

House Bill 1030

By: Representatives Watson of the 172nd, Houston of the 170th, England of the 116th, Corbett of the 174th, and LaRiccia of the 169th

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 style="text-align:center">**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 holder of a license
13 authorizing the propagation and marketing of seed, turfgrass, or horticultural plants
14 developed by the College of Agricultural and Environmental Sciences of the University of
15 Georgia or his or her representative.

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

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

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

23 (3) One member who shall be a ~~farmer who grows crops or turf~~ licensee or shall be
24 otherwise involved in the production, conditioning, or marketing of seed, turfgrass, or
25 horticultural plants, to be appointed by the Speaker of the House of Representatives;

26 (4) The Commissioner of Agriculture;

27 (5) Two representatives of the seed ~~or turf industries, turfgrass, or horticultural plant~~
 28 industry or of farm related organizations, one of whom shall be appointed by the Senate
 29 Agriculture and Consumer Affairs Committee, and one of whom shall be appointed by
 30 the House Committee on Agriculture and Consumer Affairs. Such representatives shall
 31 be licensees or shall otherwise have knowledge of the production, conditioning, or
 32 marketing of seed, turfgrass, or horticultural plants. Each committee shall make its
 33 appointment with a quorum present and a majority of those present concurring;

34 (6) One member who shall be a ~~farmer who grows crops or turf~~ licensee or shall be
 35 otherwise involved in the production, conditioning, or marketing of seed, turfgrass, or
 36 horticultural plants, to be appointed by the Commissioner of Agriculture;

37 (7) The dean of the College of Agricultural and Environmental Sciences of the
 38 University of Georgia;

39 ~~(8) A seed breeder employed by the College of Agricultural and Environmental Sciences~~
 40 ~~of the University of Georgia, to be appointed by the dean of the College of Agricultural~~
 41 ~~and Environmental Sciences of the University of Georgia; and~~

42 ~~(9)~~(8) The associate dean for research of the College of Agricultural and Environmental
 43 Sciences of the University of Georgia, as a nonvoting member; and

44 (9) An additional nonvoting member who is a seed, turfgrass, or horticultural plant
 45 breeder employed by the College of Agricultural and Environmental Sciences of the
 46 University of Georgia, appointed by the dean of the College of Agricultural and
 47 Environmental Sciences of the University of Georgia, after consultation with the
 48 commission.

49 ~~(b)~~(c) The members of the commission shall enter upon their duties without further act or
 50 formality. The commission shall organize each even-numbered year at the meeting next
 51 following July 1 of such year, at which time the commission shall elect one of its members
 52 as chairperson and another as vice chairperson. It shall also elect a secretary and a
 53 treasurer, who need not be members. The offices of secretary and treasurer may be
 54 combined in one person. The commission may make such bylaws for its government as
 55 it deems necessary but is under no duty to do so.

56 ~~(e)~~ ~~Six~~ (d) Five voting members of the commission shall constitute a quorum necessary
 57 for the transaction of business, and a majority vote of those present at any meeting at which
 58 there is a quorum shall be sufficient to do and perform any action permitted the
 59 commission by this chapter. No vacancy on the commission shall impair the right of a
 60 quorum to transact any and all business of the commission.

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

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

73

SECTION 2.

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