

CHAPTER 32

(HB 286)

AN ACT relating to bovine animal assessments.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 247.650 is amended to read as follows:

- (1) With respect to any referendum conducted under the provisions of KRS 247.610 to 247.685, the Commissioner of Agriculture shall, before calling and announcing the referendum, fix, determine, and publicly announce at least thirty (30) days before the date determined for the referendum, the date, hours, and polling places for voting in the referendum, the effective date of the assessment, if adopted, the amount and basis of the assessment proposed to be collected, the means by which ~~the~~~~[such]~~ assessment shall be collected if authorized by ~~the~~~~[said]~~ producers, and the general purposes to which ~~the~~~~[said]~~ amount~~[so]~~ collected shall be applied. No assessment levied under the provisions of any referendum shall exceed **one dollar (\$1.00)**~~[twenty-five cents (\$0.25)]~~ on each bovine animal marketed in the state by any producer included in the group to which ~~the~~~~[such]~~ referendum was submitted or by any person subsequently becoming a new producer in the area in which ~~the~~~~[such]~~ referendum was held.
- (2) The first referendum held under the provisions of KRS 247.610 to 247.685 shall specify that the assessment, if approved, levied under that referendum shall be ten cents (\$0.10) on each bovine animal.
- (3) No assessment shall be made on any bovine animal marketed in the state which sells for ten dollars (\$10) or less.

Section 2. KRS 247.652 is amended to read as follows:

- (1) Notwithstanding the provisions of KRS 247.610 to 247.685, in accordance with the Federal Beef Promotion and Research Act of 1985, each Kentucky producer of a bovine animal shall receive a credit of up to fifty cents (\$0.50) on each bovine animal on which a one dollar (\$1) assessment was made under the terms of the federal act. Each~~[such]~~ fifty cent (\$0.50) credit received by the producer shall be retained by the association certified under KRS 247.610 to 247.685 and shall be used by the association for the purposes provided in KRS 247.610 to 247.685.
- (2) As long as the Kentucky producer of bovine animals receives the fifty cents (\$0.50) per head credit in accordance with subsection (1) of this section, the assessment provided for in KRS 247.650 shall not be effective.
- (3) In the event the one dollar (\$1) assessment provided by the federal act is terminated or suspended, the assessment on each Kentucky producer of a bovine animal shall continue and shall not exceed **one dollar**~~[twenty-five cents (\$0.25)]~~ for the purposes of KRS 247.610 to 247.685.

Section 3. KRS 247.610 is amended to read as follows:

It is declared to be in the interest of the public welfare that Kentucky farmers who are producers of bovine animals shall be permitted and encouraged to act jointly and in cooperation with all producers, handlers, dealers, and processors of bovine animals in promoting and stimulating, by research, market development, and education, the~~[increased production,]~~ use and sale, domestic and foreign, of~~[bovine animals and]~~ bovine animal products.

Section 4. KRS 247.625 is amended to read as follows:

It is hereby further declared to be in the public interest and highly advantageous to the agricultural economy of the state that producers of bovine animals shall be permitted by referendum to be held among *the*~~[such]~~ respective groups and subject to the provisions of KRS 247.610 to 247.685 to levy upon themselves an assessment on bovine animals and provide for the collection of the *assessment*~~[same]~~ for the purpose of financing or contributing towards the financing of a program of research, market development, and education to increase the domestic and foreign consumption, use, sale, and markets for~~[bovine animals and]~~ bovine animal products.

Approved April 2, 2004