

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to HB 1030:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 4 of Title 2 of the Official Code of Georgia Annotated, relating to the
2 Georgia Seed Development Commission, so as to change certain provisions relating to the
3 Georgia Seed Development Commission and its membership; to provide for related matters;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Chapter 4 of Title 2 of the Official Code of Georgia Annotated, relating to the Georgia Seed
8 Development Commission, is amended by revising Code Section 2-4-3, relating to the
9 Georgia Seed Development Commission and its composition, officers, bylaws, quorum,
10 compensation, records, audits, and bonds, as follows:

11 "2-4-3.

12 (a) As used in this Code section, the term 'licensee' means the designee of a holder of a
13 license authorizing the production, conditioning, propagation, or marketing of crops, seed,
14 turfgrass, or horticultural plants developed by the College of Agricultural and
15 Environmental Sciences of the University of Georgia, where such license grants rights to
16 intellectual property owned by the University of Georgia or a formally designated
17 cooperative organization thereof.

18 ~~(a)~~(b) The commission shall be composed of the following 11 members:

19 (1) Two members to be appointed by the Governor, each of whom shall be a ~~farmer who~~
20 ~~grows crops or turf~~ licensee or shall be otherwise involved in the production,
21 conditioning, or marketing of crops, seed, turfgrass, or horticultural plants;

22 (2) One member who shall be a ~~farmer who grows crops or turf~~ licensee or shall be
23 otherwise involved in the production, conditioning, or marketing of crops, seed, turfgrass,
24 or horticultural plants, to be appointed by the Lieutenant Governor;

- 25 (3) One member who shall be a ~~farmer who grows crops or turf~~ licensee or shall be
 26 otherwise involved in the production, conditioning, or marketing of crops, seed, turfgrass,
 27 or horticultural plants, to be appointed by the Speaker of the House of Representatives;
- 28 (4) The Commissioner of Agriculture;
- 29 (5) Two representatives of the crop, seed or turf industries, turfgrass, or horticultural
 30 plant industry or of farm related organizations, one of whom shall be appointed by the
 31 Senate Agriculture and Consumer Affairs Committee, and one of whom shall be
 32 appointed by the House Committee on Agriculture and Consumer Affairs. Such
 33 representatives shall be licensees or shall otherwise have knowledge of the production,
 34 conditioning, or marketing of crops, seed, turfgrass, or horticultural plants. Each
 35 committee shall make its appointment with a quorum present and a majority of those
 36 present concurring;
- 37 (6) One member who shall be a ~~farmer who grows crops or turf~~ licensee or shall be
 38 otherwise involved in the production, conditioning, or marketing of crops, seed, turfgrass,
 39 or horticultural plants, to be appointed by the Commissioner of Agriculture;
- 40 (7) The dean of the College of Agricultural and Environmental Sciences of the
 41 University of Georgia;
- 42 ~~(8) A seed breeder employed by the College of Agricultural and Environmental Sciences~~
 43 ~~of the University of Georgia, to be appointed by the dean of the College of Agricultural~~
 44 ~~and Environmental Sciences of the University of Georgia; and~~
- 45 ~~(9)~~(8) The associate dean for research of the College of Agricultural and Environmental
 46 Sciences of the University of Georgia, as a nonvoting member; and
- 47 (9) An additional nonvoting member who is a crop, seed, turfgrass, or horticultural plant
 48 breeder employed by the College of Agricultural and Environmental Sciences of the
 49 University of Georgia, appointed by the dean of the College of Agricultural and
 50 Environmental Sciences of the University of Georgia, after consultation with the
 51 commission.
- 52 ~~(b)~~(c) The members of the commission shall enter upon their duties without further act or
 53 formality. The commission shall organize each even-numbered year at the meeting next
 54 following July 1 of such year, at which time the commission shall elect one of its members
 55 as chairperson and another as vice chairperson. It shall also elect a secretary and a
 56 treasurer, who need not be members. The offices of secretary and treasurer may be
 57 combined in one person. The commission may make such bylaws for its government as
 58 it deems necessary but is under no duty to do so.
- 59 ~~(c)~~ ~~Six~~ (d) Five voting members of the commission shall constitute a quorum necessary
 60 for the transaction of business, and a majority vote of those present at any meeting at which
 61 there is a quorum shall be sufficient to do and perform any action permitted the

62 commission by this chapter. No vacancy on the commission shall impair the right of a
63 quorum to transact any and all business of the commission.

64 ~~(d)~~(e) The members shall not receive compensation for their services but shall be
65 reimbursed for actual expenses incurred in the performance of their duties.

66 ~~(e)~~(f) Members of the commission shall be accountable as trustees. They shall cause
67 adequate books and records of all transactions of the commission, including records of
68 income and disbursements of every nature, to be kept. The books and records shall be
69 inspected and audited by the state auditor at least once in each year. The commission may
70 require that an employee, an officer, member of the commission, or any person doing
71 business with the commission post a bond, in an amount to be determined by the
72 commission, for the faithful performance of the duties imposed upon such employee,
73 officer, member of the commission, or person doing business with the commission. The
74 principal of such bond of an officer, employee, or member of the commission shall be paid
75 by the commission."

76 **SECTION 2.**

77 All laws and parts of laws in conflict with this Act are repealed.