

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

2

HOUSE BILL 305
Committee Substitute Favorable 4/29/97

Short Title: Peanut Assessment Cap.

(Public)

Sponsors:

Referred to:

February 24, 1997

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE LIMIT FOR AN ASSESSMENT WHEN THE
2 ASSESSMENT IS PAID BY PEANUT PRODUCERS FOR THE PROMOTION OF
3 PEANUTS.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 106-557 reads as rewritten:

7 "**§ 106-557. Notice of referendum; statement of amount, basis and purpose of**
8 **assessment; maximum assessment.**

9 With respect to any referendum conducted under the provisions of this Article, the
10 duly certified commission, council, board or other agency shall, before calling and
11 announcing such referendum, fix, determine and publicly announce at least 30 days
12 before the date determined upon for such referendum, the date, hours and polling places
13 for voting in such referendum, the amount and basis of the assessment proposed to be
14 collected, the means by which such assessment shall be collected if authorized by the
15 growers, and the general purposes to which said amount so collected shall be applied; no
16 annual assessment levied under the provisions of this Article shall exceed one half of one
17 percent (1/2 of 1%) of the value of the year's production of such agricultural commodity
18 grown by any farmer, producer or grower included in the group to which such
19 referendum is submitted. Provided, that the assessment for the research and promotion

1 programs of the American Dairy Association of North Carolina may be fixed on the
2 volume of milk sold not to exceed one percent (1%) of the statewide blend price paid to
3 all North Carolina producers during the previous calendar year for three and one-half
4 percent (3.5%) milk as computed by the North Carolina Milk Commission. Provided
5 further, that the assessment authorized by this Article and collected by the Commissioner
6 of Agriculture to be paid to the North Carolina Yam Commission, Inc., or other duly
7 certified agencies entitled thereto for research, marketing and promotional programs
8 related to yams or sweet potatoes may be levied at a rate not to exceed two percent (2%)
9 of the value of the year's production of that agricultural commodity grown by any
10 farmer, producer or grower included in the group to which the referendum is submitted,
11 and when authorized by two-thirds or more of the farmers, producers or growers in the
12 area in which the referendum is conducted, the rate of the assessment may remain in
13 effect for the length of time provided in the referendum. Provided further, that the
14 assessment authorized by this Article on peanuts may not exceed two percent (2%) of the
15 price paid to the producer."

16 Section 2. This act is effective when it becomes law.