

1-26-00 Do Pass
H-3-15-00 agriculture
AGRICULTURE

FILED JAN 10 2000
H-3/16/00 Do Pass

SENATE FILE 2010
BY ANGELO H. 3/23/00 unfinished business
calendar

(P. 688) Passed Senate, Date 3-15-00 Passed House, Date 4-24-00
Vote: Ayes 49 Nays 0 Vote: Ayes 91 Nays 0
Approved 5/9/00

(P. 1350) Re-Passed 4/25/00
Vote 45-0

A BILL FOR

1 An Act relating to the traditional livestock producer's linked
2 investment loan program by modifying eligibility requirements.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2010
AGRICULTURE

1 Section 1. Section 12.43A, subsection 1, paragraph d, Code
2 Supplement 1999, is amended to read as follows:

3 d. "Traditional livestock producer" means a person who is
4 the owner and operator of livestock subject to care and
5 feeding at a livestock operation in which the person holds a
6 legal interest. The person may own the livestock or own the
7 livestock jointly with another person. ~~As-the-owner-operator,~~
8 the The person must make-daily be actively engaged in the
9 livestock operation by making management decisions and perform
10 performing physical work which-significantly-contributes-to
11 relating to the care and feeding of the livestock on a
12 regular, continuous, and substantial basis in a manner that is
13 essential to the success of the livestock operation.

14 Sec. 2. Section 12.43A, subsection 3, paragraph d, Code
15 Supplement 1999, is amended to read as follows:

16 d. At least fifty percent of the average annual gross
17 income earned by the borrower's farm operation ~~during-the-last~~
18 ~~tax-year-must-derive~~ derives from livestock owned and sold by
19 the borrower. The average annual gross income shall be
20 computed as the average of the gross income earned by the farm
21 operation in the three preceding tax years.

22 EXPLANATION

23 During the 1999 session, the general assembly enacted House
24 File 779 (1999 Iowa Acts ch. 177) which established a
25 traditional livestock producer's linked investment loan
26 program to increase the availability of lower cost loans to
27 traditional livestock producers. The program, codified in
28 Code section 12.43A, set forth eligibility requirements for
29 participation in the program. The Code section provides that
30 a borrower must be a "traditional livestock producer" who is
31 the owner of the operation and is involved in making
32 management decisions and performing physical work which
33 significantly contributes to the care and feeding of the
34 livestock. This bill amends the section to provide that the
35 person must be actively engaged in the livestock operation by

1 making management decisions and performing physical work
2 relating to the care and feeding of the livestock on a
3 regular, continuous, and substantial basis in a manner that is
4 essential to the success of the livestock operation.

5 According to the current Code section, at least 50 percent
6 of the gross income earned by the borrower's farm operation
7 during the last tax year must derive from livestock owned and
8 sold by the borrower. This bill amends that provision to
9 require that the gross income from livestock requirement be
10 computed as an average of the gross income earned by the farm
11 operation in the three preceding tax years.

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SENATE FILE 2010

H-9029

1 Amend Senate File 2010, as passed by the Senate, as
2 follows:

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

5 "Sec. 101. DIRECTIONS TO TREASURER OF STATE --
6 PSEUDORABIES. When entering into agreements with
7 eligible lending institutions to receive traditional
8 livestock producers linked investment loans as
9 provided in section 12.43A, the treasurer of state
10 shall provide a preference in entering into agreements
11 in order to increase the availability of lower cost
12 loans to traditional livestock producers who have
13 liquidated swine herds on or after March 1, 2000,
14 including by depopulation, due to the infection of
15 pseudorabies."

16 2. Page 1, line 14, by striking the words
17 "paragraph d" and inserting the following:
18 "paragraphs c and d".

A

19 3. Page 1, line 15, by striking the word "is" and
20 inserting the following: "are".

21 4. Page 1, by inserting after line 15 the
22 following:

B

23 "c. The gross income earned by the borrower's farm
24 operation must be more than fifty thousand dollars but
25 not more than ~~three~~ five hundred thousand dollars for
26 the borrower's last tax year."

27 5. Page 1, by inserting after line 21, the
28 following:

29 "Sec. ____ . REPEAL. Section 101 of this Act is
30 repealed on July 1, 2001."

31 6. Title page, line 2, by inserting after the
32 word "requirements" the following: ", and providing
33 for a temporary preference in executing agreements".

A

34 7. By renumbering as necessary.

By JOHNSON of Osceola
MUNDIE of Webster
KLEMME of Plymouth
TEIG of Hamilton
DREES of Carroll
HUSEMAN of Cherokee
MAY of Worth

RAYHONS of Hancock
GREINER of Washington
MERTZ of Kossuth
KUHN of Floyd
THOMAS of Clayton
EDDIE of Buena Vista

H-9029 FILED APRIL 20, 2000

A. adapted 4/24/00 (P. 1707)
B. " 4/24/00 (P. 1707)

SENATE FILE 2010

H-9050

1 Amend Senate File 2010, as passed by the Senate, as
2 follows:

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

5 "Sec. ____ Section 12.34, subsection 1, paragraph
6 b, subparagraph (1), Code Supplement 1999, is amended
7 to read as follows:

8 (1) At least twenty forty million dollars shall be
9 invested in order to support the traditional livestock
10 producers linked investment loan program as provided
11 in section 12.43A."

By WEIGEL of Chickasaw

H-9050 FILED APRIL 24, 2000

Lost 4-24-00 (p.1708)

HOUSE AMENDMENT TO
SENATE FILE 2010

S-5569

- 1 Amend Senate File 2010, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting before line 1, the
4 following:
5 "Sec. 101. DIRECTIONS TO TREASURER OF STATE --
6 PSEUDORABIES. When entering into agreements with
7 eligible lending institutions to receive traditional
8 livestock producers linked investment loans as
9 provided in section 12.43A, the treasurer of state
10 shall provide a preference in entering into agreements
11 in order to increase the availability of lower cost
12 loans to traditional livestock producers who have
13 liquidated swine herds on or after March 1, 2000,
14 including by depopulation, due to the infection of
15 pseudorabies."
16 2. Page 1, line 14, by striking the words
17 "paragraph d" and inserting the following:
18 "paragraphs c and d".
19 3. Page 1, line 15, by striking the word "is" and
20 inserting the following: "are".
21 4. Page 1, by inserting after line 15 the
22 following:
23 "c. The gross income earned by the borrower's farm
24 operation must be more than fifty thousand dollars but
25 not more than ~~three~~ five hundred thousand dollars for
26 the borrower's last tax year."
27 5. Page 1, by inserting after line 21, the
28 following:
29 "Sec. ____ . REPEAL. Section 101 of this Act is
30 repealed on July 1, 2001."
31 6. Title page, line 2, by inserting after the
32 word "requirements" the following: ", and providing
33 for a temporary preference in executing agreements".
34 7. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5569 FILED APRIL 24, 2000

Senate Concurred
4/25/00
(P. 1349)

SENATE FILE 2010

AN ACT

RELATING TO THE TRADITIONAL LIVESTOCK PRODUCER'S LINKED INVESTMENT LOAN PROGRAM BY MODIFYING ELIGIBILITY REQUIREMENTS, AND PROVIDING FOR A TEMPORARY PREFERENCE IN EXECUTING AGREEMENTS.

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

Section 1. DIRECTIONS TO TREASURER OF STATE -- PSEUDORABIES. When entering into agreements with eligible lending institutions to receive traditional livestock producers linked investment loans as provided in section 12.43A, the treasurer of state shall provide a preference in entering into agreements in order to increase the availability of lower cost loans to traditional livestock producers who have liquidated swine herds on or after March 1, 2000, including by depopulation, due to the infection of pseudorabies.

Sec. 2. Section 12.43A, subsection 1, paragraph d, Code Supplement 1999, is amended to read as follows:

d. "Traditional livestock producer" means a person who is the owner and operator of livestock subject to care and feeding at a livestock operation in which the person holds a legal interest. The person may own the livestock or own the livestock jointly with another person. ~~As the owner-operator,~~ the person must make-daily be actively engaged in the livestock operation by making management decisions and perform performing physical work which-significantly-contributes-to relating to the care and feeding of the livestock on a regular, continuous, and substantial basis in a manner that is essential to the success of the livestock operation.

Sec. 3. Section 12.43A, subsection 3, paragraphs c and d, Code Supplement 1999, are amended to read as follows:

c. The gross income earned by the borrower's farm operation must be more than fifty thousand dollars but not more than three five hundred thousand dollars for the borrower's last tax year.

d. At least fifty percent of the average annual gross income earned by the borrower's farm operation ~~during-the-last tax-year-must-derive~~ derives from livestock owned and sold by the borrower. The average annual gross income shall be computed as the average of the gross income earned by the farm operation in the three preceding tax years.

Sec. 4. REPEAL. Section 1 of this Act is repealed on July 1, 2001.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2010, Seventy-eighth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved 5/9, 2000

THOMAS J. VILSACK
Governor