

Regular Session, 2014

HOUSE BILL NO. 1056

BY REPRESENTATIVE LAMBERT

AGRICULTURE: Provides relative to assessments levied by the Louisiana Crawfish Promotion and Research Board

1 AN ACT

2 To amend and reenact R.S. 3:556.6(A) and (B) and 556.14(A) and (H) and to repeal R.S.
3 3:556.3(D), 556.7, and 556.14(B), (C), (E), (F), and (G), relative to the Louisiana
4 Crawfish Promotion and Research Board; to provide for the levy of certain
5 assessments on artificial crawfish bait, crawfish tail meat, and bags for the packaging
6 of live crawfish; to repeal the term of appointment for board members; to repeal
7 authority for referenda for assessment purposes; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 3:556.6(A) and (B) and 556.14(A) and (H) are hereby amended and
10 reenacted to read as follows:

11 §556.6. Assessments

12 A. ~~Subject to all of the provisions of this Part, including the provisions~~
13 ~~relating to referenda and refunds, there~~ There is hereby levied and imposed an
14 assessment of one-quarter of one cent per pound on all artificial crawfish bait sold
15 in this state. The assessment shall be ultimately paid by the crawfish farmers and
16 harvesters who purchase the artificial bait.

17 B. ~~Subject to all of the provisions of this Part, including the provisions~~
18 ~~relating to referenda and refunds, there~~ There is hereby levied and imposed an
19 assessment on each bag used to package live crawfish in the amount of one cent for
20 each bag holding less than twenty-five pounds of crawfish, and two cents for each

1 bag holding twenty-five pounds or more of crawfish. The assessment shall
2 ultimately be paid by the crawfish farmers and harvesters who purchase the bags.
3 ~~If the assessment levied and imposed by this Subsection is approved in a referendum,~~
4 ~~the initial assessment shall expire at the same time as the initial assessment levied~~
5 ~~and imposed by Subsection A of this Section.~~

6 * * *

7 §556.14. Assessments on crawfish tails

8 A. An assessment of one cent per pound is hereby levied on all crawfish tail
9 meat sold in this state ~~if the assessment is approved in a referendum vote by a~~
10 ~~majority of crawfish tail meat producers called by the board for that purpose.~~

11 * * *

12 H. The assessment, ~~if approved,~~ shall be collected and paid at the first point
13 of sale in Louisiana by the producer or distributor doing business in Louisiana and
14 remitted to the department on or before the fifteenth day after the close of each
15 quarter.

16 * * *

17 Section 2. R.S. 3:556.3(D), 556.7, and 556.14(B), (C), (E), (F), and (G) are hereby
18 repealed in their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Lambert

HB No. 1056

Abstract: Provides for certain assessments to be levied, imposed, and collected on artificial crawfish bait, crawfish tail meat, and on bags used to package live crawfish; removes the appointment term for members of the La. Crawfish Promotion and Research Board; and removes the authority for referenda for assessment purposes.

Present law provides for an assessment to be levied and imposed, subject to a referendum, of 1/4 of 1¢ per pound on artificial crawfish bait to be paid by the crawfish farmers and harvesters.

Proposed law retains present law provision for the levy of an assessment on artificial crawfish bait but removes present law referendum requirement for assessment purposes.

Present law provides for an assessment to be levied and imposed, subject to a referendum, on each bag used to package live crawfish in the amount of 1¢ for bags holding less than 25 pounds of crawfish and 2¢ on bags holding 25 or more pounds, to be paid by crawfish farmers and harvesters who purchase the bags. Provides for the expiration of the initial assessment if approved in a referendum.

Proposed law retains present law provision for the levy of an assessment on bags used to package live crawfish by certain weight but removes present law referendum requirement for assessment purposes.

Present law provides for an assessment of 1¢ per pound on crawfish tail meat sold in the state subject to a referendum vote by a majority of producers.

Proposed law retains present law assessment relative to crawfish tail meat but removes present law referendum requirement for assessment purposes.

Present law allows the assessment on crawfish tail meat to be collected at the first point of sale by the producer or distributor and remitted to the LDAF by a certain date, only if the assessment is approved by a referendum.

Proposed law retains present law stipulation for crawfish tail meat assessment collection at the first point of sale but removes present law referendum requirement for assessment purposes.

Present law provides that members of the board be appointed for terms concurrent with that of the commissioner making the appointment. Further provides that members serve until their successors are appointed and sworn into office.

Proposed law repeals present law.

Present law provides that no assessment be levied or imposed unless approved by a majority of farmers and harvesters voting in a referendum. Further provides for the effective date of the assessment which may be reimposed indefinitely in five-year increments. Additionally provides for certain criteria to be met for participation in the referenda as conducted by the Louisiana Department of Agriculture and Forestry and provides that reimposition assessments on artificial bait and bags be conducted separately.

Proposed law repeals present law.

Present law provides for a referendum to abolish an assessment to be called by the board if 1/3 of the crawfish tail meat producers submit a petition for such purpose. Provides for the effective date of an approved or abolished assessment. Defines the criteria for referendum participation. Provides for the LDAF to conduct the referendum and for the notification of referendum results.

Proposed law repeals present law.

(Amends R.S. 3:556.6(A) and (B) and 556.14(A) and (H); Repeals R.S. 3:556.3(D), 556.7, and 556.14(B), (C), (E), (F), and (G))