

Regular Session, 2014

HOUSE BILL NO. 878

BY REPRESENTATIVE LEBAS

AGRICULTURE/SOYBEANS: Provides relative to the Louisiana Soybean and Grain Research and Promotion Board

1 AN ACT

2 To amend and reenact R.S. 3:3553(A) and (B)(1) and 3556(A), relative to the Louisiana
3 Soybean Grain Research and Promotion Board; to provide relative to the use of
4 funds; to repeal authority for referenda for the imposition and extension of
5 assessments; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 3:3553(A) and (B)(1) and 3556(A) are hereby amended and
8 reenacted to read as follows:

9 §3553. Levy of assessment; ~~referendum~~; collection; enforcement; refund

10 A. There is imposed and levied an assessment at the rate of one cent per
11 bushel on all soybeans grown within the state, this assessment to be deducted from
12 the amount paid the producer at the first point of sale, whether within or without the
13 state. ~~However, the assessment shall not be imposed unless and until the question~~
14 ~~of its imposition has been submitted to and has been approved by at least a majority~~
15 ~~of the soybean producers who vote in referendum to be called and held by the board.~~
16 ~~The soybean producers of the state shall be notified by the board of the results of the~~
17 ~~referendum. The assessment imposed by this Subsection shall be effective for a~~
18 ~~period of five crop years. This assessment may be extended for an indefinite period~~

1 of time, in increments of five years, by ratification and approval of a majority of the
 2 Louisiana soybean producers who vote in referenda to be called and held by the
 3 board in the manner set forth in this Chapter. In order to be eligible to vote in the
 4 referenda, the prospective voter must have produced soybeans in the crop year
 5 immediately preceding the referendum. Producers voting in referenda shall vote
 6 only in the parish in which the voter resides.

7 B.(1) There is imposed and levied an assessment at the rate of one-half cent
 8 per bushel on all wheat, corn, and grain sorghum grown within the state. However,
 9 the assessment shall not be imposed unless and until the question of its imposition
 10 has been submitted to and has been approved by at least a majority of the wheat,
 11 corn, and grain sorghum producers who vote in a referendum to be called and held
 12 by the board. The wheat, corn, and grain sorghum producers of the state shall be
 13 notified of the results of the referendum. The assessment imposed by this Subsection
 14 shall be effective for a period of five crop years. This assessment may be extended
 15 for an indefinite period of time, in increments of five years, by ratification and
 16 approval of a majority of the producers of the commodities subject to the assessment
 17 who vote in referenda to be called and held by the board in the manner set forth in
 18 this Chapter. In order to be able to vote in the referenda, the prospective voter must
 19 have produced at least one of the commodities subject to the assessment in the year
 20 preceding the year in which the referendum is held or in the year in which the
 21 referendum is held. Producers voting in referenda shall vote only in the parish in
 22 which the voter resides.

23 * * *

24 §3556. Use of funds

25 A. The Louisiana Soybean and Grain Research and Promotion Board shall
 26 plan and conduct a program of research and advertising designed to promote the
 27 soybean, wheat, corn, and grain sorghum industries in Louisiana. The board is
 28 authorized to use the funds derived from any assessment imposed by this Chapter for
 29 these purposes, including basic administration expenses of the plan. Use of these

1 funds may be applied, as prescribed in this Section, within or without the state of
 2 Louisiana, including regional, national, and international applications. ~~The funds~~
 3 ~~may also be used to defray costs of referenda.~~

4 * * *

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)]

LeBas

HB No. 878

Abstract: Removes referenda for the imposition and extension of assessments on soybeans, wheat, corn, and grain sorghum, and clarifies the use of funds.

Present law provides for an assessment of 1¢ per bushel on soybeans to be levied and imposed. Further provides that the imposition of such assessment shall be determined by a referendum vote of soybean producers and remain in effect for a five-crop year period. Allows for the extension of such assessment in five-year increments upon approval by referendum vote of the producers. Provides for certain producer voting criteria in the parish of residence.

Proposed law retains present law but removes the voting criteria and the referendum vote for imposition and extension of such assessment.

Present law provides for an assessment of ½¢ per bushel on wheat, corn, and grain sorghum to be levied and imposed. Further provides that the imposition of such assessment shall be determined by a referendum vote of wheat, corn, and grain sorghum producers and remain in effect for a five-crop year period. Allows for the extension of such assessment in 5-year increments upon approval by a referendum vote of the producers. Provides for certain producer voting criteria in the parish of residence.

Proposed law retains present law but removes the voting criteria and the referendum vote for imposition and extension of such assessment.

Present law provides for the board to use collected assessments to conduct a program of research and advertising for the promotion of the soybean, wheat, corn, and grain sorghum industries within and outside of La. Further allows for use of such funds to defray referenda costs.

Proposed law retains present law but removes the use for such funds to defray referenda costs.

(Amends R.S. 3:3553(A) and (B)(1) and 3556(A))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to the original bill.

1. Made technical changes.

2. Deleted the provisions changing the appointing authority of the La. Soybean and Grain Research and Promotion Board from the governor to the commissioner of agriculture.
3. Deleted the provision to remove concurrent terms of the board members.