

Senate File 477 - Introduced

SENATE FILE 477
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 1129)

(COMPANION TO HF 453 BY
COMMITTEE ON AGRICULTURE)

A BILL FOR

1 An Act relating to the regulation of egg production, and
2 including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 10A.104, subsection 12, Code 2011, is
2 amended to read as follows:

3 12. Administer inspections and licensing of hotels, and
4 home food establishments, ~~and egg handlers.~~

5 Sec. 2. Section 196.1, subsection 3, Code 2011, is amended
6 to read as follows:

7 3. "*Department*" means the department of ~~inspections and~~
8 ~~appeals, as established in section 10A.102~~ agriculture and land
9 stewardship.

10 Sec. 3. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

11 1. a. Any rule, regulation, form, order, or directive
12 promulgated by the department of inspections and appeals as
13 required to administer and enforce the provisions of chapter
14 196 shall continue in full force and effect until amended,
15 repealed, or supplemented by affirmative action of the
16 department of agriculture and land stewardship.

17 b. Any license issued by the department of inspections and
18 appeals under chapter 196, and in effect on the effective date
19 of this Act, shall continue in full force and effect until
20 expiration or renewal.

21 2. An administrative hearing or court proceeding arising
22 out of an enforcement action under chapter 196 pending on the
23 effective date of this Act shall not be affected due to this
24 Act. Any cause of action or statute of limitation relating to
25 an action taken by the department of inspections and appeals
26 shall not be affected as a result of this Act and such cause
27 or statute of limitation shall apply to the department of
28 agriculture and land stewardship.

29 3. Any personnel in the state merit system of employment
30 who are mandatorily transferred due to the effect of this Act
31 shall be so transferred without any loss in salary, benefits,
32 or accrued years of service.

33 4. Any replacement of signs, logos, stationery, insignia,
34 uniforms, and related items that is made due to the effect of
35 this Act shall be done as part of the normal replacement cycle

1 for such items.

2 Sec. 4. INTERAGENCY COOPERATION. The department of
3 inspections and appeals shall assist the department of
4 agriculture and land stewardship in implementing this Act
5 by providing for an effective transition of powers and
6 duties from one agency to another under chapter 196 and
7 related administrative rules. To the extent requested by the
8 department of agriculture and land stewardship, such assistance
9 shall include but is not limited to assisting in providing
10 inspections and cooperating with federal agencies such as the
11 United States food and drug administration and the United
12 States department of agriculture.

13 Sec. 5. EFFECTIVE DATES.

14 1. Except as provided in subsection 2, this Act takes effect
15 July 1, 2012.

16 2. The section of this Act that provides for interagency
17 cooperation, being deemed of immediate importance, takes effect
18 upon enactment.

19 EXPLANATION

20 This bill amends Code chapter 196, which regulates egg
21 production and marketing, including the regulation of so-called
22 "egg handlers" who engage in the purchase or sale of eggs or
23 the use of eggs in the preparation of human food. The Code
24 chapter is regulated by the department of inspections and
25 appeals. The bill requires the department of agriculture and
26 land stewardship to administer the Code chapter.

27 The bill provides transitional provisions to assist the
28 departments in accomplishing the transfer. The provisions
29 relate to the validity of existing rules, regulations, forms,
30 orders, and directives promulgated by the department of
31 inspections and appeals; licenses issued by the department;
32 pending enforcement or civil actions; the transfer of
33 personnel; and replacement of items with insignia. It also
34 requires the departments to cooperate together in order to
35 effectuate the transfer.

S.F. 477

1 The bill takes effect July 1, 2012, except for the provision
2 requiring interagency cooperation which takes effect upon
3 enactment.