

3/19/98 Unfinished Business
calendar

WITHDRAWN

FEB 13 1998

Place On Calendar

HOUSE FILE 2259
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 528)

*Substituted for
H.F. 2119
3/23/98 (P. 849)*

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the corn promotion board, by increasing the
2 ceiling on the state assessment of corn subject to a special
3 referendum and authorizing the receipt of rents, royalties,
4 and license fees by the board.

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

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HF 2259

1 Section 1. Section 185C.21, subsection 2, Code 1997, is
2 amended to read as follows:

3 2. Upon request of the board, the secretary shall call a
4 special referendum for producers to vote on whether to
5 authorize an increase in the state assessment above one-
6 quarter of one cent per bushel, notwithstanding subsection 1.
7 The special referendum shall be conducted as provided in this
8 chapter for referendum elections. However, the special
9 referendum shall not affect the existence or length of the
10 promotional order in effect. If a majority of the producers
11 voting in the special referendum approve the increase, the
12 board may increase the assessment to the amount approved in
13 the special referendum. However, a state assessment shall not
14 exceed ~~one-half-of~~ one cent per bushel of corn marketed in
15 this state.

16 Sec. 2. Section 185C.26, Code 1997, is amended to read as
17 follows:

18 185C.26 DEPOSIT OF MONEYS.

19 State assessments collected by the board from a sale of
20 corn shall be deposited in the office of the treasurer of
21 state in a special fund known as the corn promotion fund. The
22 fund may include any gifts, rents, royalties, license fees, or
23 a federal or state grant received by the board. Moneys
24 collected, deposited in the fund, and transferred to the board
25 as provided in this chapter, shall be subject to audit by the
26 auditor of state. The department of revenue and finance shall
27 transfer moneys from the fund to the board for deposit into an
28 account established by the board in a qualified financial
29 institution. The department shall transfer the moneys as
30 provided in a resolution adopted by the board. However, the
31 department is only required to transfer moneys once during
32 each day and only during hours when the offices of the state
33 are open. From moneys collected, the board shall first pay
34 all the direct and indirect costs incurred by the secretary
35 and the costs of referendums, elections, and other expenses

1 incurred in the administration of this chapter, before moneys
2 may be expended for the purpose of market development.

3 EXPLANATION

4 This bill amends Code chapter 185C which establishes the
5 Iowa corn promotion board and provides for a state excise tax
6 (referred to as a "state assessment") on each bushel of corn
7 marketed in this state which is paid by producers to support
8 the board's efforts to increase markets for corn and corn
9 products. Upon request of the board, the secretary of
10 agriculture must call a special referendum for producers to
11 vote on whether to authorize an increase in the state
12 assessment. This bill allows producers to increase the
13 assessment from one-half cent to one cent per bushel of corn.
14 The state assessment is collected by the board and deposited
15 into a special fund known as the corn promotion fund. This
16 bill also allows the board to accept rents, royalties, and
17 license fees for deposit into the fund.

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HOUSE FILE 2259

H-8058

1 Amend House File 2259 as follows:
2 1. Page 2, by inserting after line 2 the
3 following:
4 "Sec. _____. Section 185C.27, Code 1997, is amended
5 to read as follows:
6 185C.27 REFUND OF ASSESSMENT.
7 A producer who has sold corn and had a state
8 assessment deducted from the sale price, by
9 application in writing to the board, may secure a
10 refund in the amount deducted. The refund shall be
11 payable only when the application shall have been made
12 to the board within sixty one hundred eighty days
13 after the deduction. Application forms shall be given
14 by the board to each first purchaser when requested
15 and the first purchaser shall make the applications
16 available to any producer. Each application for
17 refund by a producer shall have attached to the
18 application proof of the assessment deducted. The
19 proof of assessment may be in the form of a duplicate
20 or certified copy of the purchase invoice by the first
21 purchaser. The board shall have thirty days from the
22 date the application for refund is received to remit
23 the refund to the producer. The board may provide for
24 refunds of a federal assessment as provided by federal
25 law. Unless inconsistent with federal law, refunds
26 shall be made under section 185C.26."
27 2. By renumbering as necessary.

By KOENIGS of Mitchell
DREES of Carroll

H-8058 FILED FEBRUARY 17, 1998

Bogges, ch

Hahn

Reynolds Knight

HSB 528

Agriculture

Substituted By

SF/HF 2259

HOUSE FILE

BY (PROPOSED COMMITTEE ON AGRICULTURE BILL BY CHAIRPERSON EDDIE)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

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