

FILED FEB 4 1998

*Substituted for
H.F. 2259 3/23/98
(P. 849)*

SENATE FILE 2119
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 2032)

(P. 331)

Passed Senate, Date 2/18/98 Passed House, Date 3/23/98 (p. 850)
Vote: Ayes 48 Nays 0 Vote: Ayes 82 Nays 17
Approved April 1, 1998

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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S.F. 2119

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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H-8083

1 Amend Senate File 2119, as passed by the Senate, as
2 follows:

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

5 "Sec. ____ . Section 185C.27, Code 1997, is amended
6 to read as follows:

7 185C.27 REFUND OF ASSESSMENT.

8 A producer who has sold corn and had a state
9 assessment deducted from the sale price, by
10 application in writing to the board, may secure a
11 refund in the amount deducted. The refund shall be
12 payable only when the application shall have been made
13 to the board within sixty one hundred eighty days
14 after the deduction. Application forms shall be given
15 by the board to each first purchaser when requested
16 and the first purchaser shall make the applications
17 available to any producer. Each application for
18 refund by a producer shall have attached to the
19 application proof of the assessment deducted. The
20 proof of assessment may be in the form of a duplicate
21 or certified copy of the purchase invoice by the first
22 purchaser. The board shall have thirty days from the
23 date the application for refund is received to remit
24 the refund to the producer. The board may provide for
25 refunds of a federal assessment as provided by federal
26 law. Unless inconsistent with federal law, refunds
27 shall be made under section 185C.26."

28 2. By renumbering as necessary.

By KOENIGS of Mitchell

H-8083 FILED FEBRUARY 23, 1998

lost 3/23/98 (p. 850)

Bahn
Kibbie
McHaren

SSB 2032

Agriculture
Succeeded By
SF/HF 2119

SENATE FILE
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON RENSINK)

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

A BILL FOR

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

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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.

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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
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25 as provided in this chapter, shall be subject to audit by the
26 auditor of state. The department of revenue and finance shall
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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
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10 agriculture must call a special referendum for producers to
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SENATE FILE 2119

AN ACT

RELATING TO THE CORN PROMOTION BOARD, BY INCREASING THE
CEILING ON THE STATE ASSESSMENT OF CORN SUBJECT TO A SPECIAL
REFERENDUM AND AUTHORIZING THE RECEIPT OF RENTS, ROYALTIES,
AND LICENSE FEES BY THE BOARD.

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

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

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

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

185C.26 DEPOSIT OF MONEYS.

State assessments collected by the board from a sale of corn shall be deposited in the office of the treasurer of state in a special fund known as the corn promotion fund. The fund may include any gifts, rents, royalties, license fees, or a federal or state grant received by the board. Moneys collected, deposited in the fund, and transferred to the board as provided in this chapter, shall be subject to audit by the auditor of state. The department of revenue and finance shall transfer moneys from the fund to the board for deposit into an

account established by the board in a qualified financial institution. The department shall transfer the moneys as provided in a resolution adopted by the board. However, the department is only required to transfer moneys once during each day and only during hours when the offices of the state are open. From moneys collected, the board shall first pay all the direct and indirect costs incurred by the secretary and the costs of referendums, elections, and other expenses incurred in the administration of this chapter, before moneys may be expended for the purpose of market development.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2119, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved *Spriet*, 1998

TERRY E. BRANSTAD
Governor