

ASSEMBLY BILL

No. 1389

Introduced by Committee on Agriculture

March 4, 2013

An act to add Article 13 (commencing with Section 52991) to Chapter 4 of Division 18 of the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1389, as introduced, Committee on Agriculture. San Joaquin Valley Quality Cotton District.

Existing law establishes the San Joaquin Valley Quality Cotton District for the purposes of promoting, encouraging, aiding, and protecting the planting and growing of cotton in California. Existing law establishes the San Joaquin Valley Cotton Board, and establishes the powers of the board to include, among others, establishing quality standards and making recommendations to the Secretary of Food and Agriculture on all matters pertaining to the district. Existing law provides funding for the board and enforcement of the provisions through assessments, and requires that all moneys received pursuant to these provisions, which are deposited in the continuously appropriated Department of Food and Agriculture Fund, be expended only for purposes of the provisions relating to the San Joaquin Valley Quality Cotton District.

This bill would make these provisions and related regulations inoperative on July 1, 2014, except as specified, unless a resolution is approved to continue the operation of these provisions, or the secretary receives a petition from members of the cotton industry in the San Joaquin Valley, and makes a determination that it is in the best interests

of the cotton industry and the state to continue these provisions. The bill would require the secretary to establish an advisory committee, and would specify that the secretary shall not be required to administer any of these provisions that are operative unless the secretary determines there are sufficient funds to pay the costs incurred by the secretary, as specified. Because the bill would authorize the use of continuously appropriated funds for a new purpose, the bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 13 (commencing with Section 52991) is
2 added to Chapter 4 of Division 18 of the Food and Agricultural
3 Code, to read:

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Article 13. Operation

7 52991. (a) Except as specified in subdivision (c), on and after
8 July 1, 2014, the provisions of this chapter, and any regulations
9 adopted pursuant to this chapter, shall become inoperative unless
10 either of the following occurs:

11 (1) A resolution is approved in accordance with the procedures
12 specified in subdivision (c) of Section 52891.1, as that section read
13 on January 1, 2013, to continue the operation of this chapter.

14 (2) The secretary receives a petition from members of the cotton
15 industry in the San Joaquin Valley, and makes a determination
16 that circumstances in the California cotton industry indicate that
17 the operation of this chapter is in the best interests of the cotton
18 industry and the state.

19 (b) The secretary shall establish a committee to advise the
20 secretary. The committee shall be comprised of cotton growers,
21 representatives of cotton seed processing organizations involved
22 in seed crushing operations, handlers of raw cotton fiber, and
23 representatives of cotton ginning organizations.

24 (c) Notwithstanding subdivision (a), the following provisions
25 shall remain operative and shall be administered by the secretary:

- 26 (1) Section 52893.
- 27 (2) Subdivision (b) of Section 52901.

1 (3) Section 52981.
2 52992. The secretary shall not be required to administer this
3 article or any provisions of this chapter that are operative pursuant
4 to Section 52991 unless the secretary determines that there are
5 sufficient funds remaining in the Department of Food and
6 Agriculture Fund that were deposited and authorized to be
7 expended for purposes of this chapter, or from other sources,
8 including the California cotton industry, to pay the costs incurred
9 by the secretary.

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