

3/23/93 House - Agriculture
4/6/93 House - Do Pass

FILED MAR 11 1993

SENATE FILE 278
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 227)

Passed Senate, Date 3-22-93 Passed House, Date 4/27/93 (p. 1710)
Vote: Ayes 44 Nays 0 Vote: Ayes 98 Nays 2

Referred 49/0 (P. 1395) Approved May 5, 1993

A BILL FOR

1 An Act to exclude agricultural commodity promotional boards,
2 which are subject to a producer referendum, from the
3 requirements of the chapter relating to conflicts of interest
4 of public officers and employees and from other requirements
5 applicable to state agencies.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SF 278

SENATE FILE 278

H-4212

- 1 Amend Senate File 278, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 30.
- 4 2. Title page, by striking lines 3 and 4 and
- 5 inserting the following: "requirements".
- 6 3. By renumbering as necessary.

By EDDIE of Buena Vista

H-4212 FILED APRIL 27, 1993

Adopted (p. 1710)

HOUSE AMENDMENT TO
SENATE FILE 278

S-3657

- 1 Amend Senate File 278, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 30.
- 4 2. Title page, by striking lines 3 and 4 and
- 5 inserting the following: "requirements".
- 6 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3657 FILED APRIL 27, 1993

Senate Concurred 4/28/93 (P. 1395)

1 Section 1. Section 68B.2, subsections 1, 14, and 21, Code
2 1993, are amended to read as follows:

3 1. "Agency" means a department, division, board,
4 commission, bureau, or office of the executive or legislative
5 branch of state government, the office of attorney general,
6 the state board of regents, community colleges, and the office
7 of the governor, including a regulatory agency, or any
8 political subdivision of the state. "Agency" does not mean an
9 agricultural commodity promotional board, which is subject to
10 a producer referendum.

11 14. "Official" means an officer of the state of Iowa
12 receiving a salary or per diem whether elected or appointed or
13 whether serving full-time or part-time but does not include
14 officers or employees of political subdivisions of the state.
15 "Official" includes but is not limited to supervisory
16 personnel, members and employees of the governor's office,
17 members of other statewide elected offices, and members of
18 state agencies and does not include members of the general
19 assembly, legislative employees, or officers or employees of
20 the judicial branch of government who are not members or
21 employees of the office of attorney general, or officers,
22 members, or employees of an agricultural promotional board,
23 which is subject to a producer referendum.

24 21. "State employee" means a paid employee of the state of
25 Iowa and does not include an independent contractor, an
26 employee of the judicial department, a legislative employee,
27 or an employee of a political subdivision of the state, or an
28 employee of an agricultural promotional board, which is
29 subject to a producer referendum. "State employee" includes
30 but is not limited to all clerical personnel.

31 Sec. 2. NEW SECTION. 181.18A NOT A STATE AGENCY.

32 The Iowa beef cattle producers association is not an agency
33 of state government.

34 Sec. 3. NEW SECTION. 182.13A NOT A STATE AGENCY.

35 The Iowa sheep and wool promotion board is not an agency of

1 state government.

2 Sec. 4. NEW SECTION. 196A.14A NOT A STATE AGENCY.

3 The Iowa egg council is not an agency of state government.

4 EXPLANATION

5 This bill excludes agricultural commodity promotional
6 boards which may be dissolved by producer referendum from the
7 definition of agency for purposes of chapter 68B, the chapter
8 dealing with conflicts of interest of public officials and
9 public employees. Officials and employees of the same
10 agricultural commodity boards are respectively excluded from
11 the definitions of official and state employee under chapter
12 68B. Language is also added to the enabling legislation for
13 three agricultural commodity boards, specifically the Iowa
14 beef cattle producers association, the Iowa sheep and wool
15 promotion board, and the Iowa egg council, to specifically
16 state that they are not state agencies.

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GIANNETTO, CH.
DOSWELL
HESTER

SSB 227
AGRICULTURE

SENATE FILE 218
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON PRIEBE)

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

A BILL FOR

1 An Act to exclude agricultural commodity promotional boards, the
2 existence of which is subject to a producer referendum, from
3 the requirements of the chapter relating to conflicts of
4 interest of public officers and employees.

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

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1 Section 1. Section 68B.2, subsections 1, 14, and 21, Code
2 1993, are amended to read as follows:

3 1. "Agency" means a department, division, board,
4 commission, bureau, or office of the executive or legislative
5 branch of state government, the office of attorney general,
6 the state board of regents, community colleges, and the office
7 of the governor, including a regulatory agency, or any
8 political subdivision of the state. "Agency" does not mean an
9 agricultural commodity promotional board, the existence of
10 which is subject to a producer referendum.

11 14. "Official" means an officer of the state of Iowa
12 receiving a salary or per diem whether elected or appointed or
13 whether serving full-time or part-time but does not include
14 officers or employees of political subdivisions of the state.
15 "Official" includes but is not limited to supervisory
16 personnel, members and employees of the governor's office,
17 members of other statewide elected offices, and members of
18 state agencies and does not include members of the general
19 assembly, legislative employees, or officers or employees of
20 the judicial branch of government who are not members or
21 employees of the office of attorney general, or officers,
22 members, or employees of an agricultural promotional board,
23 the existence of which is subject to a producer referendum.

24 21. "State employee" means a paid employee of the state of
25 Iowa and does not include an independent contractor, an
26 employee of the judicial department, a legislative employee,
27 or an employee of a political subdivision of the state, or an
28 employee of an agricultural promotional board, the existence
29 of which is subject to a producer referendum. "State
30 employee" includes but is not limited to all clerical
31 personnel.

32 Sec. 2. NEW SECTION. 181.18A NOT A STATE AGENCY UNDER
33 CHAPTER 68B.

34 The Iowa beef cattle producers association is not an agency
35 of state government. The members and employees of the

1 executive committee of the Iowa beef cattle producers
2 association are not state officials or state employees.

3 Sec. 3. NEW SECTION. 182.13A NOT A STATE AGENCY UNDER
4 CHAPTER 68B.

5 The Iowa sheep and wool promotion board is not an agency of
6 state government. The members and employees of the Iowa sheep
7 and wool promotion board are not state officials or state
8 employees.

9 Sec. 4. NEW SECTION. 196A.14A NOT A STATE AGENCY UNDER
10 CHAPTER 68B.

11 The Iowa egg council is not an agency of state government.
12 The members and employees of the Iowa egg council are not
13 state officials or state employees.

14 EXPLANATION

15 This bill excludes agricultural commodity promotional
16 boards which may be dissolved by producer referendum from the
17 definition of agency for purposes of chapter 68B, the chapter
18 dealing with conflicts of interest of public officials and
19 public employees. Officials and employees of the same
20 agricultural commodity boards are respectively excluded from
21 the definitions of official and state employee under chapter
22 68B. Language is also added to the enabling legislation for
23 three agricultural commodity boards, specifically the Iowa
24 beef cattle producers association, the Iowa sheep and wool
25 promotion board, and the Iowa egg council, to specifically
26 state that they are not state agencies and that any members or
27 employees of those entities are not state officials or state
28 employees.

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