

CHAPTER 1117**JURISDICTIONAL AMOUNT FOR SMALL CLAIMS***H.F. 2286*

AN ACT increasing the jurisdictional amount for small claims.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 631.1, Code 1993, is amended to read as follows:

631.1 SMALL CLAIMS.

1. The following actions or claims are small claims and shall be commenced, heard and determined as provided in this chapter:

A civil action for a money judgment where the amount in controversy is ~~two~~ three thousand dollars or less for actions commenced on or after July 1, 1994, and before July 1, 1995, and four thousand dollars or less for actions commenced on or after July 1, 1995, exclusive of interest and costs.

2. The district court sitting in small claims shall have concurrent jurisdiction of an action for forcible entry and detainer which is based on those grounds set forth in section 648.1, subsections 1, 2, 3 and 5. When commenced under this chapter, the action shall be a small claim for the purposes of this chapter.

3. The district court sitting in small claims has concurrent jurisdiction of an action of replevin if the value of the property claimed is ~~two~~ three thousand dollars or less for actions commenced on or after July 1, 1994, and before July 1, 1995, and four thousand dollars or less for actions commenced on or after July 1, 1995. When commenced under this chapter, the action is a small claim for the purposes of this chapter.

4. The district court sitting in small claims has concurrent jurisdiction of motions and orders relating to executions against personal property, including garnishments, where the value of the property or garnisheed money involved is ~~two~~ three thousand dollars or less for actions commenced on or after July 1, 1994, and before July 1, 1995, and four thousand dollars or less for actions commenced on or after July 1, 1995.

Sec. 2. **JURISDICTIONAL AMOUNT REVERSION.** The jurisdictional amount in section 1 of this Act shall revert to two thousand dollars if a court of competent jurisdiction declares the three or four thousand dollar amount unconstitutional.

Approved April 26, 1994

CHAPTER 1118**ASSISTANCE TO BEGINNING FARMERS***H.F. 2318*

AN ACT relating to assistance provided to beginning farmers by the agricultural development authority, by providing that family farm limited corporations and family farm limited liability companies are eligible to receive assistance, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 175.2, subsection 6, Code 1993, is amended to read as follows:

6. "Beginning farmer" means an individual, ~~or~~ partnership, family farm corporation, or family farm limited liability company, as defined in section 9H.1, with a low or moderate net worth that engages in farming or wishes to engage in farming.

Sec. 2. Section 175.2, subsection 12, Code 1993, is amended by adding the following new paragraphs:

NEW PARAGRAPH. c. For a family farm corporation, an aggregate net worth of all shareholders, including the value of each shareholder's share in the family farm corporation, and each shareholder's spouse and minor children of less than four hundred thousand dollars. However, the aggregate net worth of each shareholder and that shareholder's spouse and minor children shall not exceed two hundred thousand dollars.

NEW PARAGRAPH. d. For a family farm limited liability company, an aggregate net worth of all members, including each member's ownership interest in the family farm limited liability company, and each member's spouse and minor children of less than four hundred thousand dollars. However, the aggregate net worth of each member and that member's spouse and minor children shall not exceed two hundred thousand dollars.

Sec. 3. Section 175.2, subsection 16, Code 1993, is amended to read as follows:

16. "Net worth" means a person's total assets minus total liabilities as determined in accordance with generally accepted accounting principles with appropriate exceptions and exemptions reasonably related to an equitable determination of the family's or partnership's a person's net worth. Assets shall be valued at fair market value.

Sec. 4. Section 175.12, subsection 3, paragraph a, Code 1993, is amended to read as follows:

a. The beginning farmer is a resident of the state. If the beginning farmer is a partnership, all partners shall be residents of the state. If a beginning farmer is a family farm corporation, all shareholders shall be residents of the state. If the beginning farmer is a family farm limited liability company, all members shall be residents of the state.

Sec. 5. Section 175.12, subsection 3, paragraph c, Code 1993, is amended to read as follows:

c. The beginning farmer has sufficient education, training, or experience in the type of farming for which the beginning farmer requests the mortgage or secured loan. If the beginning farmer is a partnership, all partners shall have sufficient education, training, or experience in the type of farming for which the beginning farmer requests the mortgage or secured loan. If the beginning farmer is a family farm corporation, all shareholders who are not minors shall have sufficient education, training, or experience in the type of farming for which the beginning farmer requests the mortgage or secured loan. If the beginning farmer is a family farm limited liability company, all members who are not minors shall have sufficient education, training, or experience in the type of farming for which the beginning farmer requests the mortgage or secured loan.

Sec. 6. Section 175.12, subsection 3, paragraph f, Code 1993, is amended to read as follows:

f. The beginning farmer ~~will~~ shall materially and substantially participate in farming. If the beginning farmer is a partnership, family farm corporation, or family farm limited liability company, each partner, shareholder, or member shall materially and substantially participate in farming.

Sec. 7. Section 175.12, subsection 3, paragraph g, Code 1993, is amended to read as follows:

g. If the beginning farmer is an individual, the agricultural land and agricultural improvements shall only be used for farming by the individual, the individual's spouse, or the individual's minor children, or any of them. If the beginning farmer is a partnership, family farm corporation, or family farm limited liability company, the agricultural land and agricultural improvements shall only be used for farming by the any or all of the partners, each partner's spouse, each partner's shareholders, or members, including their spouses and minor children, or any of them.

Sec. 8. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 26, 1994

CHAPTER 1119

AGRICULTURAL DEVELOPMENT AND RURAL REVITALIZATION

H.F. 2337

AN ACT relating to agricultural development and rural revitalization, by providing for value-added agricultural products and processes, providing for programs and moneys, providing for repeal of provisions, and providing effective dates.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. FINDINGS AND POLICY.

1. The general assembly finds and declares the following:

a. The production and processing of agricultural commodities and products represents the foundation of this state's economy, and the economic viability of this nation is contingent upon the production of wealth generated primarily from materials, including food and fiber, produced on farms.

b. The future economic prosperity of this state depends upon new innovations that improve processes and products utilizing agricultural commodities and livestock.

c. Iowa's traditional investment in livestock production is an essential part of this state's continuing efforts to revitalize its rural economy, and to ensure general prosperity for all of the state's population.

d. It is increasingly necessary to support industries in this state which rely upon agricultural commodities to manufacture value-added products.

e. Renewable fuels and coproducts industries promise to utilize agricultural products in order to reduce the state's dependency upon petroleum products, reduce atmospheric contamination of this state's environment from the combustion of fossil fuels, and produce coproducts, such as corn gluten feed, distillers grain, and solubles, which can be used to increase livestock production in this state.

2. This state adopts a policy of enhancing agricultural production, including livestock production, through support of the renewable fuel industry. State agencies including the department of agriculture and land stewardship, the department of economic development, and the department of natural resources shall cooperate in order to ensure that this policy is carried out.

Sec. 2. Section 15.313, subsection 2, paragraph b, Code 1993, is amended by striking the paragraph.

Sec. 3. Section 15.313, subsection 3, Code 1993, is amended to read as follows:

3. The director shall submit annually at a regular or special meeting preceding the beginning of the fiscal year, for approval by the economic development board, the proposed allocation of funds from the strategic investment fund to be made for that fiscal year to the community economic betterment program, ~~the value-added agricultural products and processes financial assistance program~~, the business development finance corporation, the self-employment loan program, and the targeted small business financial assistance program and for comprehensive management assistance. If funds are available under a federal microloan demonstration program, the director may recommend an allocation for that purpose. The plans may provide for increased or decreased allocations if the demand in a program indicates that the need exceeds the allocation for that program. The director shall report on a monthly basis to the board on the status of the funds and may present proposed revisions for approval by the board in January and April of each year. Unobligated and unencumbered moneys remaining in the strategic investment fund or any of its accounts on June 30 of each year shall be considered part of the fund for purposes of the next year's allocation.

Sec. 4. Section 15.318, Code 1993, is amended by adding the following new subsections:
NEW SUBSECTION. 16. The capacity of the proposed project to create products by adding value to agricultural commodities.