

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to HB 894:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 2-4-3 of the Official Code of Georgia Annotated, relating to Seed
2 Development Commission composition, officers, bylaws, quorum, compensation, records,
3 audit, and bonds, so as to stagger the terms of commission members; to provide for related
4 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Code Section 2-4-3 of the Official Code of Georgia Annotated, relating to Seed Development
7 Commission composition, officers, bylaws, quorum, compensation, records, audit, and
8 bonds, is amended by revising subsections (b) and (c) as follows:

9 "(b) The commission shall be composed of the following 11 members:

10 (1)(A) Two members to be appointed by the Governor, each of whom shall be a
11 licensee or shall be otherwise involved in the production, conditioning, or marketing
12 of crops, seed, turfgrass, or horticultural plants;

13 (B) No later than May 31, 2021, the Governor shall appoint two members as provided
14 for in subparagraph (A) of this paragraph whose terms shall begin on July 1, 2021, and
15 such members and their successors shall serve terms of four years. The terms of the
16 members appointed as provided for in subparagraph (A) of this paragraph and serving
17 as of June 30, 2021, shall terminate on that date;

18 (2)(A) One member who shall be a licensee or shall be otherwise involved in the
19 production, conditioning, or marketing of crops, seed, turfgrass, or horticultural plants,
20 to be appointed by the Lieutenant Governor;

21 (B) No later than May 31, 2021, the Lieutenant Governor shall appoint a member as
22 provided for in subparagraph (A) of this paragraph whose term shall begin on
23 July 1, 2021, and such member shall serve a single term of five years. The successors
24 to the member whose term ends on June 30, 2026, shall serve terms of four years that
25 begin on July 1 of the year of their appointment. The term of the member appointed as
26

27 provided for in subparagraph (A) of this paragraph and serving as of June 30, 2021,
 28 shall terminate on that date;

29 (3)(A) One member who shall be a licensee or shall be otherwise involved in the
 30 production, conditioning, or marketing of crops, seed, turfgrass, or horticultural plants,
 31 to be appointed by the Speaker of the House of Representatives;

32 (B) No later than May 31, 2021, the Speaker of the House of Representatives shall
 33 appoint a member as provided for in subparagraph (A) of this paragraph whose term
 34 shall begin on July 1, 2021, and such member shall serve a single term of five years.
 35 The successors to the member whose term ends on June 30, 2026, shall serve terms of
 36 four years that begin on July 1 of the year of their appointment. The term of the
 37 member appointed as provided for in subparagraph (A) of this paragraph and serving
 38 as of June 30, 2021, shall terminate on that date;

39 (4) The Commissioner of Agriculture or his or her designee;

40 (5)(A) Two representatives of the crop, seed, turfgrass, or horticultural plant industry
 41 or of farm related organizations, one of whom shall be appointed by the Senate
 42 Agriculture and Consumer Affairs Committee, and one of whom shall be appointed by
 43 the House Committee on Agriculture and Consumer Affairs. Such representatives shall
 44 be licensees or shall otherwise have knowledge of the production, conditioning, or
 45 marketing of crops, seed, turfgrass, or horticultural plants. Each committee shall make
 46 its appointment with a quorum present and a majority of those present concurring;

47 (B) No later than May 31, 2022, two members shall be appointed as provided for in
 48 subparagraph (A) of this paragraph whose terms shall begin on July 1, 2022, and such
 49 members shall serve a single term of six years. The successors to the two members
 50 whose terms end on June 30, 2028, shall serve terms of four years that begin on July
 51 1 of the year of their appointment. The terms of the members appointed as provided
 52 for in subparagraph (A) of this paragraph and serving as of June, 30, 2021, shall
 53 terminate on that date;

54 (6)(A) One member who shall be a licensee or shall be otherwise involved in the
 55 production, conditioning, or marketing of crops, seed, turfgrass, or horticultural plants,
 56 to be appointed by the Commissioner of Agriculture;

57 (B) No later than May 31, 2022, the Commissioner of Agriculture shall appoint a
 58 member as provided for in subparagraph (A) of this paragraph whose term shall begin
 59 on July 1, 2022, and such member shall serve a single term of five years. The
 60 successors to the member whose term ends on June 30, 2027, shall serve terms of four
 61 years that begin on July 1 of the year of their appointment. The term of the member
 62 appointed as provided for in subparagraph (A) of this paragraph and serving as of June
 63 30, 2021, shall terminate on that date;

- 64 (7) The dean of the College of Agricultural and Environmental Sciences of the
 65 University of Georgia;
- 66 (8) The associate dean for research of the College of Agricultural and Environmental
 67 Sciences of the University of Georgia, as a nonvoting member; and
- 68 (9)(A) An additional nonvoting member who is a crop, seed, turfgrass, or horticultural
 69 plant breeder employed by the College of Agricultural and Environmental Sciences of
 70 the University of Georgia, appointed by the dean of the College of Agricultural and
 71 Environmental Sciences of the University of Georgia, after consultation with the
 72 commission.
- 73 (B) No later than May 31, 2022, the dean of the College of Agricultural and
 74 Environmental Sciences of the University of Georgia shall appoint a member as
 75 provided for in subparagraph (A) of this paragraph whose term shall begin on
 76 July 1, 2022, and such member shall serve a single term of five years. The successors
 77 to the member whose term ends on June 30, 2027, shall serve terms of four years that
 78 begin on July 1 of the year of their appointment. The term of the member appointed as
 79 provided for in subparagraph (A) of this paragraph and serving as of June 30, 2021,
 80 shall terminate on that date.
- 81 (c) The members of the commission shall enter upon their duties without further act or
 82 formality. The commission shall organize each ~~even-numbered~~ odd-numbered year at the
 83 meeting next following July 1 of such year, at which time the commission shall elect one
 84 of its members as chairperson and another as vice chairperson. It shall also elect a
 85 secretary and a treasurer, who need not be members. The offices of secretary and treasurer
 86 may be combined in one person. The commission may make such bylaws for its
 87 government as it deems necessary but is under no duty to do so."

88 **SECTION 2.**

89 This Act shall become effective on January 1, 2021.

90 **SECTION 3.**

91 All laws and parts of laws in conflict with this Act are repealed.