

# Minutes

## LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY

Louisiana Agricultural Commodities Commission

Veterans' Memorial Auditorium

5825 Florida Blvd.

Baton Rouge, LA 70806

March 7, 2017

9:30 a.m.

### I. Call to Order

Mr. Robert Hanks called the meeting to order at 9:32 am.

### II. Roll Call and Declaration of Quorum

#### Commission Members Present

Mr. Robert Hanks  
Mr. Tom Russell  
Mr. Donald Berken  
Mr. Ronald Petree  
Mr. Kevin Webb

#### Absent Members

Commissioner Strain  
Mr. Elliott Ater  
Mr. Donald Zaunbrecher  
Mr. Stephen Logan  
Mr. Ryan Ellington

There was a quorum of five (5) members present.

#### Staff Members Present

Assistant Commissioner, Office of the Agro Consumer Services, Benjy Rayburn  
Director, Louisiana Agricultural Commodities Commission, Kyra Fitzgerald  
Louisiana Department of Agriculture & Forestry Auditor, John Smith  
Louisiana Department of Agriculture & Forestry Auditor, Jeff Fabre  
Assistant Commissioner, Office of Management and Finance, Dane Morgan  
Administrative Assistant IV, Bridgette Ott

### III. Adoption of Minutes – October 04, 2016

A motion was made by Mr. Donald Berken seconded by Mr. Ronald Petree to Adopt the minutes. The motion carried unanimously.

### IV. Public Comment

Mr. Bobby Hanks asked if there was any public comment. There was none.

### V. Old Business

1. GCIF and SIF Balances

Mrs. Kyra Fitzgerald stated that the GCIF balance as of February 23, 2017 is \$4,275,886.00 and that the SIF Balance is \$827,657.00.

## **VI. CONSIDERATION OF LICENSE APPLICATION FOR APPROVAL:**

(New)

### **A. GRAIN DEALER**

#### **1. Erwin Keith, Inc.**

A motion was made by Mr. Donald Berken and seconded by Mr. Tom Russell to go into Executive Session discuss the financial information of the applicant. The motion carried unanimously.

A motion was made by Mr. Ronald Petree and seconded by Mr. Tom Russell to come out of Executive Session. The motion carried unanimously.

A motion was made by Mr. Kevin Webb and seconded by Mr. Tom Russell to approve the following grain dealer license application, Erwin Keith, Inc. The motion carried unanimously.

## **VII. NEW BUSINESS**

### **1. Renewal Licensing**

Mrs. Kyra Fitzgerald stated that the renewal packets were mailed out on March 6, 2017.

### **2. Legislation**

Mr. Dane Morgan, Assistant Commissioner, Office of Management and Finance, informed the board that during the 2017 First Extraordinary Session, House Concurrent Resolution No. 1 was Enrolled and therefore became a concern for the Louisiana Agricultural Commodities Commission in that it proposed “developing a procedure necessary to implement a process to allocate money deposited into the state treasury from constitutional and statutory dedications that flow through the Bond Security and Redemption Fund for the purpose of paying debt service on obligations secured by the full faith and credit of the state beginning in Fiscal Year 2017-2018.” Mr. Morgan explained the issue and suggested that the board talk to legislators and others in the industry regarding HCR1 and its effect on the Grain and Cotton Indemnity Fund, the Self-Insurance Fund and the Agricultural Commodity Dealer and Warehouse fund. Mr. Morgan explained that the legislature intends to access a percentage of the budgeted money allowed in these funds for the purpose of paying state bond debt. Therefore, the board proposed that a formal letter, signed by the chairman of the board, state its opposition to House Concurrent Resolution No. 1 and the access to these funds, and agrees with Commissioner Mike Strains’ position that the constitution and laws which established the Louisiana Department of Agriculture and Forestry’s statutorily dedicated funds do not allow for the use towards general bond debt payment as

suggested in HCR1 and therefore should be exempt from use thereof.

A motion was made by Mr. Donald Berken and seconded by Mr. Tom Russell authorizing the staff to formulate a letter, signed by the chairman of the board, notifying legislators of LACC's opposition to HCR1 and agreeing with Commissioner Strains' position against accessing funds that are statutorily dedicated funds paid via assessments and some of which are considered "insurance" paid by and for the protection of Louisiana producers.

A motion was made by Mr. Donald Berken and seconded by Mr. Ronald Petree to go into Executive Session to discuss an issue regarding the financial information and possible licensure of a seed dealer. The motion carried unanimously.

A motion was made by Mr. Tom Russell and seconded by Mr. Kevin Webb to come out of Executive Session. The motion carried unanimously.

#### **VIII. Public Comment**

Mr. Robert Hanks asked if there was any public comment. There was none.

#### **IX. Date for the Next Meeting**

Next meeting is scheduled for May 31, 2017.

#### **X. Adjournment**

A motion was made by Mr. Donald Berken and seconded by Mr. Ronald Petree to adjourn the meeting. The motion carried unanimously.

  
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**Mr. Robert Hanks, Chairman**