
DIGEST

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HB 760 Reengrossed

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, removes the state assessment, removes refunds from 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, West Baton Rouge 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 Association, (2) five cattle producers appointed by the executive committee of the La. Cattlemen's Association, (3) one representative of the La. Livestock Auction Markets Association 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 Association, (2) two representatives appointed by the La. Livestock Auction Markets Association, (3) three cattle producer representatives appointed by the La. Farm Bureau Federation, and (4) cattle producer member appointed by the Cattle Producers of La. Proposed law changes terms of office as follows: (1) one member from the La. Cattlemen's Association and one member from the La. Farm Bureau shall each serve one-year terms. (2) One member from the La. Cattlemen's Association, one member from the La. Farm Bureau, and one member from the La. Livestock Auction Markets Association shall each serve two-year terms. (3) One member from the La. Cattlemen's Association, one member from the La. Farm Bureau, one member from the La. Livestock Auction Markets Association, and one member from the Cattle Producers of La. shall each serve three-year terms.

Proposed law thereafter, specifies that all appointments shall be for three-year terms. Specifies that no appointee shall serve more than two consecutive three-year terms on the council. Provide that the initial appointments shall commence on August 17, 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 four times annually or as called by a majority vote of the council. 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 Association 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 provisions for the collecting person in reference to collecting and remitting the state and federal assessments authorized by law. Proposed law removes the state assessment.

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 repeals present law.

Present law provides for mail notification by the council to producers of refund provisions and procedures by Aug. 15th 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 repeals present law.

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, and 2058(F); Repeals R.S. 3:2058(B) and (C), 2059, and 2062)

Summary of Amendments Adopted by House

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

1. Make a technical change.
2. Reorganize the members of the Louisiana Beef Industry Council to include nine members as follows: three members from the Louisiana Cattleman's association, three members from the Louisiana Farm Bureau Association, two members from the Louisiana Livestock Auction Markets Association, and one member from the Cattle Producers of Louisiana.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Reorganize the appointments of members of the Louisiana Beef Industry Council from four-year terms concurrent with the governor to as follows: One member from the Louisiana Cattleman's Association and one member from the Louisiana Farm Bureau shall each serve one-year terms. One member from the Louisiana Cattleman's Association, one member from the Louisiana Farm Bureau, and one member from the Louisiana Livestock Auction Markets Association shall each serve two-year terms. One member from the Louisiana Cattleman's Association, one member from the Louisiana Farm Bureau, one member from the Louisiana Livestock Auction Markets Association, and one member from the Cattle Producers of Louisiana shall each serve three-year terms. Thereafter, specifies that all appointments shall be for three-year terms. Provide that no appointee shall serve more than two consecutive three-year terms on the council. Provide that the initial appointments shall commence on August 17, 2016.
3. Remove a provision that allows the La. Beef Industry Council to establish rules and regulations and instead requires the council to establish rules and regulations for the operation and functioning of the council.
4. Change the number of meetings that the council may have from one to four.
5. Allow the La. Beef Industry Council to call a special meeting by a majority vote of the council, instead of such meeting being called by the chairman.
6. Revert back to present law in relation to the entity authorized to collect the federal assessment.

7. Remove the fifty cent state assessment from present law and any references to the state assessment in present law.
8. Repeal a provision which allows the council to levy a state assessment and which provides for refunds from the state assessment.
9. Remove a proposed law provision which provided for the monthly transfer of funds from the commissioner of agriculture to the La. Beef Industry Council.
10. Repeal provisions which provide for refund procedures for the state assessment.