

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 886 by Representative Montoucet

AGRICULTURE/RICE: Provides relative to assessments levied by the Louisiana Rice Research Board

Synopsis of Senate Amendments

1. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Present law provides for the 13-member La. Rice Research Board to be appointed by the governor for four-year terms from lists of nominees submitted by the La. Farm Bureau, the La. Rice Growers Assoc., and the American Rice Growers Cooperative Assoc.

Proposed law retains present law and adds the following two members to the board: (1) one member appointed from a list of three persons nominated by the La. Independent Rice Producers Assoc., and (2) the commissioner of agriculture or his designee, who will not be subject to Senate confirmation. Removes the commissioner as an advisor to the board.

Present law provides for the board's four-year terms of office to begin July 1, 1988.

Proposed law changes the effective date for the four-year terms from July 1, 1988, to August 15, 2014.

Present law requires nominating entities to submit their respective list of nominees for appointment consideration no later than 30 days prior to July 1, 1988, and every four years thereafter.

Proposed law changes the date for commencement of four-year terms from July 1, 1988, to August 15, 2014. Adds the La. Independent Rice Producers Assoc. as a nominating entity required to submit a list of nominees by a certain date.

Present law provides for board members to elect certain officers, establish rules and regulations, and be empowered with the following duties:

- (1) To plan and conduct referenda among producers for the approval or disapproval of the program.
- (2) To receive funds from the state treasury.
- (3) To make recommendations to the commissioner concerning rules and regulations relative to the collection of the assessment.
- (4) To expend collected funds for rice research and enter into contracts with certain organizations for purposes of rice research.
- (5) To keep accurate minutes, books, and records reflective of all meetings, acts, and transactions which are subject to examination by any rice producer.
- (6) To publicize board actions in news media serving the rice areas of the state.

Proposed law retains present law provisions for the election of officers, establishment of rules and regulations and certain duties but removes the present law board duty to plan and conduct referenda for program purposes.

Present law provides for an assessment to be levied and imposed at a rate not to exceed 3¢ per hundredweight of dry rough "paddy" rice to be collected at the first point of sale. Further provides that the assessment not be imposed until its imposition and the amount thereof has been submitted to a majority of rice producers in a referendum vote.

Proposed law retains present law collection provisions but changes the present law assessment amount from a 0-to-3¢ range to 3¢ per hundredweight on dry rough "paddy" rice and removes the present law referendum provision for assessment purposes.

Present law provides for an assessment refund pursuant to a written application with the commissioner within 30 days from the date of the sale and prior to the annual accounting and transfer of funds to the board. Further provides for a referendum vote of the producers to abolish the refund provisions which would render such refund null and void.

Proposed law retains the present law provision for an assessment refund subject to written application with the commissioner within a certain time period but removes present law referendum requirements to abolish refund provisions.

Proposed law provides that the refund be paid to the producer no later than 60 days after the commissioner receives the producer's application for a refund. Further requires a two-thirds vote of the legislature to repeal the refund.

Present law provides for the commissioner to annually transfer to the board funds collected less administrative costs in an amount not to exceed 2% of the gross amount collected. Further provides that the annual settlement to the board be accompanied by a complete audit of all funds collected and disbursed.

Proposed law retains present law relative to the transfer of funds to the board with the accompanying audit but changes the present law fund transfer period from annually to monthly.

Present law provides for the levy of an additional assessment at a rate not to exceed 2¢ per hundredweight on dry rough "paddy" rice.

Proposed law changes the present law additional assessment rate from a 0-to-2¢ range to 2¢ per hundredweight.

Present law authorizes the board to determine an amount needed for rice research and to contract for services to accomplish such need. Further provides for the application of funds within or outside of the state subject to the benefit of La. rice producers. Additionally allows use of funds to defray costs or referenda.

Proposed law retains the present law provisions relative to the expenditure of funds for rice research and contracted services but removes the present law provision for fund allowance to defray costs or referenda.

Present law allows the assessment on rice to be extended indefinitely in five-year increments by approval in a referendum vote of rice producers.

Proposed law repeals present law.

Present law provides for the imposition of the assessment only by referendum vote of a majority of rice producers. Further provides for criteria for participation in a referendum and for notification of the referendum results.

Proposed law repeals present law.

Present law provides that additional assessments be subject to all other assessment requirements including provisions for referenda and extension in five-year increments,

subject to referenda.

Proposed law repeals present law.

(Amends R.S. 3:3543(B), (C), and (D), 3544(A)(1) and (3), (E), (F)(3) and (4), and (H)(1) and 3547(A); Repeals R.S. 3:3543(E) and 3544(A)(10), (B), and (H)(5))