

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1859

By: Wyrick

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6 AS INTRODUCED

7 An Act relating to agriculture; creating the Oklahoma
8 Dairy Promotion Act; providing short title; defining
9 terms; creating the Oklahoma Dairy Promotion
10 Commission; providing for membership; stating
11 qualifications for Commission members; authorizing
election of officers; stating duties of the
Commission; providing for travel reimbursement;
providing for vacancies; providing for codification;
and providing an effective date.

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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 18-43.1 of Title 2, unless there
17 is created a duplication in numbering, reads as follows:

18 This act shall be known and may be cited as the "Oklahoma Dairy
19 Promotion Act".

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 18-43.2 of Title 2, unless there
22 is created a duplication in numbering, reads as follows:

23 As used in the Oklahoma Dairy Promotion Act:

24 1. "Commission" means the Oklahoma Dairy Promotion Commission;

1 2. "Commissioner" means the Commissioner of Agriculture; and

2 3. "Producer" means every person in this state who produces
3 milk or cream from cows and thereafter causes the same to be
4 marketed as milk, cream, or other milk and dairy products and who
5 has been issued and possesses a valid current producer's permit,
6 issued by the Oklahoma Department of Agriculture, Food, and
7 Forestry.

8 SECTION 3. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 18-43.3 of Title 2, unless there
10 is created a duplication in numbering, reads as follows:

11 A. There is hereby created the Oklahoma Dairy Promotion
12 Commission. The Commission shall consist of an odd number of
13 members with no less than five (5) and no more than eleven (11)
14 members who are actively engaged as a producer in this state. The
15 Commissioner of Agriculture shall be an ex officio nonvoting member.

16 B. Members of the Commission shall be appointed by the
17 Commissioner from nominations received from the Agricultural Dairy
18 Cooperatives and independent producers. Nominations shall contain
19 the following information:

20 1. The name, address and telephone number of the person
21 nominated;

22 2. The name, address and telephone number of the person
23 submitting the nomination;

1 3. The manner in which the person nominated markets milk,
2 whether through a dairy cooperative or by direct sale; and

3 4. The signature of the person submitting the nomination.

4 C. Each voting member of the Commission shall serve for a
5 period of two (2) years beginning on July 1 and ending on June 30 of
6 the appropriate year. One-half of the Commission members shall be
7 appointed to terms that shall expire in odd-numbered years and one-
8 half of the Commission members shall be appointed to terms that
9 shall expire in even-numbered years.

10 D. A chair, vice chair, and secretary-treasurer shall be
11 elected from among the Commission members at the first meeting of
12 the Commission. The term of office of each officer shall be one
13 year, but each officer may serve unlimited terms.

14 SECTION 4. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 18-43.4 of Title 2, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The duties and responsibilities of the committee shall be
18 prescribed by the Commissioner and to the extent applicable, shall
19 include the following:

20 1. Development and recommendation of proposed rules and
21 procedures and future revisions relating to the assessment to the
22 State Board of Agriculture;

23 2. Preparing and effectuating the estimated budget required for
24 the proper operation of the committee;

1 3. Development of methods for assessing producers and methods
2 for collecting the necessary funds;

3 4. Collecting and assembling information and data necessary for
4 the proper administration of the assessment program;

5 5. Contracting with existing non-brand dairy promotion
6 organizations; and

7 6. Performing any other duties necessary for the operation of
8 the Dairy Industry Promotion Program in coordination with the
9 Commissioner.

10 B. Members of the Commission shall not receive any compensation
11 but shall be reimbursed in accordance with the provisions of the
12 State Travel Reimbursement Act for all actual and necessary expenses
13 incurred in the performance of the duties imposed upon the
14 Commission pursuant to the Oklahoma Dairy Promotion Act.

15 C. Members of the Commission who cease to be producers, as
16 defined in Section 2 of this act, or who change their method of
17 marketing shall cease to be members of the Commission, and their
18 vacancies may be filled based upon previous nominations.

19 SECTION 5. This act shall become effective November 1, 2008.

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