

Senate Study Bill 3041

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

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

A BILL FOR

1 An Act relating to the Iowa crop improvement association.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 5617SC 82
4 da/nh/5

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1 1 Section 1. Section 177.1, Code 2007, is amended to read as
1 2 follows:
1 3 177.1 RECOGNITION OF ORGANIZATION.
1 4 The organization ~~now~~ existing in and incorporated under the
1 5 laws of this state and known as the Iowa crop improvement
1 6 association, shall be entitled to the benefits of this chapter
1 7 ~~by filing each year with the department of agriculture and~~
~~1 8 land stewardship verified proofs of its organization and of~~
~~1 9 the names of its president, vice president, secretary, and~~
~~1 10 treasurer, and that five hundred persons are bona fide members~~
~~1 11 of the association, together with such other information as~~
~~1 12 the department of agriculture and land stewardship may~~
~~1 13 require.~~
1 14 Sec. 2. NEW SECTION. 177.1A DEFINITIONS.
1 15 As used in this chapter, unless the context otherwise
1 16 requires, "association" means the Iowa crop improvement
1 17 association recognized in section 177.1.
1 18 Sec. 3. Section 177.2, Code 2007, is amended by striking
1 19 the section and inserting in lieu thereof the following:
1 20 177.2 POWERS AND PURPOSES == RULEMAKING.
1 21 1. The Iowa crop improvement association shall have all
1 22 powers necessary to carry out the following purposes:
1 23 a. Provide mechanisms for conducting domestic and
1 24 international seed and planting stock certification and seed
1 25 and planting stock quality assurance.
1 26 b. Provide educational and leadership opportunities to
1 27 influence public policy regarding crop improvement.
1 28 c. Conduct, in cooperation with Iowa state university
1 29 college of agriculture, testing and disseminating information
1 30 regarding the adaptation and performance of crop cultivars.
1 31 d. Coordinate all Iowa crop improvement association
1 32 activities in a manner that is consistent with environmentally
1 33 sound agricultural practices.
1 34 e. Provide a mechanism for commodity identity
1 35 preservation.
2 1 f. Be the official seed certifying agent for the state.
2 2 g. Engage in such other activities that are reasonably
2 3 connected to the purposes of this section.
2 4 2. The Iowa crop improvement association shall adopt rules
2 5 necessary to carry out this chapter as provided in chapter
2 6 17A.
2 7 Sec. 4. Section 177.3, Code 2007, is amended to read as
2 8 follows:
2 9 177.3 BOARD OF DIRECTORS.
2 10 The Iowa crop improvement association shall be governed by
2 11 a board of directors.
2 12 1. The association's articles of incorporation or bylaws
2 13 shall provide for all of the following:
2 14 a. The organization of the board, its procedures for
2 15 meeting and voting, and the election of its board members and
2 16 officers.
2 17 b. The business of the association, which shall be
2 18 transacted by a as provided in this chapter.
2 19 2. The board of directors which shall consist shall

2 20 include all of the following members:

2 21 ~~1- a. The secretary of agriculture or the secretary's~~
2 22 ~~designee.~~

2 23 ~~b. The following persons representing the college of~~
2 24 ~~agriculture at Iowa state university:~~

2 25 ~~(1) The director of the agricultural experiment station of~~
2 26 ~~the Iowa state university of science and technology.~~

2 27 ~~2- (2) The head of farm crops in the Iowa agricultural~~
2 28 ~~experiment station chair of the agronomy department.~~

2 29 ~~3- (3) The secretary of agriculture or the secretary's~~
2 30 ~~designee director of the seed science center.~~

2 31 ~~4- c. Six Seven persons who shall be elected from its~~
2 32 ~~membership by the association's voting shareholders from among~~
2 33 ~~its voting shareholders.~~

2 34 Sec. 5. Section 177.4, Code 2007, is amended to read as
2 35 follows:

3 1 177.4 EMPLOYEES.

3 2 The ~~directors~~ Iowa crop improvement association may employ
3 3 one or more competent persons ~~who shall devote their entire~~
3 4 ~~time, while employed by the association, to carrying carry out~~
3 5 the provisions of this chapter as directed by the
3 6 association's board of directors. Such persons The board may
3 7 employ an executive director. A person employed by the board
3 8 shall receive such compensation as the directors may fix and
3 9 their and necessary expenses incurred while engaged in such
3 10 work the business of the association as provided by its board
3 11 of directors.

3 12 Sec. 6. Section 177.5, Code 2007, is amended to read as
3 13 follows:

3 14 177.5 EXPENSES OF OFFICERS.

3 15 ~~The officers~~ A member of the board of directors or officer
3 16 of the Iowa crop improvement association other than the
3 17 executive director appointed pursuant to section 177.4 shall
3 18 serve without compensation, but shall. However, a member of
3 19 the board of directors or officer may receive their necessary
3 20 expenses while engaged in the business of the association
3 21 pursuant to section 7E.6, as determined by the board.

3 22 EXPLANATION

3 23 This bill amends Code chapter 177, which provides for the
3 24 Iowa crop improvement association, by amending each Code
3 25 section relating to the association's recognition, its duties
3 26 and objectives, and its management by a board of directors and
3 27 employees. The bill does all of the following:

3 28 Provides that the association, which is required to be
3 29 incorporated by the secretary of state, is no longer required
3 30 to file proof of the organization's existence with the
3 31 department of agriculture and land stewardship.

3 32 Defines "association" to mean the Iowa crop improvement
3 33 association for purposes of the Code chapter.

3 34 Rewrites the powers and purposes of the association, which

3 35 include: (1) providing quality assurance for seed and
4 1 planting stock including by certification, (2) influencing
4 2 public policy regarding issues affecting crop improvement, (3)
4 3 promoting the adaptation and performance of crop cultivars,
4 4 (4) practicing environmentally sound agricultural practices,
4 5 (5) providing for commodity identity preservation, and (6)
4 6 acting as the state's agency responsible for seed
4 7 certification. The bill provides the association with
4 8 rulemaking authority.

4 9 Amends provisions providing for the members of the
4 10 association's board of directors by increasing the membership
4 11 from nine to 11 members, eliminating the head of farm crops at
4 12 the Iowa agricultural experiment station at Iowa state
4 13 university, and adding two persons from Iowa state
4 14 university's college of agriculture (the chair of the agronomy
4 15 department of the college of agriculture and the director of
4 16 the seed science center), and increasing by one the number of
4 17 persons representing the association's shareholders. Persons
4 18 remaining on the board include the secretary of agriculture,
4 19 the director of Iowa state university's agricultural
4 20 experiment station, and six persons representing the
4 21 association's shareholders.

4 22 Amends provisions which provide for the employment of staff
4 23 by providing for the employment of part-time personnel, and
4 24 expressly allows the board to employ an executive director.
4 25 The bill also eliminates a provision which requires that board
4 26 members must be reimbursed for expenses. Under the bill, such
4 27 payments are made according to Code section 7E.6 as determined
4 28 by the board.

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