

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

---

DIGEST

SB 437 Original

2016 Regular Session

Morrish

Present law creates and provides for the powers, duties, and functions of the Louisiana Rice Research Board and the Louisiana Rice Promotion Board.

Proposed law repeals present law and transfers the powers, duties, and functions of the abolished boards to a newly created board.

Proposed law creates the Louisiana Rice Promotion and Research Board composed of ten members, nine of whom are appointed by the governor, and the commissioner of agriculture or his designee as follows:

- (1) Two members appointed from a list of four persons who are practical rice producers nominated by the member affiliates of the USA Rice Federation.
- (2) Two members appointed from a list of four persons who are practical rice producers nominated by the member affiliates of the US Rice Producers Association.
- (3) One person from a list of two persons nominated by the Louisiana Bankers Association who is involved in lending to the rice industry.
- (4) One member appointed from a list of three persons nominated by the Louisiana Farm Bureau Federation, Inc. who is a non-farmer engaged in an agri-business service involved in the rice industry.
- (5) Three members at-large appointed by the governor.
- (6) The commissioner of agriculture or his designee.

Proposed law requires members to serve for four-year terms which shall begin on August 15, 2016 and each four years thereafter.

Proposed law requires that not less than 30 days prior to August 15, 2016 and every four years thereafter, the member affiliates of the USA Rice Federation, the member affiliates of the US Rice Producers Association, the Louisiana Bankers Association, and the Louisiana Farm Bureau Federation each submit the names of their nominees to the governor, who shall appoint the required number of board members from each set of nominees.

Proposed law provides for meeting requirements, vacancies, election and duties of officers, and requires the employment of a director and assistant director in the unclassified service.

Proposed law authorizes the board to establish rules and regulations and provides for the following duties, functions, and authorizations:

- (1) To make recommendations and to advise the commissioner concerning rules and regulations relating to the administration of the collection of the assessments.
- (2) To enter into contracts for rice promotion and rice research with rice promotion and research organizations and other organizations relating to the research, production, handling, marketing, and utilization of rice, which rice promotion and research organizations may include nonprofit organizations of which members of the board are members.
- (3) To keep minutes, books, and records which will clearly reflect all of its meetings, acts, and transactions. The minutes, books, and records at all times shall be subject to examination by any rice producer on whom an assessment has been collected.
- (4) To publicize the actions of the board in the news media serving the rice areas of Louisiana.
- (5) To investigate and cause prosecution to be instituted for violation of the provisions of proposed law.

Proposed law provides for definitions.

Present law levies an assessment at the rate of three cents per hundredweight, or the equivalent thereof, of dry rough "paddy" rice produced in this state.

Proposed law retains present law.

Present law levies an assessment at the rate of three cents per hundredweight, or the equivalent thereof, of dry rough "paddy" rice produced in this state and a rate of two and seventy one-hundredths cents per hundredweight, or the equivalent thereof, on rice produced in this state and sold on a "green weight" basis.

Proposed law retains present law.

Present law levies an assessment at a rate of two cents per hundredweight, or the equivalent thereof, on dry rough "paddy" rice produced in this state.

Proposed law retains present law.

Present law provides for collection procedures, requires certain records be kept, and authorizes refunds of the assessments.

Proposed law retains present law.

Present law requires the commissioner to monthly pay over to the Louisiana Rice Promotion Board

and the Louisiana Rice Research Board the funds collected less the actual cost of administering and collecting the assessment levied up to but not to exceed two percent of the gross amount collected.

Proposed law requires the commissioner to monthly pay over to the Louisiana Rice Promotion and Research Board the funds collected and otherwise retains present law.

Present law provides for forfeiture of assessments and penalties for failure to pay assessments.

Proposed law retains present law.

Present law provides for limitation of liability for the members and alternate members of the board to any producer or any other person for errors in judgment, mistakes, or other acts, either of commission or omission, except for their own individual acts of dishonesty or crime.

Proposed law retains present law.

Present law authorizes the board to expend a portion of the funds received and administered by the board for the purpose of influencing the development and implementation of national and international policy affecting the marketing of rice produced by Louisiana farmers.

Proposed law retains present law.

Present law prohibits the amount of funds expended by the board in each fiscal year from exceeding five percent of the budget of the board for that fiscal year.

Proposed law retains present law.

Present law prohibits the board from expending any funds for the purpose of influencing any legislative action on the state level.

Proposed law retains present law.

Effective August 1, 2016.

(Adds R.S. 3:3561-3569; repeals R.S. 3:3531-3538 and 3541-3548)