

ACT No. 428

2015 Regular Session

HOUSE BILL NO. 760

BY REPRESENTATIVE FANNIN

1 AN ACT

2 To amend and reenact R.S. 3:2054, 2055(A)(2), (8), and (9), 2056(B), 2057, and 2058(F)
3 and to repeal R.S. 3:2058(B) and (C), 2059, and 2062, relative to the Louisiana Beef
4 Industry Council; to provide for the domicile of the council; to provide for the
5 council membership and terms of office; to provide for powers and duties of the
6 council; to provide for certain assessments and refunds; to repeal the authority for
7 referendum for assessment purposes; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 3:2054, 2055(A)(2), (8), and (9), 2056(B), 2057, and 2058(F) are
10 hereby amended and reenacted and to read as follows:

11 §2054. Creation and organization

12 A. The Louisiana Beef Industry Council is hereby created and shall be within
13 the Department of Agriculture and Forestry as provided for agencies transferred to
14 said the department by R.S. 36:629(E). ~~The council shall be domiciled in the city of~~
15 ~~Port Allen, West Baton Rouge Parish, Louisiana.~~

16 B.(1) The council shall be composed of ~~eleven members, ten of whom shall~~
17 ~~be cattle producers. The ten~~ nine cattle producer members are appointed as follows:

18 (a) ~~The president of the Louisiana Cattlemen's Association.~~

19 (b) ~~Five~~ Three cattle producer members, ~~one of which shall be a pure bred~~
20 ~~breeder, shall be appointed by the executive committee of the Louisiana Cattlemen's~~
21 ~~Association, subject to approval of the Board of Directors of the Louisiana~~
22 ~~Cattlemen's Association to serve on the council for rotating three-year terms.~~

23 (c) ~~(b) One representative~~ Two representatives of the Louisiana Livestock
24 Auction Markets Association ~~shall be appointed by the Board of Directors~~ board of

1 directors of the Louisiana Livestock Auction ~~Markets~~ Market Association ~~and shall~~
 2 ~~serve a three-year term.~~

3 ~~(d)~~(c) Three cattle producer representatives of the Louisiana Farm Bureau
 4 Federation ~~shall be~~ appointed by the Louisiana Farm Bureau Federation ~~president~~
 5 ~~and shall serve for rotating three-year terms.~~

6 (d) One cattle producer member appointed by the Cattle Producers of
 7 Louisiana.

8 (2) In addition, the commissioner of agriculture shall serve as an ex officio
 9 member of the council in an advisory capacity only.

10 (3)(a) Members shall serve as follows:

11 (i) One member from the Louisiana Cattlemen's Association and one
 12 member from the Louisiana Farm Bureau shall each serve one-year terms.

13 (ii) One member from the Louisiana Cattlemen's Association, one member
 14 from the Louisiana Farm Bureau, and one member from the Louisiana Livestock
 15 Auction Markets Association shall each serve two-year terms.

16 (iii) One member from the Louisiana Cattlemen's Association, one member
 17 from the Louisiana Farm Bureau, one member from the Louisiana Livestock Auction
 18 Markets Association, and one member from the Cattle Producers of Louisiana shall
 19 each serve three-year terms.

20 (b) Thereafter, all appointments shall be for three-year terms. No appointee
 21 shall serve more than two consecutive three-year terms on the council. The initial
 22 appointments shall commence on August 17, 2015.

23 ~~C. The terms of the initial appointees shall be designated by the president of~~
 24 ~~the Louisiana Cattlemen's Association at the time of appointment in such manner~~
 25 ~~that three of the initial appointees shall serve a one-year term; three of the initial~~
 26 ~~appointees shall serve a two-year term; and three of the initial appointees shall serve~~
 27 ~~a three-year term. Thereafter, all subsequent appointments shall be for three-year~~
 28 ~~terms. No appointee shall serve more than two consecutive three-year terms on the~~
 29 ~~council.~~

1 ~~D~~: Thereafter and not less than thirty days prior to the expiration of the term
2 of office, except for those serving by virtue of their elective office, the aforementioned
3 organizations and agencies shall submit the names of appointments to the council.
4 Vacancies which occur shall be filled in the same manner as the original
5 appointments and for the unexpired term.

6 ~~E~~. D. The council shall meet and organize immediately after appointment
7 of the members, and shall elect the chairman, vice chairman, and secretary-treasurer
8 from the membership of the council, whose duties shall be those customarily
9 exercised by such officers or specifically designated by the council. The officers
10 shall serve a one-year term. ~~The council may establish rules and regulations for its
11 own government and for the administration of the affairs of the council.~~

12 ~~F~~. E. Council members shall receive no salary for their services as members,
13 but shall be reimbursed for actual travel and other expenses incurred in attendance
14 at meetings of the council or while on official business of the council assigned by the
15 council. The reimbursement shall be paid out of funds available to the council.

16 §2055. Powers and duties of the council; quorum

17 A. The council shall:

18 * * *

19 (2) Meet regularly, ~~not less often than once in each calendar quarter or at
20 such other times as called by the chairman, or when requested by six or more
21 members of the council~~ at least four times annually or by a special meeting called by
22 a majority vote of the council.

23 * * *

24 (8) Maintain frequent communications with officers and industry
25 representatives of the ~~National Livestock and Meat Board~~ Cattlemen's Beef
26 Promotion and Research Board.

27 (9) Establish reasonable rules and regulations ~~for its own government and
28 the administration of the affairs of the council~~ for the operation and functioning of
29 the council.

30 * * *

1 §2056. Use of funds

2 * * *

3 B. All funds available to the council shall be expended only to effectuate the
4 purposes of this Part and shall not be used for political purposes in any manner. A
5 report of all expenditures shall be ~~made~~ published annually ~~to the state conventions~~
6 ~~of the Louisiana Cattlemen's Association and the Louisiana Farm Bureau Federation.~~

7 §2057. Additional powers of council

8 The council may:

9 (1) Sue and be sued as a council, without individual liability of the members
10 for acts of the council when acting within the scope of the powers of this Part, and
11 in a manner prescribed by the laws of this state.

12 ~~(2) Borrow money from licensed lending institutions in amounts which are~~
13 ~~not cumulatively greater than fifty percent of anticipated annual income.~~

14 ~~(3) Appoint advisory groups composed of representatives from~~
15 ~~organizations, institutions, governments, or business related to or interested in the~~
16 ~~welfare of the cattle and beef industry and consumers.~~

17 ~~(4)~~ (2) Employ subordinate officers and employees of the council and
18 prescribe their duties and fix their compensation and terms of employment.

19 ~~(5)~~ (3) Accept grants, donations, contributions, or gifts from any source, but
20 only if the use of such resources is not restricted in any manner which is deemed
21 inconsistent with the objectives of the program.

22 §2058. Levies, assessments, collection, and enforcement

23 * * *

24 F. The collecting person shall collect and remit the ~~state and federal~~
25 ~~assessments authorized to be levied by this Part, provided that:~~

26 ~~(1) The refundable portion of the state assessment shall not be collected on~~
27 ~~any cattle which sell for one hundred fifty dollars or less per head.~~

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscoring are additions.

