

Regular Session, 2010

HOUSE BILL NO. 48

BY REPRESENTATIVE ANDERS

GRAIN DEALERS: Provides with respect to the assessment on grain

1 AN ACT

2 To amend and reenact R.S. 3:3553(B) and 3556, relative to the assessment on grain
3 sorghum; to authorize the application for and receipt of national assessment funds;
4 to suspend the state assessment; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:3553(B) and 3556 are hereby amended and reenacted to read as
7 follows:

8 §3553. Levy of assessment; referendum; collection; enforcement; refund

9 * * *

10 B.(1) There is imposed and levied an assessment at the rate of one-half cent
11 per bushel on all wheat, corn, and grain sorghum grown within the state. However,
12 the assessment shall not be imposed unless and until the question of its imposition
13 has been submitted to and has been approved by at least a majority of the wheat,
14 corn, and grain sorghum producers who vote in a referendum to be called and held
15 by the board. The wheat, corn, and grain sorghum producers of the state shall be
16 notified of the results of the referendum. The assessment imposed by this Subsection
17 shall be effective for a period of five crop years. This assessment may be extended
18 for an indefinite period of time, in increments of five years, by ratification and
19 approval of a majority of the producers of the commodities subject to the assessment
20 who vote in referenda to be called and held by the board in the manner set forth in

1 this Part. In order to be able to vote in the referenda, the prospective voter must have
2 produced at least one of the commodities subject to the assessment in the year
3 preceding the year in which the referendum is held or in the year in which the
4 referendum is held. Producers voting in referenda shall vote only in the parish in
5 which the voter resides.

6 (2) No assessment for grain sorghum shall be imposed and levied in
7 accordance with this Subsection while a national assessment for grain sorghum
8 established pursuant to 7 CFR 1221 remains in effect. The assessment on grain
9 sorghum shall be imposed and levied in accordance with this Subsection upon the
10 suspension or termination of the national assessment for grain sorghum established
11 pursuant to 7 CFR 1221.

12 * * *

13 §3556. Use of funds

14 A. The Louisiana Soybean and Grain Research and Promotion Board shall
15 plan and conduct a program of research and advertising designed to promote the
16 soybean, wheat, corn, and grain sorghum industries in Louisiana. The board is
17 authorized to use the funds derived from any assessment imposed by this Part for
18 these purposes, including basic administration expenses of the plan. Use of these
19 funds may be applied, as prescribed in this Section, within or without the state of
20 Louisiana, including regional, national, and international applications. The funds
21 may also be used to defray costs of referenda.

22 B. The board is authorized to apply for and receive monies from the national
23 assessment for grain sorghum pursuant to 7 CFR 1221.

24 Section 2. This Act shall become effective on July 1, 2010; if vetoed by the governor
25 and subsequently approved by the legislature, this Act shall become effective on July 1,
26 2010, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Anders

HB No. 48

Abstract: Provides for the suspension of grain sorghum assessments while a national assessment for grain sorghum remains in effect. Authorizes the application for and receipt of monies from the national assessment for grain sorghum.

Present law levies an assessment on all wheat, corn, and grain sorghum grown in the state at a rate of 1/2 cent per bushel. Provides that the assessment not be imposed unless approved by a majority of the wheat, corn, and grain sorghum producers voting in a referendum, and that the assessment be effective for a period of five crop years. Further provides that the assessment may be extended in five-year increments for an indefinite period of time by ratification and approval of a majority of the producers for the commodities subject to the assessment.

Proposed law retains present law and further provides that no assessment for grain sorghum be imposed while a national assessment established by 7 CFR 1221 remains in effect. Provides for the grain sorghum assessment to be imposed and levied upon the suspension or termination of the national assessment for grain sorghum.

Present law allows the La. Soybean and Grain Research and Promotion Board to plan and conduct a research and advertising program designed to promote the soybean, wheat, corn, and grain sorghum industries in La. Also authorizes the board to use funds derived from any imposed assessment for basic administration expenses of the research and advertising plan. Provides for use of the funds within and without the state and also to defray costs of referenda.

Proposed law retains present law and authorizes the board to apply for and receive monies from the national grain sorghum assessment.

Effective July 1, 2010.

(Amends R.S. 3:3553(B) and 3556)