

SB1984



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1984

Introduced 2/7/2008, by Sen. Michael W. Frerichs

SYNOPSIS AS INTRODUCED:

505 ILCS 130/3	from Ch. 5, par. 553
505 ILCS 130/16	from Ch. 5, par. 566

Amends the Soybean Marketing Act. Defines "net market price". Changes the assessment after the first 5 years from "2¢ per bushel" to "1/2 of 1% of the net market price".

LRB095 18006 RCE 44089 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning agriculture.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Soybean Marketing Act is amended by changing
5 Sections 3 and 16 as follows:

6 (505 ILCS 130/3) (from Ch. 5, par. 553)

7 Sec. 3. For the purpose of this Act, unless the context
8 clearly requires otherwise:

9 (a) "Soybean" means and includes all kinds and varieties of
10 soybeans grown in this State and marketed and sold as soybeans
11 by the producer.

12 (b) "Person" means any natural person, partnership,
13 corporation, society, association, representative or other
14 fiduciary.

15 (c) "Producer" means any person engaged in this State in
16 the business of producing and marketing soybeans, unless
17 otherwise defined in marketing program.

18 (d) "First purchaser" means any person who resells soybeans
19 purchased from a producer or offers for sale any product
20 produced from such soybeans for any purpose.

21 (e) "Market Development" means to engage in research and
22 educational programs directed toward better and more efficient
23 utilization of soybeans; to provide methods and means for the

1 maintenance of present markets; for the development of new and
2 larger domestic and foreign markets.

3 (f) "Marketing program" means any program established
4 under this Act which prescribes procedures for the development
5 of markets for soybeans and soybean products.

6 (g) "Program operating board" means the board established
7 by any marketing program to administer such programs.

8 (h) "Director" means the Director of the Department of
9 Agriculture of the State of Illinois.

10 (i) "Department" means the Department of Agriculture of the
11 State of Illinois.

12 (j) "Bushel" means 60 pounds of soybeans by weight.

13 (k) "Net market price" means:

14 (1) except as provided in item (2), the sales price or
15 other value received by a producer for soybeans after
16 adjustments for any premium or discount based on grading or
17 quality factors; or

18 (2) for soybeans pledged as collateral for a loan
19 issued under any price support loan program administered by
20 the Commodity Credit Corporation, the principal amount of
21 the loan.

22 (Source: P.A. 83-80.)

23 (505 ILCS 130/16) (from Ch. 5, par. 566)

24 Sec. 16. Any properly qualified marketing program shall
25 provide for assessments against producers of the affected

1 commodity to defray the costs of the activities provided for in
2 the marketing program. Assessments authorized in a marketing
3 program shall be based on the quantity of commodity produced
4 and shall be equitably assessed against all affected producers.
5 The total maximum assessment levied on the commodity of any
6 affected producer shall not exceed 1/4¢ per bushel of soybeans
7 produced and sold by that producer during the first year a
8 program is in operation, 1/2¢ per bushel of soybeans produced
9 and sold by that producer during the next 4 years a program is
10 in operation and 1/2 of 1% of the net market price ~~2¢ per~~
11 ~~bushel~~ of soybeans produced and sold by that producer for all
12 subsequent years. Assessments authorized in a marketing
13 program shall not be used for political activity of any kind
14 whatsoever or for preferential treatment of any person to the
15 detriment of other persons in the marketing program. The
16 program operating board may require the first purchaser of
17 soybeans to withhold and remit such assessments to the board. A
18 first purchaser remitting the assessments for any producer may
19 deduct the proper amount of assessment from any amount which he
20 owes to such producer. The program operating board shall have
21 the power to cause any duly authorized agent or representative
22 to enter upon the premises of any purchaser of soybeans and
23 examine or cause to be examined by such agent only books,
24 papers and records which deal in any way with respect to the
25 payment of the assessment or enforcement of this Act.

26 (Source: P.A. 85-181.)