

February 6, 1963.
Agriculture 1.

House File 183
By BALLOUN and MAULE.

Passed House, Date.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

An Act relating to bonds of livestock dealers and packer buyers.

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

1 Section 1. For the purposes of this Act the following words
2 and phrases are herewith defined:

3 1. "Livestock dealer" is any person or firm engaged in the
4 business of buying and selling livestock or livestock produce,
5 at an established place of business or buying for resale within
6 ten (10) days.

7 2. "Packer buyer" is a person buying livestock for slaughter
8 at either an established place of business or otherwise.

9 3. "Livestock" includes cattle, sheep, hogs, and poultry.

1 Sec. 2. Every livestock dealer and packer buyer not bonded
2 under the Packers and Stockyards Act shall, before engaging in
3 such business, obtain a dealer's license from the secretary of
4 agriculture. The fee for such license shall be ten dollars
5 (\$10) for each place of business and it shall terminate on the
6 thirtieth day of June next after the date of issuance. The
7 secretary is empowered after a hearing of evidence of nonpayment
8 of produce purchased, or other nonfulfillment of contract, to
9 suspend such license. Any licensee aggrieved by the decision of
10 the secretary may appeal said decision to the district court by
11 service of notice of appeal upon the secretary within thirty (30)
12 days following the filing of the decision of the secretary. The

13 secretary shall forthwith upon service of notice of appeal
14 certify the complete record of the proceedings to the office
15 of the clerk of the district court. The appeal shall be tried
16 by the court only upon the record so certified to the court.

17 Any person applying for a license as livestock dealer or
18 packer buyer shall, as a condition to the granting thereof,
19 procure a surety bond to the state of Iowa. The surety bond
20 shall be filed with and acceptable to the secretary of agri-
21 culture. Such bond shall be a continuous surety bond and be
22 conditioned for the faithful discharge of all duties as a
23 livestock dealer or packer buy as set forth by the secretary
24 of agriculture. Except as hereinafter otherwise provided, the
25 amount of each livestock dealer and packer buyer bond shall be
26 not less than the nearest multiple of one thousand dollars
27 (\$1,000) above the average amount of purchases of livestock by
28 such livestock dealer or packer buyer during a period equivalent
29 to two business days, based on the total number of business days
30 and the total amount of such purchases in the preceding twelve
31 months, or any part thereof in which such livestock dealer or
32 packer buyer did business, if any. For the purpose of this
33 computation, two hundred sixty (260) shall be deemed the number
34 of business days in any year. In no case shall the amount of
35 bond be less than five thousand dollars (\$5,000). When the
36 purchases calculated as hereinbefore specified exceed fifty
37 thousand dollars (\$50,000) the amount of bond need not exceed
38 fifty thousand dollars (\$50,000) plus ten percent (10%) of the
39 excess.

EXPLANATION OF HOUSE FILE 183

This bill provides for the licensing and bonding of livestock dealers and packer buyers in order to assure payment for livestock purchases and sales and for the protection of purchasers' funds. Such dealers who engage in interstate buying or selling are now covered under the Stockers and Packers Act.