

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 175, Page 1, Section 266.600, Line 5, by inserting after all of said section
2 and line the following:

3
4 "275.330. 1. When the director receives a petition for permission to establish a commodity
5 merchandising council he shall:

- 6 (1) Determine the legal sufficiency of the petition;
7 (2) Establish a list of producers of such agricultural commodity or make any such existing
8 list current;
9 (3) Hold a public hearing or hearings on the proposed program;
10 (4) Publish a notice to producers of the commodity to be affected advising them:
11 (a) That a petition has been filed with the director;
12 (b) The time and place or places of the public hearing or hearings;
13 (c) That a referendum may be held to establish a commodity merchandising council; and
14 (d) That to be eligible to vote in the referendum the producer must register.
15

16 The director shall give notice in not less than three publications devoted to agriculture and each of
17 which has a statewide circulation of not less than seventy-five thousand, at least one month prior to
18 the hearing. The fees for the publication of notice shall be advanced in cash to the director by the
19 representative group and no publication of notice shall be paid for by state funds;

20 (5) Provide forms to enable producers to register, which forms shall include the producer's
21 name, mailing address, and the yearly average quantity of such commodity produced or handled by
22 him in the three years preceding the date of the notice, or in such lesser period as a producer has
23 produced or handled the commodity in question;

24 (6) Approve the petition, in whole or as revised, or disapprove the petition depending upon
25 the determinations made after public hearing;

26 (7) After approval of a petition, hold a referendum among the producers of the commodity
27 to determine whether or not the merchandising council is to be established.

28 2. The director shall determine the sufficiency of the petition within twenty-one days after
29 it is submitted to him and shall publish notice of the public hearing and registration requirements
30 giving at least ten days' notice prior to public hearing and thirty days' notice to register prior to the
31 referendum.

32 3. If a majority of the votes cast are in favor of adoption, and if those producers voting in
33 favor of adoption represent a majority of the production of all registered producers casting votes, the
34 petition is adopted.

35 4. If the required percentage by number and by production of those voting is in favor of the
36 adoption of the proposal in the petition, the director shall declare the proposal to be adopted.

Action Taken _____ Date _____

1 5. A proposal to change the amount of the fee to be collected or to make other major
2 changes may be made by a two-thirds vote of the council or by petition of twenty-five percent of the
3 commodity producers. The proposal shall then be submitted to referendum under which the same
4 percentages by number and production shall be required for approval as were required for
5 establishment of the original merchandising program. However, the council, by two-thirds vote,
6 may lower the amount of the fee to be collected, or may thereafter increase the amount of the fee to
7 not more than the rate originally approved without a referendum vote. Such increase or decrease of
8 fees shall not become effective except at the beginning of the next state fiscal year. If the Soybean
9 Promotion, Research, and Consumer Information Act under 7 CFR Part 1220 expires, terminates, or
10 otherwise is no longer in effect, or the Missouri Qualified State Soybean Board is no longer under
11 the jurisdiction of such act, the amount of the fee to be collected shall not be increased or decreased
12 except as provided in this section.

13 6. A proposal to terminate the commodity merchandising program may be made by a
14 majority of the council or by petition of ten percent of the registered commodity producers. The
15 proposed termination shall be submitted to referendum under which a simple majority of those
16 voting shall be required for termination.

17 7. No referendum to set up a merchandising council in a particular commodity, or to
18 change the amount of fee, or to make other major changes, or to terminate a commodity
19 merchandising council may be held within twelve months of a referendum conducted for a similar
20 purpose for the same commodity."; and

21
22 Further amend said bill by amending the title, enacting clause, and intersectional references
23 accordingly.