

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 945

89TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR HOWARD.

Read 1st time February 24, 1998, and 1,000 copies ordered printed.

Read 2nd time March 2, 1998, and referred to the Committee on Agriculture, Conservation, Parks and Tourism.

Reported from the Committee March 11, 1998, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 25, 1998. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

S3987.01P

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## AN ACT

To repeal section 263.527, RSMo Supp. 1997, relating to cotton growers referendum, and to enact in lieu thereof one new section relating to the same subject.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 263.527, RSMo Supp. 1997, is repealed and one new section enacted in lieu thereof, to be known as section 263.527, to read as follows:

263.527. 1. At the request of the certified organization, the department shall authorize a statewide referendum among cotton growers on the question of whether an assessment shall be levied upon cotton growers in the state to offset, in whole or in part, the cost of boll weevil suppression or eradication programs authorized by sections 263.500 to 263.537 or any other law of this state. Such program shall be designed on a regional basis so as to reflect the differences in boll weevil infestation and the relative cost of financing a boll weevil suppression and eradication program in the respective regions.

2. The assessment levied under sections 263.500 to 263.537 shall be based upon the number of acres of cotton planted in the eradication area. The amount of the assessment, the period of time for which it shall be levied, how it shall be levied, when it shall be paid, and the

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

geographical area to be covered by the assessment shall be determined by the department in consultation with the official cotton board of directors established in section 263.523. The department shall promulgate regulations pursuant to this section.

3. All affected cotton growers [and landowners with a cotton base shall be entitled to vote in any such referendum based upon the number of acres owned or worked by such growers and landowners which are dedicated to the production or manufacture of cotton, with each acre representing one vote. The department] **shall be entitled to one vote in any such referendum. The department, after consultation with the certified organization,** shall determine any questions of eligibility to vote.

4. Each eligible cotton grower shall be mailed a ballot upon which to cast a vote for or against the boll weevil suppression and eradication program.

5. If at least two-thirds of those voting vote in favor of the assessment, then the assessment shall be collected by the department from the affected cotton growers. All such moneys collected shall be deposited in the boll weevil suppression and eradication fund created pursuant to section 263.537.

6. The assessments collected by the department under sections 263.500 to 263.537 shall be promptly remitted to the certified organization under such terms and conditions as the department shall deem necessary to ensure that such assessments are used in a sound program of eradication or suppression of the boll weevil.

7. The certified organization shall provide to the department an annual audit of its accounts performed by a certified public accountant.

8. The assessments collected by the department under sections 263.500 to 263.537 shall not be state funds.

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