

Senate Bill 97

By: Senators Wilkinson of the 50th, Heath of the 31st and Ginn of the 47th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 2 of Chapter 8 of Title 2 of the Official Code of Georgia Annotated,
2 relating to agricultural commodity commissions generally, so as to create the Agricultural
3 Commodity Commission for Beef; to provide for membership; to establish powers and
4 limitations regarding assessments; to provide an effective date; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 8 of Title 2 of the Official Code of Georgia Annotated, relating to
9 agricultural commodity commissions generally, is amended by adding a new paragraph to
10 subsection (a) of Code Section 2-8-13, relating to ratification and governance of
11 commissions previously established, to read as follows:

12 "(5) There shall be an Agricultural Commodity Commission for Beef established on the
13 effective date of this paragraph. For purposes of this paragraph, the term 'beef' means any
14 bovine animal."

15 **SECTION 2.**

16 Said article is further amended by adding a new paragraph to subsection (c) of Code Section
17 2-8-13, relating to ratification and governance of commissions previously established, to read
18 as follows:

19 "(5) Prior to December 31, 2015, and each three years thereafter, balloting shall be
20 conducted in accordance with Code Section 2-8-23 to determine whether any existing
21 commission listed in paragraph (5) of subsection (a) of this Code section shall continue
22 to exist and operate under this article."

23 **SECTION 3.**

24 Said article is further amended by revising subsection (a) of Code Section 2-8-14, relating
 25 to composition of agricultural commissions generally, to read as follows:

26 "(a) Each commission shall be composed of:

27 (1) The Commissioner of Agriculture, ex officio;

28 (2) The president of the Georgia Farm Bureau Federation, ex officio;

29 (3) One member, to serve as an ex officio member of all commissions, elected by the
 30 Senate Agriculture and Consumer Affairs Committee with a quorum present and a
 31 majority of those present concurring, who shall be a producer of an affected agricultural
 32 commodity and shall not be a member of the General Assembly;

33 (4) One member, to serve as an ex officio member of all commissions, elected by the
 34 Agriculture and Consumer Affairs Committee of the House of Representatives with a
 35 quorum present and a majority of those present concurring, who shall be a producer of
 36 an affected agricultural commodity and shall not be a member of the General Assembly;
 37 and

38 (5) Five additional members, who shall be producers of the affected agricultural
 39 commodity, to be appointed by the ex officio members of the commission; ~~for provided,~~
 40 however, that such additional membership of the Agricultural Commodity Commission
 41 for Beef shall consist of three beef cattle farmers, one dairy farmer, and one individual
 42 involved in the marketing of cattle. For the purposes of the appointment of such five
 43 additional members, the two members elected by each of the agriculture committees of
 44 the General Assembly, who shall serve as members of each commission, shall be deemed
 45 to be ex officio members."

46 **SECTION 4.**

47 Said article is further revised by adding a new Code section to read as follows:

48 "2-8-23.1.

49 (a) No marketing order issued by the Agricultural Commodity Commission for Beef shall
 50 impose an assessment in excess of \$1.00 per head on bovine animals sold, nor shall any
 51 assessment be placed on any bovine animal which sells for less than \$100.00.

52 (b) The Agricultural Commodity Commission for Beef may in its discretion lower the
 53 assessment amount imposed by any marketing regulation duly issued under the authority
 54 provided by this article."

55 **SECTION 5.**

56 This Act shall become effective upon its approval by the Governor or upon its becoming law
 57 without such approval.

58

SECTION 6.

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