

2-25-97 Agriculture

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SENATE FILE 206

BY HANSEN and BLACK of Jasper

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the brucellosis and tuberculosis eradication  
 2 fund by eliminating county tax levies as a source of support,  
 3 providing for administration of the fund, and providing for  
 4 state support.

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

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S.F. 206

1 Section 1. Section 165.18, Code 1997, is amended to read  
2 as follows:

3 165.18 BRUCELLOSIS AND TUBERCULOSIS ERADICATION FUND.

4 1. A brucellosis and tuberculosis eradication fund is  
5 created as a separate fund in the office-of-the-secretary-of  
6 agriculture state treasury under the control of the  
7 department, to be used together-with-state-and-federal-funds  
8 available to pay for all of the following:

9 a. The indemnity and other expenses provided in this  
10 chapter.

11 b. The indemnity as set out in section 164.21 and other  
12 expenses provided in chapter 164.

13 c. The expenses of the inspection and testing program  
14 provided in chapter 163A, but only to the extent that the  
15 moneys in the fund are not required for expenses incurred  
16 under chapter 164 or 165.

17 d. Indemnities as provided in section 159.5, subsection  
18 13, but only to the extent that the moneys in the fund are not  
19 required to pay expenses under chapter 163A, 164, or 165.

20 2. The treasurer of state shall act as custodian of the  
21 fund and disburse amounts contained in the fund as directed by  
22 the department. The treasurer of state is authorized to  
23 invest the moneys deposited in the fund. The income from such  
24 investment shall be credited to and deposited in the fund.  
25 Notwithstanding section 8.33, moneys in the fund are not  
26 subject to reversion to the general fund of the state. The  
27 fund shall be administered by the department which shall make  
28 expenditures from the fund consistent with the purposes set  
29 out in subsection 1. The moneys in the fund shall be  
30 disbursed upon warrants drawn by the director of revenue and  
31 finance pursuant to the order of the department. The auditor  
32 of state shall regularly perform audits of the fund.

33 3. The fund consists of moneys appropriated by the general  
34 assembly and any other moneys available to and obtained or  
35 accepted by the department from the federal government or

1 private sources for placement in the fund.

2 ~~2. 4. If it appears to before October 1,~~ the secretary of  
3 agriculture determines that the balance in the fund on January  
4 20 is insufficient to carry on the work in the state for the  
5 following fiscal year, the secretary shall ~~notify the board of~~  
6 ~~supervisors of each county to levy an~~ include the amount  
7 sufficient to pay the expenses estimated to be incurred under  
8 subsection 1 for the following fiscal year, ~~subject to a~~  
9 ~~maximum levy of thirty-three and three-fourths cents per~~  
10 ~~thousand dollars of assessed value of all taxable property in~~  
11 ~~the county as part of the department's estimate of expenditure~~  
12 requirements as provided in section 8.23.

13 ~~3. Not later than December 15 or June 15 of a year in~~  
14 ~~which the tax is collected, the county treasurer shall~~  
15 ~~transmit the amount of the tax levied and collected to the~~  
16 ~~treasurer of state, who shall credit it to the brucellosis and~~  
17 ~~tuberculosis eradication fund.~~

18 Sec. 2. Section 331.512, subsection 1, paragraph f, Code  
19 1997, is amended by striking the paragraph.

20 Sec. 3. Section 331.559, subsection 2, Code 1997, is  
21 amended by striking the subsection.

22 Sec. 4. MONEYS DEPOSITED INTO THE BRUCELLOSIS AND  
23 TUBERCULOSIS ERADICATION FUND. Any moneys deposited into the  
24 brucellosis and tuberculosis eradication fund as created in  
25 section 165.18 prior to the effective date of this Act shall  
26 remain in the fund for expenditure as provided in that  
27 section.

28 EXPLANATION

29 This bill amends Code section 165.18 which creates a  
30 brucellosis and tuberculosis eradication fund administered by  
31 the department of agriculture and land stewardship to pay  
32 costs associated with administering programs designed for the  
33 control of those diseases. Moneys in the fund derive from a  
34 tax levied by counties. This bill repeals the authorization  
35 for the tax levies and provides that the fund is supported by

1 moneys appropriated by the general assembly and provides  
2 procedures for administration of the fund consistent with  
3 other state trust funds. Moneys in the fund on the effective  
4 date of the Act remain in the fund for expenditure as provided  
5 in the section.

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