

HOUSE BILL NO. HB0102

Wheat marketing commission.

Sponsored by: Joint Agriculture, Public Lands and Water
Resources Interim Committee

A BILL

for

1 AN ACT relating to the wheat marketing commission; reducing
2 the membership of the commission; removing area
3 restrictions for appointments to the commission; modifying
4 other criteria for commission membership; modifying
5 assessments; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 11-38-102(a) and (c), 11-38-103 and
10 11-38-108(d) are amended to read:

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12 **11-38-102. Establishment; composition; appointment;**
13 **removal; officers; consultation permitted; area**
14 **distribution of nominations.**

15

1 (a) The wheat marketing commission is established
2 consisting of ~~seven (7)~~ five (5) members appointed by the
3 governor from nominations made by the Wyoming wheat growers
4 association or any other duly organized and incorporated
5 state organization within the state of Wyoming having a
6 commodity division working with wheat. The director of the
7 department of agriculture or his designated representative
8 shall serve ex officio. The governor may remove any member
9 he appoints as provided in W.S. 9-1-202.

10
11 (c) All appointed members shall derive ~~their main~~
12 substantial income from the growing of wheat, The
13 ~~nominations shall be submitted from the following areas:~~
14 ~~Area I Niobrara, Goshen, Platte, Laramie; Area II~~
15 ~~Sheridan, Johnson, Campbell, Crook, Weston, Carbon,~~
16 ~~Converse, Natrona, Fremont, Park, Teton, Hot Springs, Big~~
17 ~~Horn, Washakie, Sublette, Uinta and Lincoln~~ based on
18 historical records. Each nomination shall include a resume
19 of the nominee's qualifications for serving on the
20 commission. ~~There shall be four (4) commission members from~~
21 ~~Area I and three (3) commission members from Area II.~~

22
23 **11-38-103. Terms of office.**
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1 (a) The terms of office for the initial wheat
2 commission members shall be three (3) terms of one (1) year
3 each, two (2) terms of two (2) years each and two (2) terms
4 of three (3) years each. Subsequent appointments will be
5 for terms of three (3) years.

6
7 (b) To reduce the commission from seven (7) members
8 to five (5) members, the commission shall be reduced by the
9 two (2) positions that are vacant as of March 15, 2007.

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11 **11-38-108. Assessments generally; refund of**
12 **contributions; penalty for failure to pay or remit monies**
13 **due or collected.**

14
15 (d) Any grower who by virtue of his activities or
16 circumstances is within the meaning of the term "handler"
17 as herein defined, or who shall sell, ship or otherwise
18 dispose of wheat to a handler or other person or store
19 wheat outside the jurisdiction of this act, shall forthwith
20 remit to the director the full amount of the assessment
21 due. Wheat originating from any state that collects a
22 similar levy upon wheat, but bases assessment upon the
23 location of the first sale taking place within its
24 jurisdiction shall be treated as if the wheat were grown

1 within the state of Wyoming, being first handled by a
2 Wyoming handler. At the first commission meeting following
3 July 1 of each year, the commission shall determine which
4 states collect a similar levy and shall then notify all
5 domestic handlers of those states.

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7 **Section 2.** This act is effective immediately upon
8 completion of all acts necessary for a bill to become law
9 as provided by Article 4, Section 8 of the Wyoming
10 Constitution.

11

12 (END)