

FILED MAR 17 '03

SENATE FILE 393
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 1173)

Passed Senate, Date 4/8/03 Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the agricultural development authority by
2 providing for its organization and administration.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 393

1 Section 1. INTENT OF THE GENERAL ASSEMBLY. It is the
2 intent of the general assembly to provide for the organization
3 and administration of the agricultural development authority
4 as provided in chapter 175.

5 EXPLANATION

6 This bill provides that it is the intent of the general
7 assembly to provide for the organization and administration of
8 the agricultural development authority, which is currently
9 housed within the department of agriculture and land
10 stewardship.

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SENATE FILE 393

S-3158

1 Amend Senate File 393 as follows:

2 1. By striking everything after the enacting
3 clause, and inserting the following:

4 "Section 1. Section 7E.7, Code 2003, subsection 2,
5 is amended by striking the subsection.

6 Sec. 2. Section 175.3, subsection 1, Code 2003, is
7 amended to read as follows:

8 1. a. The agricultural development authority is
9 established ~~within the department of agriculture and~~
10 ~~land stewardship~~. The authority is constituted a
11 public instrumentality and agency of the state
12 exercising public and essential governmental
13 functions.

14 b. The authority is established to undertake
15 programs which assist beginning farmers in purchasing
16 agricultural land and agricultural improvements and
17 depreciable agricultural property for the purpose of
18 farming, and programs which provide financing to
19 farmers for permanent soil and water conservation
20 practices on agricultural land within the state or for
21 the acquisition of conservation farm equipment, and
22 programs to assist farmers within the state in
23 financing operating expenses and cash flow
24 requirements of farming. The authority shall also
25 develop programs to assist qualified agricultural
26 producers within the state with financing other
27 capital requirements or operating expenses.

28 c. The powers of the authority are vested in and
29 exercised by a board of eleven members with nine
30 members appointed by the governor subject to
31 confirmation by the senate. ~~The treasurer of state or~~
32 ~~the treasurer's designee and the secretary of~~
33 ~~agriculture or the secretary's designee are shall~~
34 serve as an ex officio nonvoting members member. No
35 more than five appointed members shall belong to the
36 same political party. As far as possible the governor
37 shall include within the membership persons who
38 represent financial institutions experienced in
39 agricultural lending, the real estate sales industry,
40 farmers, beginning farmers, average taxpayers, local
41 government, soil and water conservation district
42 officials, agricultural educators, and other persons
43 specially interested in family farm development.

44 Sec. 3. Section 175.7, subsection 1, Code 2003, is
45 amended to read as follows:

46 1. The executive director of the authority shall
47 be appointed by a selection and tenure committee,
48 which shall consist of the ~~secretary of agriculture~~
49 ~~and the chairperson and of the board, the vice~~
50 ~~chairperson of the board, established pursuant to~~

S-3158

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Page 2

1 ~~section 175.3~~ and one member elected by the board, or
2 their designees. The executive director shall serve
3 at the pleasure of the committee board. The votes of
4 three members of the committee are necessary for any
5 substantive action taken by the committee, ~~except that~~
6 ~~two members may take a substantive action, if the~~
7 ~~secretary has a conflict of interest.~~ If a member
8 ~~other than the secretary~~ has a conflict of interest,
9 the board shall appoint a substitute member of the
10 committee from the appointed members of the board for
11 the duration of the conflict of interest. The
12 executive director shall be selected primarily for
13 administrative ability and knowledge in the field,
14 without regard to political affiliation."

By E. THURMAN GASKILL

S-3158 FILED APRIL 8, 2003

ADOPTED 4/8/03

SENATE FILE **393**
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 1173)

(AS AMENDED AND PASSED BY THE SENATE APRIL 8, 2003)

ALL New Language by the Senate

Passed Senate, Date Passed 4/17/03 Passed House, Date Passed 4/15/03
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved 5/21/03

A BILL FOR

1 An Act relating to the agricultural development authority by
2 providing for its organization and administration.

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

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SENATE FILE 393

H-1332

9 1 Amend Senate File 393, as amended, passed, and
10 2 reprinted by the Senate, as follows:
11 3 1. Page 1, line 23, by striking the word "eleven"
12 4 and inserting the following: "~~eleven~~ ten".

By STEVENS of Dickinson
GREINER of Washington

13 **H-1332** FILED APRIL 14, 2003

14 Adopted 4/15/03

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S.F. 393

1 Section 1. Section 7E.7, Code 2003, subsection 2, is
2 amended by striking the subsection.

3 Sec. 2. Section 175.3, subsection 1, Code 2003, is amended
4 to read as follows:

5 1. a. The agricultural development authority is
6 established ~~within-the-department-of-agriculture-and-land~~
7 ~~stewardship~~. The authority is constituted a public
8 instrumentality and agency of the state exercising public and
9 essential governmental functions.

10 b. The authority is established to undertake programs
11 which assist beginning farmers in purchasing agricultural land
12 and agricultural improvements and depreciable agricultural
13 property for the purpose of farming, and programs which
14 provide financing to farmers for permanent soil and water
15 conservation practices on agricultural land within the state
16 or for the acquisition of conservation farm equipment, and
17 programs to assist farmers within the state in financing
18 operating expenses and cash flow requirements of farming. The
19 authority shall also develop programs to assist qualified
20 agricultural producers within the state with financing other
21 capital requirements or operating expenses.

22 c. The powers of the authority are vested in and exercised
23 by a board of eleven members with nine members appointed by
24 the governor subject to confirmation by the senate. The
25 treasurer of state or the treasurer's designee ~~and-the~~
26 ~~secretary-of-agriculture-or-the-secretary's-designee-are~~ shall
27 serve as an ex officio nonvoting ~~members~~ member. No more than
28 five appointed members shall belong to the same political
29 party. As far as possible the governor shall include within
30 the membership persons who represent financial institutions
31 experienced in agricultural lending, the real estate sales
32 industry, farmers, beginning farmers, average taxpayers, local
33 government, soil and water conservation district officials,
34 agricultural educators, and other persons specially interested
35 in family farm development.

H-1344

1 Amend the amendment H-1332, to Senate File 393, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

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

6 "____. Page 1, by striking lines 1 and 2, and
 7 inserting the following:

8 "Sec. ____ Section 7E.7, subsection 2, Code 2003,
 9 is amended to read as follows:

10 2. The agricultural development authority as
 11 established in section 175.3 shall be considered part
 12 of the department of agriculture and land stewardship.
 13 The department of agriculture and land stewardship
 14 office of treasurer of state. The office may provide
 15 staff assistance and administrative support to the
 16 authority."

17 ____ Page 1, by striking lines 5 through 7, and
 18 inserting the following:

19 "1. a. The agricultural development authority is
 20 established within the department of agriculture and
 21 land stewardship office of treasurer of state. The
 22 authority is constituted as a public"."

23 2. By renumbering as necessary.

By GREINER of Washington

MERTZ of Kossuth

STEVENS of Dickinson

KUHN of Floyd

DRAKE of Pottawattamie

H-1344 FILED APRIL 15, 2003

ADOPTED 4/15/03

HOUSE AMENDMENT TO
 SENATE FILE 393

S-3225

1 Amend Senate File 393, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 1 and 2, and
 4 inserting the following:

5 "Sec. ____ Section 7E.7, subsection 2, Code **2003**,
 6 is amended to read as follows:

7 2. The agricultural development authority as
 8 established in section 175.3 shall be considered part
 9 of the department of agriculture and land stewardship.
 10 The department of agriculture and land stewardship
 11 office of treasurer of state. The office may provide
 12 staff assistance and administrative support to **the**
 13 authority."

14 2. Page 1, by striking lines 5 through 7, and
 15 inserting the following:

16 "1. a. The agricultural development authority is
 17 established within the department of agriculture and
 18 land stewardship office of treasurer of state. The
 19 authority is constituted as a public".

20 3. Page 1, line 23, by striking the word "eleven"
 21 and inserting the following: "eleven ten".

RECEIVED FROM THE HOUSE

S-3225 FILED APRIL 15, 2003

Senate concurred 4/17/03

Gaskill
Johnson
Kubbie

Agriculture

SSB 1173
Succeeded By
SF/HF 393

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON BEHN)

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

A BILL FOR

1 An Act relating to the agricultural development authority by
2 providing for its organization and administration.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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2 intent of the general assembly to provide for the organization
3 and administration of the agricultural development authority
4 as provided in chapter 175.

5 EXPLANATION

6 This bill provides that it is the intent of the general
7 assembly to provide for the organization and administration of
8 the agricultural development authority, which is currently
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SENATE FILE 393

AN ACT

RELATING TO THE AGRICULTURAL DEVELOPMENT AUTHORITY BY PROVIDING
FOR ITS ORGANIZATION AND ADMINISTRATION.

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

Section 1. Section 7E.7, subsection 2, Code 2003, is amended to read as follows:

2. The agricultural development authority as established in section 175.3 shall be considered part of the ~~department of agriculture and land stewardship~~ office of treasurer of state. ~~The department of agriculture and land stewardship~~ office of treasurer of state. ~~The office~~ may provide staff assistance and administrative support to the authority.

Sec. 2. Section 175.3, subsection 1, Code 2003, is amended to read as follows:

1. a. The agricultural development authority is established within the ~~department of agriculture and land stewardship~~ office of treasurer of state. The authority is constituted as a public instrumentality and agency of the state exercising public and essential governmental functions.

b. The authority is established to undertake programs which assist beginning farmers in purchasing agricultural land and agricultural improvements and depreciable agricultural property for the purpose of farming, and programs which provide financing to farmers for permanent soil and water conservation practices on agricultural land within the state or for the acquisition of conservation farm equipment, and

programs to assist farmers within the state in financing operating expenses and cash flow requirements of farming. The authority shall also develop programs to assist qualified agricultural producers within the state with financing other capital requirements or operating expenses.

c. The powers of the authority are vested in and exercised by a board of ~~eleven~~ ten members with nine members appointed by the governor subject to confirmation by the senate. The treasurer of state or the treasurer's designee ~~and the secretary of agriculture or the secretary's designee~~ are shall serve as an ex officio nonvoting members member. No more than five appointed members shall belong to the same political party. As far as possible the governor shall include within the membership persons who represent financial institutions experienced in agricultural lending, the real estate sales industry, farmers, beginning farmers, average taxpayers, local government, soil and water conservation district officials, agricultural educators, and other persons specially interested in family farm development.

Sec. 3. Section 175.7, subsection 1, Code 2003, is amended to read as follows:

1. The executive director of the authority shall be appointed by a selection and tenure committee, which shall consist of the ~~secretary of agriculture and the~~ chairperson ~~and of the board~~, the vice chairperson of the board, ~~established pursuant to section 175-3~~ and one member elected by the board, or their designees. The executive director shall serve at the pleasure of the ~~committee~~ board. The votes of three members of the committee are necessary for any substantive action taken by the committee, ~~except that two members may take a substantive action, if the secretary has a conflict of interest~~. If a member ~~other than the secretary~~ has a conflict of interest, the board shall appoint a substitute member of the committee from the appointed members of the board for the duration of the conflict of interest. The executive director shall be selected primarily for

administrative ability and knowledge in the field, without regard to political affiliation.

MARY E. KRAMER
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 393, Eightieth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2003

THOMAS J. VILSACK
Governor