
DIGEST

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HB 760 Original

2015 Regular Session

Fannin

Abstract: Changes the appointing authority, membership, and appointment terms of the La. Beef Industry Council, removes the domiciliary requirement, clarifies the duties and additional powers of the council and reporting of funds, provides for the authority to levy certain assessments with refunds, provides for use of the state assessment, and removes the referendum for assessment purposes.

Present law provides for the creation of the La. Beef Industry Council within the La. Dept. of Agriculture and Forestry (LDAF) and requires the council to be domiciled in the city of Port Allen, WBR Parish, La.

Proposed law retains present law but removes the domiciliary requirement.

Present law provides for the La. Beef Industry Council to be composed of 10 cattle producers as follows: (1) the president of the La. Cattlemen's Assoc., (2) five cattle producers appointed by the executive committee of the La. Cattlemen's Assoc., (3) one representative of the La. Livestock Auction Markets Assoc. appointed by its board of directors, and (4) three representatives of the La. Farm Bureau Federation appointed by its president. Further provides for three-year terms of appointment with a maximum of two consecutive terms. Additionally provides for the commissioner of agriculture to serve as an ex officio member.

Proposed law provides for the council to be composed and appointed as follows: (1) three cattle producers appointed by the La. Cattlemen's Assoc., (2) three representatives appointed by the La. Livestock Auction Markets Assoc., and (3) three cattle producer representatives appointed by the La. Farm Bureau Federation. Proposed law changes terms of office to be concurrent with the governor with initial appointments commencing Jan. 11, 2016.

Present law provides for certain powers and duties of the council to include meeting once a quarter or at other times as called by the chairman or at least six members of the council, maintaining communications with industry representatives of the National Livestock and Meat Board, and establishing rules and regulations for its own governance.

Proposed law retains present law but changes the provision for meetings to be held at least once annually or as called by the chairman. Proposed law changes the communication requirement with the National Livestock and Meat Board to communications with the Cattlemen's Beef Promotion and Research Board., and provides for the establishment of reasonable rules and regulations for the operation and functioning of the council.

Present law prohibits the council from using any available funds for political purposes. Provides that an expenditure report be made annually to the state conventions of the La. Cattlemen's Assoc. and the La. Farm Bureau Federation.

Proposed law retains present law but requires that the annual expenditure report be published rather than made to state conventions.

Present law provides the council with certain additional powers to include: (1) the ability to sue and be sued, (2) to borrow money from licensed lending institutions in certain amounts, (3) to appoint advisory groups composed of representatives from various public and private entities, (4) to employ subordinate officers and employees, and (5) to accept grants, donations, and contributions.

Proposed law retains present law but removes the ability of the council to borrow money from lending institutions and to appoint advisory groups.

Present law allows the council to levy an additional 50¢ per head state assessment on all La. cattle marketed within or outside of the state. Further provides that the state assessment be used for the producer's participation in the La. Beef Promotion and Research Program. Additionally provides for a refund of the state assessment as noted to each producer by the council by Aug. 15 of each year.

Proposed law retains present law but imposes the state assessment. Proposed law additionally requires that the state assessment be used to fund youth activities. Proposed law requires the commissioner transfer to the La. Beef Industry Council funds collected minus actual administrative costs not to exceed 2% of the gross,.

Present law provides for mail notification by the council to producers of refund provisions and procedures by Aug. 15 of each year. Further provides that those persons collecting the assessments shall provide a list for refund purposes of producers who have made payment for cattle.

Proposed law retains present law but removes the responsibility for collecting persons to provide a list of producers eligible for refunds. Proposed law provides that refund provisions and procedures be published in the official state journal and posted on the LDAF website.

Present law provides that portions of present law shall take effect upon approval by a referendum vote of eligible cattle producers. Provides that the commissioner and council establish the voting date to be held at the county agent office in each parish. Further provides for the casting of ballots by registered producers and official counting of ballots by the council. Further provides for the program to be extended indefinitely in five-year increments upon referendum vote by cattle producers.

Proposed law repeals present law.

(Amends R.S. 3:2054, 2055(A)(2), (8), and (9), 2056(B), 2057, 2058(A), (B), and (C), and 2059; Adds R.S. 3:2058(K); Repeals R.S. 3:2062)