
12 penalty of not more than fifty thousand dollars. The courts
13 of this state may prevent and restrain violations of this
14 chapter through the issuance of an injunction. The attorney
15 general or a county attorney shall institute suits on behalf
16 of the state to prevent and restrain violations of this
17 chapter.

18 Sec. 3. Section 172C.4, unnumbered paragraph 2, Code 1991,
19 is amended to read as follows:

20 Any A corporation or trust, other than a family farm
21 corporation, authorized farm corporation, family trust,
22 authorized trust or testamentary trust, violating the
23 ~~provisions of~~ this section shall ~~upon conviction,~~ be punished
24 by assessed a fine civil penalty of not more than fifty
25 thousand dollars and shall divest itself of any land acquired
26 held in violation of this section within one year after
27 conviction judgment. The courts of this state may prevent and
28 restrain 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. 4. Section 172C.5, subsection 3, paragraph a, Code
33 1991, is amended to read as follows:

34 a. Any An authorized farm corporation, authorized trust,
35 or limited partnership violating this section shall ~~upon~~

1 conviction, be punished by assessed a fine civil penalty of
2 not more than fifty thousand dollars and shall divest itself
3 of any land acquired held in violation of this section within
4 one year after conviction judgment. A civil penalty of not
5 more than one thousand dollars may be imposed on a person who
6 becomes a stockholder of an authorized farm corporation,
7 beneficiary of an authorized trust, or limited partner in a
8 limited partnership in violation of this section. The person
9 shall divest the interest held by the person in the
10 corporation, trust, or limited partnership to comply with this
11 section. The court may determine the method of divesting an
12 interest held by a person found to be in violation of this
13 chapter. A financial gain realized by a person who disposes
14 of an interest held in violation of this chapter shall be
15 forfeited to the state's general fund. All court costs and
16 fees shall be paid by the person holding the interest in
17 violation of this chapter.

18 Sec. 5. Section 172C.11, unnumbered paragraph 3, Code
19 1991, is amended to read as follows:

20 The secretary of state shall notify a person who the
21 secretary has reason to believe is required to file a report
22 as provided by this chapter and who has not filed a timely
23 report, that the person may be in violation of this section.
24 ~~After thirty days from receipt of the notice, any person~~
25 ~~required to report under this chapter who has not filed, shall~~
26 ~~be assessed a civil penalty of one hundred dollars for each~~
27 ~~day in which the report is not filed. The secretary of state~~
28 ~~shall include in the notice, a statement of the penalty which~~
29 ~~will be assessed if the report is required and is not filed~~
30 ~~within thirty days. This penalty shall be in addition to any~~
31 ~~other penalty under this chapter. The secretary of state~~
32 ~~shall notify the state attorney general, when the secretary of~~
33 ~~state has reason to believe a violation of this chapter has~~
34 occurred. The secretary of state shall include in the notice,
35 a statement of the penalty which may be assessed if the

1 required report is not filed within thirty days. The
2 secretary of state shall refer to the attorney general any
3 person who the secretary has reason to believe is required to
4 report under this chapter if, after thirty days from receipt
5 of the notice, the person has not filed the required report.
6 The attorney general may, upon referral from the secretary of
7 state, file an action in district court to seek the assessment
8 of a civil penalty of one hundred dollars for each day the
9 report is not filed.

10 Sec. 6. Section 172C.14, Code 1991, is amended to read as
11 follows:

12 172C.14 DUTIES OF SECRETARY OF STATE -- LEGISLATIVE USE.

13 The secretary of state shall do all things necessary to
14 implement this chapter. The secretary of state shall notify
15 the attorney general when the secretary of state has reason to
16 believe a violation of this chapter has occurred. It is the
17 intent of this section that information shall be made
18 available to members of the general assembly and appropriate
19 committees of the general assembly in order to determine the
20 extent of farming being carried out in this state by
21 corporations and other business entities and the effect of
22 such farming practices upon the economy of this state. The
23 reports of corporations, limited partnerships, trusts,
24 contractors, and processors required in this chapter shall be
25 confidential reports except as to the attorney general for
26 review and appropriate action when necessary. The secretary
27 of state shall assist any committee of the general assembly
28 existing or established for the purposes of studying the
29 effects of this chapter and the practices this chapter seeks
30 to study and regulate.

31 Sec. 7. Sections 172C.8 and 172C.12, Code 1991, are
32 repealed.

33 EXPLANATION

34 This bill amends chapter 172C, regulating the holding of
35 agricultural land by corporations, limited partnerships, and

1 trusts. The bill provides for the following:

2 Section 1 amends the definition of corporation to mean a
3 corporation subject to chapter 490, the "Iowa Business
4 Corporation Act", enacted in 1989.

5 Sections 2 through 4 apply to persons classified as
6 processors, corporations, authorized corporations, trusts,
7 authorized trusts, or limited partnerships. A person
8 violating chapter 172C is subjected to a civil penalty rather
9 than a criminal fine. The amounts of the penalty imposed
10 remain unchanged.

11 Section 5 rewrites language requiring the secretary of
12 state to notify a person that the person has not filed a
13 report required under the chapter. It provides that the
14 attorney general is responsible for assessing the civil
15 penalty for a delay in filing.

16 Section 6 requires the secretary of state to notify the
17 attorney general when the secretary of state has reason to
18 believe a violation of the chapter has occurred.

19 Section 7 repeals sections 172C.3 and 172C.12 requiring
20 annual reports be submitted by beneficiaries and county
21 assessors.

22
23
24
25
26
27
28
29
30
31
32
33
34
35

H-3620

1 Amend Senate File 429, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 108.13, subsection 3, Code
6 1991, is amended to read as follows:

7 3. This section does not prevent a landowner from
8 utilizing the bed of a protected wetland for pasture
9 or cropland ~~during-a-period-of-drought~~ if there is no
10 construction of dikes, ditches, tile lines, or
11 buildings and the agricultural use does not result in
12 drainage."

13 2. Page 1, line 12, by striking the word "fifty"
14 and inserting the following: "fifty fifteen".

15 3. Page 1, by inserting after line 17, the
16 following:

17 "Sec. ____ . Section 172C.4, Code 1991, is amended
18 by adding the following new subsection:

19 NEW SUBSECTION. 12. Agricultural land purchased
20 from an association organized as a cooperative
21 association in which another cooperative association
22 organized under chapter 497, 498, or 499, is a member,
23 if the association selling such land held the land on
24 July 1, 1975, and the association selling the land
25 operated or leased the land primarily for use as a
26 swine genetics facility until the date of the sale."

27 4. Page 1, line 24, by striking the word "fifty"
28 and inserting the following: "fifty fifteen".

29 5. Page 2, line 2, by striking the word "fifty"
30 and inserting the following: "fifty fifteen".

31 6. Page 3, by striking lines 13 and 14, and
32 inserting the following:

33 ~~"The secretary of state shall do all things~~
34 ~~necessary to implement this chapter. The secretary of~~
35 state shall notify".

36 7. Title page, line 1, by inserting after the
37 word "land" the following: ", by providing for land
38 use, and land".

39 8. By renumbering as necessary.

By COMMITTEE ON AGRICULTURE
FOGARTY of Palo Alto, Chairperson

H-3620 FILED APRIL 12, 1991

Adopted as amended by 3681 4/17/91 (p. 1325)

SENATE FILE 429

H-3681

1 Amend amendment, H-3620, to Senate File 429, as
2 passed by the Senate, as follows:

3 1. Page 1, line 14, by striking the word
4 "fifteen" and inserting the following: "twenty-
5 five".

6 2. Page 1, line 28, by striking the word
7 "fifteen" and inserting the following: "twenty-
8 five".

9 3. Page 1, line 30, by striking the word
10 "fifteen" and inserting the following: "twenty-
11 five".

By BERNAU of Story

H-3681 FILED APRIL 17, 1991

ADOPTED (p. 1325)

SENATE FILE 429

H-3680

Amend the amendment, H-3620, to Senate File 429, as passed by the Senate, as follows:

1. Page 1, line 14, by striking the word "fifteen" and inserting the following: "forty-five".
2. Page 1, line 28, by striking the word "fifteen" and inserting the following: "forty-five".
3. Page 1, line 30, by striking the word "fifteen" and inserting the following: "forty-five".

By BERNARD of Story

H-3680 FILED APRIL 27, 1991

LOST (p. 13.44)

HOUSE AMENDMENT TO
SENATE FILE 429

S-3504

- 1 Amend Senate File 429, as passed by the Senate, as
2 follows:
- 3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 108.13, subsection 3, Code
6 1991, is amended to read as follows:
7 3. This section does not prevent a landowner from
8 utilizing the bed of a protected wetland for pasture
9 or cropland ~~during a period of drought~~ if there is no
10 construction of dikes, ditches, tile lines, or
11 buildings and the agricultural use does not result in
12 drainage."
13 2. Page 1, line 12, by striking the word "fifty"
14 and inserting the following: "fifty twenty-five".
15 3. Page 1, by inserting after line 17, the
16 following:
17 "Sec. ____ . Section 172C.4, Code 1991, is amended
18 by adding the following new subsection:
19 NEW SUBSECTION. 12. Agricultural land purchased
20 from an association organized as a cooperative
21 association in which another cooperative association
22 organized under chapter 497, 498, or 499, is a member,
23 if the association selling such land held the land on
24 July 1, 1975, and the association selling the land
25 operated or leased the land primarily for use as a
26 swine genetics facility until the date of the sale."
27 4. Page 1, line 24, by striking the word "fifty"
28 and inserting the following: "fifty twenty-five".
29 5. Page 2, line 2, by striking the word "fifty"
30 and inserting the following: "fifty twenty-five".
31 6. Page 3, by striking lines 13 and 14, and
32 inserting the following:
33 "~~The secretary of state shall do all things~~
34 ~~necessary to implement this chapter.~~ The secretary of
35 state shall notify".
36 7. Title page, line 1, by inserting after the
37 word "land" the following: ", by providing for land
38 use, and land".
39 8. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3504 FILED APRIL 19, 1991

Senate Amended (3612) Concerned 4/25/91 (p. 1491)

SENATE FILE 429

S-3612

- 1 Amend the House amendment, S-3504, to Senate File
2 429, as passed by the Senate, as follows:
3 1. Page 1, by striking lines 15 through 26.
4 2. By renumbering as necessary.

By JOHN E. SCORHOLTZ
EMIL J. HUSAK

S-3612 FILED APRIL 25, 1991

ADOPTED *(p. 1491)*

DOYLE, CH.
PALMER
RITTMER

SSB 69
AGRICULTURE

SENATE/HOUSE FILE 429
BY (PROPOSED ATTORNEY
GENERAL BILL)

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

A BILL FOR

1 An Act relating to agricultural land held by corporations,
2 limited partnerships, and trusts, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 Section 1. Section 172C.1, subsection 1, Code 1991, is
2 amended to read as follows:

3 1. "Corporation" means a domestic or foreign corporation
4 ~~and includes~~ subject to chapter 490, a nonprofit corporation
5 ~~and co-operatives~~, or a cooperative.

6 Sec. 2. Section 172C.3, Code 1991, is amended to read as
7 follows:

8 172C.3 PENALTIES FOR PROHIBITED OPERATION -- INJUNCTIVE
9 RELIEF.

10 ~~Any A~~ processor violating the ~~provisions of~~ section 172C.2
11 shall, ~~upon conviction~~, be ~~punished by a fine~~ assessed a civil
12 penalty of not more than fifty thousand dollars. The courts
13 of this state may prevent and restrain violations of this
14 chapter through the issuance of an injunction. The attorney
15 general or a county attorney shall institute suits on behalf
16 of the state to prevent and restrain violations of this
17 chapter.

18 Sec. 3. Section 172C.4, unnumbered paragraph 2, Code 1991,
19 is amended to read as follows:

20 ~~Any A~~ corporation or trust, other than a family farm
21 corporation, authorized farm corporation, family trust,
22 authorized trust or testamentary trust, violating the
23 ~~provisions of~~ this section shall ~~upon conviction~~, be punished
24 ~~by~~ assessed a fine civil penalty of not more than fifty
25 thousand dollars and shall divest itself of any land acquired
26 held in violation of this section within one year after
27 ~~conviction~~ judgment. The courts of this state may prevent and
28 restrain 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. 4. Section 172C.5, subsection 3, paragraph a, Code
33 1991, is amended to read as follows:

34 a. ~~Any An~~ authorized farm corporation, authorized trust,
35 or limited partnership violating this section shall, ~~upon~~

1 conviction, be punished by assessed a fine civil penalty of
2 not more than fifty thousand dollars and shall divest itself
3 of any land acquired held in violation of this section within
4 one year after conviction judgment. A civil penalty of not
5 more than one thousand dollars may be imposed on a person who
6 becomes a stockholder of an authorized farm corporation,
7 beneficiary of an authorized trust, or limited partner in a
8 limited partnership in violation of this section. The person
9 shall divest the interest held by the person in the
10 corporation, trust, or limited partnership to comply with this
11 section. The court may determine the method of divesting an
12 interest held by a person found to be in violation of this
13 chapter. A financial gain realized by a person who disposes
14 of an interest held in violation of this chapter shall be
15 forfeited to the state's general fund. All court costs and
16 fees shall be paid by the person holding the interest in
17 violation of this chapter.

18 Sec. 5. Section 172C.11, unnumbered paragraph 3, Code
19 1991, is amended to read as follows:

20 The secretary of state shall notify a person who the
21 secretary has reason to believe is required to file a report
22 as provided by this chapter and who has not filed a timely
23 report, that the person may be in violation of this section.
24 ~~After thirty days from receipt of the notice, any person~~
25 ~~required to report under this chapter who has not filed, shall~~
26 ~~be assessed a civil penalty of one hundred dollars for each~~
27 ~~day in which the report is not filed. The secretary of state~~
28 ~~shall include in the notice, a statement of the penalty which~~
29 ~~will be assessed if the report is required and is not filed~~
30 ~~within thirty days. This penalty shall be in addition to any~~
31 ~~other penalty under this chapter. The secretary of state~~
32 ~~shall notify the state attorney general, when the secretary of~~
33 ~~state has reason to believe a violation of this chapter has~~
34 occurred. The secretary of state shall include in the notice,
35 a statement of the penalty which may be assessed if the

1 required report is not filed within thirty days. The
2 secretary of state shall refer to the attorney general any
3 person who the secretary has reason to believe is required to
4 report under this chapter if, after thirty days from receipt
5 of the notice, the person has not filed the required report.
6 The attorney general may, upon referral from the secretary of
7 state, file an action in district court to seek the assessment
8 of a civil penalty of one hundred dollars for each day the
9 report is not filed.

10 Sec. 6. Section 172C.14, Code 1991, is amended to read as
11 follows:

12 172C.14 DUTIES OF SECRETARY OF STATE -- LEGISLATIVE USE.

13 The secretary of state shall do all things necessary to
14 implement this chapter. The secretary of state shall notify
15 the attorney general when the secretary of state has reason to
16 believe a violation of this chapter has occurred. It is the
17 intent of this section that information shall be made
18 available to members of the general assembly and appropriate
19 committees of the general assembly in order to determine the
20 extent of farming being carried out in this state by
21 corporations and other business entities and the effect of
22 such farming practices upon the economy of this state. The
23 reports of corporations, limited partnerships, trusts,
24 contractors, and processors required in this chapter shall be
25 confidential reports except as to the attorney general for
26 review and appropriate action when necessary. The secretary
27 of state shall assist any committee of the general assembly
28 existing or established for the purposes of studying the
29 effects of this chapter and the practices this chapter seeks
30 to study and regulate.

31 Sec. 7. Sections 172C.8 and 172C.12, Code 1991, are
32 repealed.

33 EXPLANATION

34 This bill amends chapter 172C, regulating the holding of
35 agricultural land by corporations, limited partnerships, and

1 trusts. The bill provides for the following:

2 Section 1 amends the definition of corporation to mean a
3 corporation subject to chapter 490, the "Iowa Business
4 Corporation Act", enacted in 1989.

5 Sections 2 through 4 apply to persons classified as
6 processors, corporations, authorized corporations, trusts,
7 authorized trusts, or limited partnerships. A person
8 violating chapter 172C is subjected to a civil penalty rather
9 than a criminal fine. The amounts of the penalty imposed
10 remain unchanged.

11 Section 5 rewrites language requiring the secretary of
12 state to notify a person that the person has not filed a
13 report required under the chapter. It provides that the
14 attorney general is responsible for assessing the civil
15 penalty for a delay in filing.

16 Section 6 requires the secretary of state to notify the
17 attorney general when the secretary of state has reason to
18 believe a violation of the chapter has occurred.

19 Section 7 repeals sections 172C.8 and 172C.12 requiring
20 annual reports be submitted by beneficiaries and county
21 assessors.

22 BACKGROUND STATEMENT

23 SUBMITTED BY THE AGENCY

24 Presently Iowa Code section 172C.4 provides that a
25 violation of chapter 172C shall be punished by a fine of not
26 more than fifty thousand dollars. The term "fine" implies
27 that an action to enforce the statute would be a criminal
28 proceeding. In a criminal proceeding, the attorney general
29 would have to prove intent, and other procedural requirements
30 applicable to criminal law would also apply. The attorney
31 general proposes striking the term "fine" and substituting the
32 term "civil penalty" to clarify that an enforcement action
33 under chapter 172C would be a civil rather than a criminal
34 proceeding.

35 Section 172C.11 now implies that the secretary of state

1 could impose a civil penalty on a party who fails to file a
2 timely report. The attorney general recommends that this
3 statute be amended to clarify that the district court would
4 assess the penalty in an action brought by the attorney
5 general upon reference from the secretary of state.

6 The reports required by beneficiaries in section 172C.8 are
7 duplicative of reports filed by trustees, therefore, the
8 attorney general proposes striking that section. The
9 secretary of state has advised the attorney general's office
10 that the county assessor's report in section 172C.12 is no
11 longer necessary and therefore the attorney general's proposal
12 will strike that section.

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

SENATE FILE 429

AN ACT

RELATING TO AGRICULTURAL LAND, BY PROVIDING FOR LAND USE,
AND LAND HELD BY CORPORATIONS, LIMITED PARTNERSHIPS, AND
TRUSTS, AND PROVIDING PENALTIES.

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

Section 1. Section 108.13, subsection 3, Code 1991, is amended to read as follows:

3. This section does not prevent a landowner from utilizing the bed of a protected wetland for pasture or cropland during a period of drought if there is no construction of dikes, ditches, tile lines, or buildings and the agricultural use does not result in drainage.

Sec. 2. Section 172C.1, subsection 1, Code 1991, is amended to read as follows:

1. "Corporation" means a domestic or foreign corporation and includes subject to chapter 490, a nonprofit corporation and co-operatives, or a cooperative.

Sec. 3. Section 172C.3, Code 1991, is amended to read as follows:

172C.3 PENALTIES FOR PROHIBITED OPERATION -- INJUNCTIVE RELIEF.

Any A processor violating the provisions of section 172C.2 shall upon conviction be punished by a fine assessed a civil penalty of not more than fifty twenty-five thousand dollars. The courts of this state may prevent and restrain violations of this chapter 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 chapter.

Sec. 4. Section 172C.4, unnumbered paragraph 2, Code 1991, is amended to read as follows:

Any A corporation or trust, other than a family farm corporation, authorized farm corporation, family trust, authorized trust or testamentary trust, violating the provisions of this section shall upon conviction be punished by assessed a fine civil penalty of not more than fifty twenty-five thousand dollars and shall divest itself of any land acquired held in violation of this section within one year after conviction judgment. 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. Section 172C.5, subsection 3, paragraph a, Code 1991, is amended to read as follows:

a. Any An authorized farm corporation, authorized trust, or limited partnership violating this section shall upon conviction be punished by assessed a fine civil penalty of not more than fifty twenty-five thousand dollars and shall divest itself of any land acquired held in violation of this section within one year after conviction judgment. A civil penalty of not more than one thousand dollars may be imposed on a person who becomes a stockholder of an authorized farm corporation, 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, 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.

Sec. 6. Section 172C.11, unnumbered paragraph 3, Code 1991, is amended to read as follows:

The secretary of state shall notify a person who the secretary has reason to believe is required to file a report as provided by this chapter and who has not filed a timely report, that the person may be in violation of this section. ~~After thirty days from receipt of the notice, any person required to report under this chapter who has not filed, shall be assessed a civil penalty of one hundred dollars for each day in which the report is not filed.~~ The secretary of state shall include in the notice a statement of the penalty which will be assessed if the report is required and is not filed within thirty days. ~~This penalty shall be in addition to any other penalty under this chapter.~~ The secretary of state shall notify the state attorney general, when the secretary of state has reason to believe a violation of this chapter has occurred. The secretary of state shall include in the notice, a statement of the penalty which may be assessed if the required report is not filed within thirty days. The secretary of state shall refer to the attorney general any person who the secretary has reason to believe is required to report under this chapter if, after thirty days from receipt of the notice, the person has not filed the required report. The attorney general may, upon referral from the secretary of state, file an action in district court to seek the assessment of a civil penalty of one hundred dollars for each day the report is not filed.

Sec. 7. Section 172C.14, Code 1991, 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. The secretary of state shall notify the attorney general when the secretary of state has reason to believe a violation of this chapter has occurred. 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 this chapter shall be confidential reports except as 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. 8. Sections 172C.8 and 172C.12, Code 1991, are repealed.

JOY J. WELSH
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 429, Seventy-fourth General Assembly.

JOHN P. DWYER
Secretary of the Senate

Approved May 14, 1991

TERRY E. BRANSTAD
Governor