

Senate Study Bill 225

Bill Text

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1 1 Section 1. Section [181.3](#), subsection 1, unnumbered
1 2 paragraph 1, Code 1997, is amended to read as follows:
1 3 An executive committee of the Iowa beef cattle producers
1 4 association is created.

~~The executive committee may also be~~

~~1 5~~

~~known as the Iowa beef industry council.~~

~~The executive~~

1 6 committee consists of eight members as follows:

1 7 Sec. 2. Section [181.6](#), subsection 1, Code 1997, is amended
1 8 to read as follows:

1 9 1. "Executive committee" means the executive committee
1 10 created in section 181.3

~~, which is also known as the Iowa beef~~

~~1 11~~

~~industry council~~

~~1 12 Sec. 3. Section [181.11](#), unnumbered paragraph 1, Code 1997,
1 13 is amended to read as follows:
1 14 Upon determination by the secretary~~

~~of agriculture~~

~~that~~

1 15 assent to assessment has been given, there shall be assessed
1 16 and levied an excise tax of ten cents per head on all beef
1 17 cattle and five cents per head on all veal calves sold for
1 18 slaughter. The tax shall be due at or before the time animals
1 19 are first sold for purposes of slaughter, and shall be paid at
1 20 a time the

~~council~~

~~executive committee may, by rule or~~

1 21 regulation, prescribe, but not later than the last day of the
1 22 month following the end of the prior reporting period in which
1 23 animals are sold.

1 24 Sec. 4. Section [181.13](#), unnumbered paragraph 1, Code 1997,
1 25 is amended to read as follows:

1 26 All excise taxes imposed and levied under this chapter
1 27 shall be paid to and collected by the executive committee and
1 28 deposited with the treasurer of state in a separate cattle and
1 29 veal calf fund which shall be created by the treasurer of
1 30 state. The department of revenue and finance shall transfer
1 31 moneys from the fund to the executive committee for deposit
1 32 into an account established by the executive committee in a
1 33 qualified financial institution. The department shall
1 34 transfer the moneys as provided in a resolution adopted by the
1 35 executive committee. However, the department is only required
2 1 to transfer moneys once during each day and only during hours
2 2 when the offices of the state are open. From the moneys
2 3 collected, deposited, and transferred to the executive

2 4 committee, in accordance with the provisions of this chapter,
2 5 the executive committee shall first pay the costs of
2 6 referendums held pursuant to this chapter, the costs of
2 7 collection of such excise tax, the expenses of its agents and
2 8 expenses of officers provided for in section 181.5. Except as
2 9 otherwise provided in section 181.19,

~~at least thirty percent~~

2 10

~~of the remaining moneys shall be remitted to the national~~

2 11

~~livestock and meat board and the beef industry council, and~~

~~at~~

2 12 least ten percent of the remaining funds shall be remitted to
2 13 the Iowa beef cattle producers association in proportions
2 14 determined by the executive committee, for use in a manner not
2 15 inconsistent with section 181.7. The remaining moneys, with
2 16 approval of a majority of the executive committee, shall be
2 17 expended as the executive committee finds necessary to carry
2 18 out the provisions and purposes of this chapter. However, in
2 19 no event shall the total expenses exceed the total amount
2 20 transferred from the fund for use by the executive committee.

2 21 Sec. 5. Section [181.17](#), Code 1997, is amended to read as
2 22 follows:

2 23 181.17 PRODUCERS NOT MEMBERS.

2 24

~~Every~~

~~A producer~~

~~, even though~~

~~who is not a member~~

~~thereof,~~

2 25 of the Iowa beef cattle producers association shall be

2 26 entitled to vote in elections of persons to be

~~directors of~~

2 27

~~the Iowa beef cattle producers association~~

~~members of the~~

2 28 executive committee in the same manner as if the producer were

2 29 a member.

~~Directors thus~~

~~The members~~ elected

~~to the~~

2 30 executive committee shall elect from their number the officers
2 31 referred to in section 181.1.

2 32 Sec. 6. Section [181.19](#), unnumbered paragraphs 1 and 4,
2 33 Code 1997, are amended to read as follows:

2 34 The secretary shall, upon the petition of five hundred
2 35 producers, conduct

~~an initial~~

~~a referendum to determine~~

3 1 whether an excise tax shall be collected, at a rate

3 2 established by the executive committee, of not to exceed

~~fifty~~

~~3 3~~

~~cents~~

~~one dollar per head on all beef cattle and veal calves
3 4 sold for any purpose including, but not limited to, slaughter
3 5~~

~~and not to exceed thirty five cents per head on all veal~~

~~3 6~~

~~calves sold for slaughter and on all sales of beef cattle for~~

~~3 7~~

~~any other purpose~~

~~3 8 On the date of the effective period for the collection of
3 9 the excise tax provided for in this section, any excise tax
3 10 being assessed and levied under this section or section 181.11
3 11 shall terminate during any period for which any excise tax
3 12 provided for in this section~~

~~shall be~~

~~is in effect. The
3 13 provisions of sections 181.12, 181.13, 181.14, 181.15, and
3 14 181.16 shall also be applicable to the tax provided for in
3 15 this section, as nearly as may be.~~

~~Notwithstanding the~~

~~3 16~~

~~provisions in section 181.13 to the contrary, at least fifteen~~

~~3 17~~

~~percent of the funds collected from an excise tax assessed and~~

~~3 18~~

~~levied under the provisions of this section shall be remitted~~

~~3 19~~

~~to the national livestock and meat board and the beef industry~~

~~3 20~~

~~council thereof, after first paying the costs and expenses~~

~~3 21~~

~~referred to in section 181.13.~~

~~3 22 Sec. 7. DIRECTIONS TO CODE EDITOR. The Iowa Code editor
3 23 shall transfer section 181.6 and recodify it as section 181.1
3 24 and renumber subsequent sections in chapter 181 and correct
3 25 internal references as necessary.~~

~~3 26 EXPLANATION~~

~~3 27 This bill amends Code chapter 181, which provides for the
3 28 establishment and operation of the Iowa beef cattle producers
3 29 association. Code chapter 181 refers to the Iowa beef
3 30 industry council. This bill removes references to the council~~

3 31 and provides for the election of the executive committee of
3 32 the Iowa beef cattle producers association by nonmembers in
3 33 the same manner required for voting by members.
3 34 Code chapter 181 authorizes the secretary of agriculture,
3 35 upon petition, to conduct a referendum to determine whether a
4 1 checkoff shall be collected on the sale of beef cattle at a
4 2 rate established by the executive committee. The bill
4 3 increases the top rate from 50 cents to \$1 that may be
4 4 assessed against beef cattle and from 35 cents to \$1 that may
4 5 be assessed against veal calves. The bill provides for the
4 6 distribution of the moneys raised by the checkoff. Current
4 7 law provides that a percentage of the moneys is remitted to
4 8 the national livestock and meat board and to the beef industry
4 9 council. The bill eliminates that distribution.
4 10 LSB 2676SC 77
4 11 da/jw/5