

By Senator Grimsley

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1                                   A bill to be entitled  
2           An act relating to the Cattle Market Development Act;  
3           amending s. 570.83, F.S.; renaming the Beef Market  
4           Development Act as the Cattle Market Development Act;  
5           renaming the Florida Beef Council, Inc., as the  
6           Florida Cattle Enhancement Board, Inc.; conforming  
7           intent and definitions; removing a provision that  
8           deems a cow and nursing calf sold together as one  
9           unit; authorizing the Cattle Enhancement Board to  
10          impose additional assessments; revising the powers and  
11          duties of the board; providing for the Commissioner of  
12          Agriculture to appoint a voting member rather than an  
13          ex officio, nonvoting member to the governing board of  
14          the Cattle Enhancement Board; providing for staggered  
15          terms of governing board members; providing for  
16          initial and subsequent appointment of governing board  
17          members; authorizing the commissioner to initiate a  
18          referendum on assessments with certain notice;  
19          directing the commissioner to designate a specified  
20          number of days for a referendum to take place;  
21          limiting referenda on per-head-of-cattle assessments  
22          to once every 3 years; removing provisions requiring  
23          the board to maintain frequent communication with  
24          officers and industry representatives at the state and  
25          national levels; removing provisions authorizing the  
26          board to sue and be sued without individual liability  
27          of the members, to maintain a financial reserve for  
28          emergency use, to appoint advisory groups, to accept  
29          grants, donations, contributions, or gifts from any

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30 source, and to pay other organizations for work or  
31 services; specifying a date by which collection agents  
32 must collect and forward assessments to the board;  
33 removing provisions entitling collection agents to  
34 deduct a fee from the amount of assessments collected;  
35 removing a future repeal; providing an effective date.  
36

37 Be It Enacted by the Legislature of the State of Florida:  
38

39 Section 1. Section 570.83, Florida Statutes, is amended to  
40 read:

41 570.83 Cattle Beef Market Development Act; definitions;  
42 Florida Cattle Enhancement Board ~~Beef Council~~, Inc., creation,  
43 purposes, governing board, powers, and duties; referendum on  
44 assessments imposed on gross receipts from cattle sales;  
45 payments to organizations for services; collecting and refunding  
46 assessments; vote on continuing the act; board ~~council~~ bylaws.-

47 (1) SHORT TITLE ~~POPULAR NAME~~.—This section ~~act~~ may be cited  
48 as the "Cattle Beef Market Development Act."

49 (2) LEGISLATIVE INTENT.—The Legislature intends by this act  
50 to promote the growth of the cattle industry in this state; to  
51 assure the public an adequate and wholesome food supply; to  
52 provide for the general economic welfare of producers and  
53 consumers of beef and the state; and to provide the ~~beef~~ cattle  
54 ~~production and feeding~~ industry of this state with the authority  
55 to establish a self-financed, self-governed program to help  
56 develop, maintain, and expand the state, national, and foreign  
57 markets for beef and beef products that are produced, processed,  
58 or manufactured in this state.

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59 (3) DEFINITIONS.—As used in this section ~~act~~, the term:

60 (a) "Beef" or "beef products" means the products of beef  
61 intended for human consumption which are derived from any bovine  
62 animal, regardless of age, including, but not limited to, veal.

63 (c) ~~(b)~~ "Cattle" means such animals as are so designated by  
64 federal law, including any marketing, promotion, and research  
65 orders as are in effect. Unless such federal law provides to the  
66 contrary, the term "cattle" includes all bovine animals,  
67 regardless of age, including, but not limited to, calves. ~~A cow  
68 and nursing calf sold together are considered one unit.~~

69 (b) ~~(e)~~ "Board" or "Florida Cattle Enhancement Board"  
70 "~~Council~~" means the Florida Cattle Enhancement Board ~~Beef~~  
71 ~~Council~~, Inc.

72 (e) ~~(d)~~ "Department" means the Department of Agriculture and  
73 Consumer Services.

74 (d) ~~(e)~~ "Collection agent" means a person who sells, offers  
75 for sale, markets, distributes, trades, or processes cattle that  
76 have been purchased or acquired from a producer or that are  
77 marketed on behalf of a producer. The term also includes  
78 meatpacking firms and their agents that purchase or consign to  
79 purchase cattle.

80 (f) "Person" means any natural person, partnership,  
81 corporation, company, association, society, trust, or other  
82 business unit or organization.

83 (g) "Producer" means a person that has owned or sold cattle  
84 in the previous calendar year or presently owns cattle.

85 (4) FLORIDA CATTLE ENHANCEMENT BOARD ~~BEEF COUNCIL~~, INC. ;  
86 CREATION; PURPOSES.—

87 (a) There is created the Florida Cattle Enhancement Board

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88 ~~Beef Council~~, Inc., a not-for-profit corporation organized under  
89 the laws of this state for the purpose of ~~and~~ operating as a  
90 direct-support organization to ~~of~~ the department pursuant to  
91 this section.

92 (b) The board may ~~council is authorized to~~ impose an  
93 initial assessment, in addition to any other assessment provided  
94 by law, of not more than \$1 on each head of cattle sold in the  
95 state if the imposition of the assessment is approved by  
96 referendum pursuant to subsection (6). The proceeds of the  
97 assessment shall be used to fund the activities of the board  
98 ~~council~~. ~~The council shall:~~

99 1. ~~Establish the amount of the assessment at not more than~~  
100 ~~\$1 per head of cattle.~~

101 2. ~~Develop, implement, and monitor a collection system for~~  
102 ~~the assessment.~~

103 3. ~~Coordinate the collection of the assessment with other~~  
104 ~~states.~~

105 4. ~~Establish refund procedures.~~

106 5. ~~Conduct referenda under subsections (6) and (12).~~

107 (c) ~~The council shall:~~

108 1. ~~Plan, implement, and conduct programs of promotion,~~  
109 ~~research, and consumer information or industry information which~~  
110 ~~are designed to strengthen the cattle industry's market position~~  
111 ~~in this state and in the nation and to maintain and expand~~  
112 ~~domestic and foreign markets and expand uses for beef and beef~~  
113 ~~products.~~

114 2. ~~Use the proceeds of the assessment for the purpose of~~  
115 ~~funding cattle production and beef research, education,~~  
116 ~~promotion, and consumer and industry information in this state~~

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- 117 ~~and in the nation.~~
- 118 ~~3. Plan and implement a cattle and beef industry feedback~~
- 119 ~~program in this state.~~
- 120 ~~4. Coordinate research, education, promotion, industry, and~~
- 121 ~~consumer information programs with any national programs or~~
- 122 ~~programs of other states.~~
- 123 ~~5. Develop new uses and markets for beef and beef products.~~
- 124 ~~6. Develop and improve methods of distributing beef and~~
- 125 ~~beef products to the consumer.~~
- 126 ~~7. Develop methods of improving the quality of beef and~~
- 127 ~~beef products for the benefit of consumers.~~
- 128 ~~8. Inform and educate the public concerning the nutritive~~
- 129 ~~and economic values of beef and beef products.~~
- 130 ~~9. Serve as a liaison within the beef and other food~~
- 131 ~~industries of the state and elsewhere in matters that would~~
- 132 ~~increase efficiencies that ultimately benefit both consumers and~~
- 133 ~~industry.~~
- 134 ~~10. Buy, sell, mortgage, rent, or improve, in any manner~~
- 135 ~~that the council considers expedient, real property or personal~~
- 136 ~~property, or both.~~
- 137 ~~11. Publish and distribute such papers or periodicals as~~
- 138 ~~the board of directors considers necessary to encourage and~~
- 139 ~~accomplish the purposes of the council.~~
- 140 ~~12. Do all other acts necessary or expedient for the~~
- 141 ~~administration of the affairs and attainment of the purposes of~~
- 142 ~~the council.~~
- 143 ~~13. Approve an annual plan, budget, and audit for the~~
- 144 ~~council.~~
- 145 (c) ~~(d)~~1. The board ~~council~~ may not participate in or

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146 intervene in any political campaign on behalf of or in  
 147 opposition to any candidate for public office. This restriction  
 148 includes, but is not limited to, a prohibition against  
 149 publishing or distributing any statements.

150 ~~(d)2. No part of~~ The net receipts of the board may not  
 151 ~~council shall~~ inure to the benefit of or be distributable to its  
 152 directors, its officers, or other private persons, except that  
 153 the board ~~council~~ may pay reasonable compensation for services  
 154 rendered by staff employees and may make payments and  
 155 distributions in furtherance ~~of the purposes~~ of this section  
 156 ~~act~~.

157 ~~(e)3.~~ Notwithstanding any other provision of law, the board  
 158 ~~council~~ may not carry on any other activities prohibited for not  
 159 ~~permitted to be carried on:~~

160 ~~1.a.~~ By A corporation exempt from federal income tax under  
 161 s. 501(c) (3) of the Internal Revenue Code of 1986, as amended;  
 162 or

163 ~~2.b.~~ By A corporation to which contributions are deductible  
 164 under s. 170(c) (2) of the Internal Revenue Code of 1986, as  
 165 amended.

166 ~~(f)4.~~ Notwithstanding any other statement of the purposes  
 167 and responsibilities of the board ~~council~~, the board ~~council~~ may  
 168 not engage in any activities or exercise any powers that are not  
 169 in furtherance of its ~~specific and primary~~ purposes.

170 (5) GOVERNING BOARD.—

171 (a) The Florida Cattle Enhancement Board ~~Beef Council,~~  
 172 ~~Inc.~~, shall be governed by a board of directors composed of 14  
 173 ~~13~~ members as follows:

174 1. Eight, ~~including 8~~ representatives of the Florida

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175 Cattlemen's Association, of whom one is a representative of the  
 176 Florida Association of Livestock Markets and one is a practicing  
 177 order buyer.~~†~~

178 2. One ~~a~~ representative of the Dairy Farmers, Inc.~~†~~

179 3. One ~~a~~ representative of the Florida CattleWomen, Inc.~~†~~

180 4. One ~~a~~ representative of the Florida Farm Bureau  
 181 Federation.~~†~~

182 5. One representative of an allied-industry.

183 6. One representative of the department appointed by the  
 184 Commissioner of Agriculture. ~~representative; and~~

185 7. One representative of the ~~a~~ Institute of Food and  
 186 Agricultural Sciences ~~representative.~~

187 (b) The initial board of directors shall be appointed by  
 188 the Commissioner of Agriculture for staggered terms ~~a term~~ of 1  
 189 year for three members, 2 years for three members, 3 years for  
 190 four members, and 4 years for four members. Each subsequent  
 191 vacancy shall be filled in accordance with the bylaws of the  
 192 Florida Cattle Enhancement Board ~~council~~. Thereafter, each ~~board~~  
 193 member of the board of directors shall be appointed by the  
 194 Florida Cattle Enhancement Board to serve a 3-year term and may  
 195 be reappointed to serve an additional consecutive term. A member  
 196 may not serve more than two consecutive terms. A member must be  
 197 a resident of this state and must be a producer who has been a  
 198 producer for at least the 5 years immediately preceding the  
 199 first day of his or her service on the board, except that the  
 200 representative of the Florida Farm Bureau Federation, the  
 201 allied-industry representative, the department representative,  
 202 and the Institute of Food and Agricultural Sciences  
 203 representative need not be producers. All members of the ~~beef~~

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204 ~~council~~ board of directors ~~positions~~ shall serve without  
205 compensation but ~~be unsalaried~~; however, the board members are  
206 entitled to reimbursement as provided in s. 112.061 for travel  
207 and other expenses incurred in carrying out ~~the intents and~~  
208 ~~purposes of this section~~ act.

209 (c) The Florida Cattle Enhancement Board ~~council~~ shall  
210 provide for its officers through its bylaws, including the  
211 ability to set forth offices and responsibilities and form  
212 committees necessary for the implementation of this section act.  
213 ~~The Commissioner of Agriculture may designate an ex officio~~  
214 ~~nonvoting member of the board of directors.~~

215 (d) If a member of the board of directors misses three  
216 consecutive, officially called meetings, the board of directors  
217 may declare that position vacant.

218 (6) REFERENDUM ON ASSESSMENTS.—

219 (a) All producers in this state shall have the opportunity  
220 to vote in a referendum to determine whether the Florida Cattle  
221 Enhancement Board ~~may council~~ ~~shall be authorized to~~ impose an  
222 assessment of not more than \$1 per head on cattle sold in the  
223 state. The referendum shall pose the question: "Do you approve  
224 of a Florida ~~an~~ assessment program, up to \$1 per head of cattle  
225 pursuant to section 570.83, Florida Statutes, to be funded  
226 through specific contributions that are mandatory and refundable  
227 upon request?" The initial referendum under this paragraph shall  
228 take place within 180 days after July 1, 2015. Such referendum  
229 may not be held more often than once every 3 years.

230 (b) Additional referenda may be held to authorize the board  
231 to increase the assessment to more than \$1 per head of cattle if  
232 the board receives petitions from at least 1,800 producers or 10

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233 percent of Florida's producers as determined by the department,  
234 whichever is less, requesting an increase in the assessment or  
235 if the board, by a two-thirds vote of its voting members,  
236 approves a motion to increase the assessment. All petition  
237 signatures must be collected within a consecutive 12-month  
238 period. The referendum shall pose the question: "Do you approve  
239 of granting the Florida Cattle Enhancement Board, Inc.,  
240 authority to increase the per-head-of-cattle assessment pursuant  
241 to section 570.83, Florida Statutes, from ... (present rate)...  
242 to up to a maximum of ... (proposed rate) ... per head?" Such  
243 referendum may not be held more often than once every 3 years.

244 (c) If the board receives petitions from at least 1,800  
245 producers or 10 percent of Florida's producers as determined by  
246 the department, whichever is less, asking, "Shall the assessment  
247 authorized by the Cattle Market Development Act continue?" the  
248 board shall, within 90 days, conduct a referendum to determine  
249 whether a majority of the producers voting in the referendum  
250 support the continuation of the Cattle Market Development Act.  
251 All petition signatures must be collected within a consecutive  
252 12-month period. Such referendum may not be held more often than  
253 once every 3 years.

254 (d) The Commissioner of Agriculture may initiate a  
255 referendum with a 90-day notice, but not more often than once  
256 every 3 years.

257 (e) ~~(a)~~ A referendum held under this subsection ~~section~~ must  
258 be conducted by secret ballot at extension offices of the  
259 Institute of Food and Agricultural Sciences of the University of  
260 Florida or at offices of the United States Department of  
261 Agriculture with the cooperation of the department to ensure

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262 fairness in the referendum process.

263 (f) The Commissioner of Agriculture shall designate at  
264 least 5 but not more than 10 consecutive business days for the  
265 referendum to take place.

266 (g) ~~(b)~~ Notice of a referendum ~~to be held under this act~~  
267 must be given at least once in trade publications, the public  
268 press, and statewide newspapers at least 30 days before the  
269 referendum is held.

270 ~~(c) Additional referenda may be held to authorize the~~  
271 ~~council to increase the assessment to more than \$1 per head of~~  
272 ~~cattle. Such referendum shall pose the question: "Do you approve~~  
273 ~~of granting the Florida Beef Council, Inc., authority to~~  
274 ~~increase the per-head-of-cattle assessment pursuant to section~~  
275 ~~570.83, Florida Statutes, from ... (present rate)... to up to a~~  
276 ~~maximum of ... (proposed rate)... per head?" Referenda may not be~~  
277 ~~held more often than once every 3 years.~~

278 (h) ~~(d)~~ Each ~~cattle~~ producer is entitled to only one vote in  
279 a referendum held under this subsection ~~section~~. Proof of  
280 identification and cattle ownership must be presented before  
281 voting.

282 (i) ~~(e)~~ A simple majority of those casting ballots shall  
283 determine any issue that requires a referendum under this  
284 subsection ~~section~~.

285 (7) POWERS AND DUTIES OF THE BOARD ~~COUNCIL~~.—

286 (a) The board ~~council~~ shall:

287 1. Establish the amount of the assessment at not more than  
288 \$1 per head of cattle.

289 2. Develop, implement, and monitor a collection system for  
290 the assessment.

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- 291       3. Coordinate the collection of the assessment with other  
292 states.
- 293       4. Establish refund procedures.
- 294       5. Conduct referenda under subsection (6).
- 295       6. Plan, implement, and conduct programs of promotion,  
296 research, and consumer and industry information which are  
297 designed to strengthen the market position of the cattle  
298 industry in this state and in the nation and to maintain and  
299 expand domestic and foreign markets and expand uses for beef and  
300 beef products.
- 301       7. Use the proceeds of the assessment for the purpose of  
302 funding cattle production and beef research, education,  
303 promotion, and consumer and industry information in this state  
304 and in the nation.
- 305       8. Plan and implement a cattle and beef industry feedback  
306 program in this state.
- 307       9. Coordinate research, education, promotion, industry, and  
308 consumer information programs with any national programs or  
309 programs of other states.
- 310       10. Serve as a liaison within the beef and other food  
311 industries of the state and elsewhere in matters that would  
312 increase efficiencies that ultimately benefit consumers and the  
313 industry.
- 314       11. Buy, sell, mortgage, rent, or improve, in any manner  
315 that the board considers expedient, real property or personal  
316 property, or both.
- 317       12. Publish and distribute such papers or periodicals as  
318 the board of directors considers necessary to encourage and  
319 accomplish the purposes of the Florida Cattle Enhancement Board.

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320 13.1. Receive and disburse funds, pursuant to ~~as prescribed~~  
321 ~~elsewhere in this section act~~, to be used in administering and  
322 implementing this section ~~the act~~.

323 ~~2. Maintain a permanent record of its business proceedings.~~

324 ~~3. Maintain a permanent, detailed record of its financial~~  
325 ~~dealings.~~

326 ~~4. Prepare periodic reports and an annual report of its~~  
327 ~~activities for the fiscal year, for review by the beef industry~~  
328 ~~in this state, and file its annual report with the department.~~

329 14.5. Prepare, for review by the cattle beef industry in  
330 this state, periodic reports and an annual accounting for each  
331 fiscal year of all receipts and expenditures to be filed with  
332 the department, and shall retain a certified public accountant  
333 for this purpose.

334 15.6. Appoint a licensed banking institution to serve as  
335 the depository for program funds and to handle disbursements of  
336 those funds.

337 ~~7. Maintain frequent communication with officers and~~  
338 ~~industry representatives at the state and national levels,~~  
339 ~~including the department.~~

340 16.8. Maintain an office in this state.

341 17. Do all other acts necessary and permitted by law to  
342 further the intent of this section.

343 (b) The board ~~council~~ may:

344 1. Conduct or contract for scientific research with any  
345 accredited university, college, or similar institution, and  
346 enter into other contracts or agreements that will aid in  
347 carrying out the purposes of the program, including contracts  
348 for the purchase or acquisition of facilities or equipment

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349 necessary to carry out the purposes of the program.

350 2. Disseminate reliable information benefiting the consumer  
351 and the beef industry on subjects such as, but not limited to,  
352 the purchase, identification, care, storage, handling, cookery,  
353 preparation, serving, and nutritive value of beef and beef  
354 products.

355 ~~3. Provide to government bodies, on request, information~~  
356 ~~relating to subjects of concern to the beef industry, and may~~  
357 Act jointly or in cooperation with the state or Federal  
358 Government, and agencies thereof, in the development or  
359 administration of programs that the board ~~council~~ considers to  
360 be consistent with the objectives of the program.

361 ~~4. Sue and be sued as a council without individual~~  
362 ~~liability of the members for acts of the council when acting~~  
363 ~~within the scope of the powers of this act and in the manner~~  
364 ~~prescribed by the laws of this state.~~

365 ~~4.5.~~ Borrow from licensed lending institutions money in  
366 amounts that are not cumulatively greater than 50 percent of the  
367 board's ~~council's~~ anticipated annual income.

368 ~~6. Maintain a financial reserve for emergency use, the~~  
369 ~~total of which must not exceed 50 percent of the council's~~  
370 ~~anticipated annual income.~~

371 ~~7. Appoint advisory groups composed of representatives from~~  
372 ~~organizations, institutions, governments, or businesses related~~  
373 ~~to or interested in the welfare of the beef industry and the~~  
374 ~~consuming public.~~

375 ~~5.8.~~ Employ staff ~~subordinate officers and employees of the~~  
376 ~~council~~, prescribe their duties, and fix their compensation and  
377 terms of employment.

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378       ~~6.9.~~ Cooperate with any local, state, regional, or  
379 nationwide organization or agency engaged in work or activities  
380 consistent with the objectives of the program.

381       ~~7.10.~~ Cause any duly authorized agent or representative to  
382 enter upon the premises of any market agency, market agent,  
383 collection agency, or collection agent and examine or cause to  
384 be examined, only by the authorized agent, only books, papers,  
385 and records that deal with the payment of the assessment  
386 provided for in this section ~~act~~ or with the enforcement of this  
387 section ~~act~~.

388       ~~11. Do all other things necessary to further the intent of~~  
389 ~~this act which are not prohibited by law.~~

390       ~~(8) ACCEPTANCE OF GRANTS AND GIFTS. The council may accept~~  
391 ~~grants, donations, contributions, or gifts from any source if~~  
392 ~~the use of such resources is not restricted in any manner that~~  
393 ~~the council considers to be inconsistent with the objectives of~~  
394 ~~the program.~~

395       ~~(9) PAYMENTS TO ORGANIZATIONS.—~~

396       ~~(a) The council may pay funds to other organizations for~~  
397 ~~work or services performed which are consistent with the~~  
398 ~~objectives of the program.~~

399       ~~(b) Before making payments described in this subsection,~~  
400 ~~the council must secure a written agreement that the~~  
401 ~~organization receiving payment will:~~

402           ~~1. Furnish at least annually, or more frequently on request~~  
403 ~~of the council, written or printed reports of program activities~~  
404 ~~and reports of financial data that are relative to the council's~~  
405 ~~funding of such activities; and~~

406           ~~2. Agree to have appropriate representatives attend~~

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407 ~~business meetings of the council as reasonably requested by the~~  
408 ~~chairperson of the council.~~

409 ~~(c) The council may require adequate proof of security~~  
410 ~~bonding on said funds to any individual, business, or other~~  
411 ~~organization.~~

412 (8) ~~(10)~~ COLLECTION OF MONEYS AT TIME OF MARKETING.—

413 (a) Each collection agent shall ~~may~~ deduct from the gross  
414 receipts of the producer, at the time of sale, the assessment  
415 imposed by the board ~~council~~.

416 (b) The collection agent shall collect all such moneys and  
417 forward them to the board ~~by the 15th of each council~~  
418 ~~periodically, at least once a month.~~ and The board ~~council~~  
419 shall provide appropriate business forms for the convenience of  
420 the collecting agent in executing this duty.

421 (c) The board ~~council~~ shall maintain within its financial  
422 records a separate accounting of all moneys received under this  
423 section ~~subsection~~.

424 (d) The assessment is due and payable upon the sale of  
425 cattle in this state. The assessment constitutes a personal debt  
426 of the producer who is so assessed or who otherwise owes the  
427 assessment. If a producer fails to remit any properly due  
428 assessment, the board ~~council~~ may bring a civil action against  
429 that person in the circuit court of any county for the  
430 collection thereof, ~~and~~ may add a penalty in the amount of 10  
431 percent of the assessment owed, the cost of enforcing the  
432 collection of the assessment, court costs, and reasonable  
433 attorney ~~attorney's~~ fees. The action shall be tried and judgment  
434 rendered as in any other cause of action for debts due and  
435 payable. All assessments, penalties, and enforcement costs are

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436 due and payable to the board ~~council~~.

437 (e) The board ~~council~~ may adopt reciprocal agreements with  
438 other beef councils or similar organizations relating to moneys  
439 collected by ~~at~~ Florida collection agents on cattle from other  
440 states and to Florida cattle sold at other state markets.

441 ~~(f) The collection agents shall be entitled to deduct 2.5~~  
442 ~~percent of the amount collected to retain as a reasonable~~  
443 ~~collection allowance prior to remitting the funds to the~~  
444 ~~council.~~

445 (9) ~~(11)~~ REFUNDS.-

446 (a) A producer who has had moneys deducted from his or her  
447 gross sales receipts under this section ~~act~~ is entitled to a  
448 prompt and full refund on request.

449 (b) The board ~~council~~ shall make available to all  
450 collection agents business forms for requesting refunds  
451 ~~permitting request for refund~~, which forms are to be submitted  
452 by the objecting producer within 45 days after the sale  
453 transaction takes place.

454 (c) A refund claim must include the claimant's signature,  
455 date of sale, place of sale, number of cattle, and amount of  
456 assessment deducted, and must have attached thereto proof of the  
457 assessment deducted.

458 (d) If the board ~~council~~ has reasonable doubt that a refund  
459 claim is valid, it may withhold payment and take such action as  
460 it considers necessary to determine the validity of the claim.  
461 Any dispute arising under this subsection shall be determined as  
462 specified in paragraph (8) (d) ~~(10) (d)~~.

463 (e) The board ~~council~~ shall take action on refund requests  
464 within 30 calendar days following the date of receipt of the

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465 request.

466 (f) Only the producer may initiate a request for refund.

467 ~~(12) VOTE ON CONTINUING THE ASSESSMENT. Upon the delivery~~  
468 ~~by certified mail to the Florida Beef Council office of~~  
469 ~~petitions from at least 1,800 producers or 10 percent of~~  
470 ~~Florida's producers as determined by the department, whichever~~  
471 ~~is less, and stating "Shall the assessment authorized by the~~  
472 ~~Beef Market Development Act continue?" the council shall, within~~  
473 ~~90 days, conduct a referendum to determine whether a majority of~~  
474 ~~the producers voting in the referendum support the continuation~~  
475 ~~of the Beef Market Development Act. All signatures must be~~  
476 ~~collected within a 12-month period. A referendum held under this~~  
477 ~~subsection may not be held more than one time in a 3-year~~  
478 ~~period. Qualifications for signature and vote are the same as~~  
479 ~~those required in subsection (6).~~

480 ~~(10)~~ (13) BYLAWS.—The Florida Cattle Enhancement Board ~~Beef~~  
481 ~~Council~~ shall, within 90 days after the governing board is  
482 appointed ~~this act becomes a law~~, adopt bylaws to carry out the  
483 intents and purposes of this section ~~act~~. ~~The~~ These bylaws may  
484 be amended with a 30-day notice to governing board members at  
485 any regular or special meeting called for such ~~this~~ purpose. The  
486 bylaws must conform to the requirements of this section ~~act~~ but  
487 may also address any matter not in conflict with the general  
488 laws of this state.

489 ~~(14) REPEAL. This section is repealed October 1, 2019,~~  
490 ~~unless reviewed and saved from repeal by the Legislature.~~

491 Section 2. This act shall take effect July 1, 2015.