

FEB 5 1999
Agriculture

HOUSE FILE 220
BY SCHERRMAN

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

A BILL FOR

1 An Act suspending the assessment imposed on the sale of porcine
2 animals based on market prices.

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

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HF 220

1 Section 1. NEW SECTION. 183A.6A SUSPENSION OF
2 ASSESSMENT.

3 1. As used in this section, "market price" means the price
4 paid by buyers in this state and southern Minnesota for
5 porcine animals per hundredweight on a live basis according to
6 market news reports published by the agricultural marketing
7 service of the United States department of agriculture.

8 2. The secretary shall declare the suspension of an
9 assessment if the market price is less than thirty dollars for
10 thirty consecutive days. The secretary shall terminate the
11 declaration and reinstate the assessment, if the market price
12 is thirty dollars or more for thirty consecutive days.

13 3. A producer who owns an average of less than five
14 thousand porcine animals during the last twelve months shall
15 be excused from paying the assessment for the effective period
16 of the declaration. Any assessment otherwise required to be
17 paid by the producer during the period shall be waived.

18 4. The first purchaser shall submit an acknowledgment by
19 the producer to the council in a form and in a manner required
20 by the council. The acknowledgment shall include information
21 about the producer, the size of the producer's herd of porcine
22 animals, and the date of sale. The acknowledgment must be
23 signed by the producer. The acknowledgment must include a
24 notice printed in twelve-point bold type, providing
25 substantially the following language:

26

ACKNOWLEDGMENT

27 BY SIGNING THIS FORM, YOU ACKNOWLEDGE THAT YOU ARE EXEMPT FROM
28 PAYING THE ASSESSMENT ON PORCINE ANIMALS UNDER THE SECRETARY
29 OF AGRICULTURE'S DECLARATION OF SUSPENSION. IN ORDER TO BE
30 ELIGIBLE FOR THE EXEMPTION, YOU CANNOT HAVE OWNED MORE THAN
31 FIVE THOUSAND PORCINE ANIMALS AT ANY TIME DURING THE LAST
32 TWELVE MONTHS. KNOWINGLY CLAIMING A FALSE EXEMPTION BY
33 SIGNING THIS FORM IS A SIMPLE MISDEMEANOR.

34 5. A producer shall not sign an acknowledgment knowing
35 that the producer is not eligible to be excused under this

1 section from paying an assessment.

2 EXPLANATION

3 This bill amends Code chapter 183A which imposes an
4 assessment (commonly referred to as a checkoff) on the sale of
5 porcine animals. This bill provides that the secretary of
6 agriculture shall declare the suspension of an assessment if
7 the market price for porcine animals is less than \$30 for 30
8 consecutive days, according to market news reports published
9 by the United States department of agriculture. The secretary
10 must terminate the declaration and reinstate the assessment if
11 the market price is \$30 or more for 30 consecutive days. The
12 suspension applies to a producer who owns an average of less
13 than 5,000 porcine animals at any time during the last 12
14 months. The buyer must submit an acknowledgment by the
15 producer to the council in a form and in a manner required by
16 the council stating that the producer qualifies for the
17 exemption. A producer who knowingly signs a false
18 acknowledgment is guilty of a simple misdemeanor pursuant to
19 Code section 183A.13.

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