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FILED

Jane Dee Hull
Secretary of State

CHAPTER 266

HOUSE BILL 2235

AN ACT

AMENDING SECTIONS 3-107, 3-204, 3-205, 3-205.02, 3-1082, 3-1083, 3-1086, 3-1086.01 AND 3-1087, ARIZONA REVISED STATUTES; RELATING TO COTTON RESEARCH AND PROTECTION.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 3-107, Arizona Revised Statutes, is amended to read:

3-107. Organizational and administrative powers and duties of the director

A. The director shall:

1. Formulate the program and policies of the department and adopt administrative rules to effect its program and policies.

2. Ensure coordination and cooperation in the department in order to achieve a unified policy of administering and executing its responsibilities.

3. Subject to section 35-149, accept, expend and account for gifts, grants, devises and other contributions of money or property from any public or private source, including the federal government. All contributions shall be included in the annual report under paragraph 6 of this subsection. Monies received under this paragraph shall be transmitted to the state treasurer for deposit in special funds for the purpose specified, which are exempt from section 35-190.

4. Contract and enter into interagency and intergovernmental agreements pursuant to title 11, chapter 7, article 3 with any private party or public agency.

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1 5. Administer oaths to witnesses and issue and direct the service of
2 subpoenas requiring witnesses to attend and testify at or requiring the
3 production of evidence in hearings, investigations and other proceedings.

4 6. Not later than September 30 each year issue a report to the
5 governor and the legislature of the department's activities during the
6 preceding fiscal year. The report may recommend statutory changes to improve
7 the department's ability to achieve the purposes and policies established by
8 law.

9 7. Establish, equip and maintain a central office in Phoenix and such
10 field offices as he deems necessary.

11 8. Sign all vouchers to expend money under this title, which shall be
12 paid as other claims against this state out of the appropriations to the
13 department.

14 9. Coordinate agricultural education efforts to foster an
15 understanding of Arizona agriculture and to promote a more efficient
16 cooperation and understanding among agricultural educators, producers,
17 dealers, buyers, mass media and the consuming public to stimulate the
18 production, consumption and marketing of Arizona agricultural products.

19 10. Employ staff and terminate employment for cause as provided by
20 title 41, chapter 4, article 5.

21 11. CONDUCT HEARINGS ON APPEALS OF THE PORTION OF PLOW-UP REFUNDS
22 WITHHELD AS A PENALTY PURSUANT TO CRITERIA ADOPTED PURSUANT TO SECTION
23 3-1087, SUBSECTION B. THE DIRECTOR MAY ADOPT RULES TO IMPLEMENT THIS
24 PARAGRAPH.

25 B. The director may:

26 1. Authorize in writing any qualified officer or employee in the
27 department to perform any act that the director is authorized or required to
28 do by law.

29 2. Construct and operate border inspection stations or other necessary
30 facilities in this state and cooperate by joint agreement with an adjoining
31 state in constructing and operating border inspection stations or other
32 facilities within the boundaries of this state or of the adjoining state.

33 3. Cooperate with agencies of the United States, other states and
34 other agencies of this state in developing and administering the
35 responsibilities of the department under this title and enter into any
36 necessary interstate agreements regarding the use of department officers,
37 inspectors or other resources to enforce agricultural laws in this state or
38 within border areas of neighboring states.

39 4. Cooperate with the office of tourism in distributing Arizona
40 tourist information.

41 5. Abate, suppress, control, regulate, seize, quarantine or destroy
42 any agricultural product or foodstuff that is adulterated or contaminated as
43 the result of an accident at a commercial nuclear generating station as
44 defined in section 26-301, paragraph 1. A person owning an agricultural

1 product or foodstuff which has been subject to this paragraph may request a
2 hearing before a department hearing officer.

3 Sec. 2. Section 3-204, Arizona Revised Statutes, is amended to read:

4 3-204. Summary abatement of imminently dangerous nuisance;
5 procedure; expense; lien; public sale; reimbursement
6 to state for certain abatements

7 A. If, in the opinion of the director, the danger to the agricultural
8 and horticultural industry of the state is imminent if the nuisance caused
9 by a plant or thing is not speedily abated or suppressed, and if he finds it
10 is practical to summarily abate the nuisance, either by the destruction of
11 the plant or thing or by the treatment thereof so as to destroy or eradicate
12 the crop pest or disease without actually destroying the plant or thing, the
13 director shall in writing direct the owner or person in charge of the
14 nuisance, if he is found in the county, forthwith and at his expense to abate
15 and suppress the nuisance in the manner provided in the written direction.
16 If the owner or person in charge fails or neglects to comply with the
17 direction for a period of five days after the date on which the direction was
18 delivered to or served upon him, then the director shall summarily abate the
19 nuisance in the manner specified in the written direction.

20 B. If the owner or person in charge or control of the nuisance is a
21 nonresident of the state or cannot, after reasonable diligence by the
22 director, be found within the county where the nuisance exists, the director
23 shall publish the notice and the direction one time in a newspaper published
24 in the county, and shall post a copy at, on or in the immediate vicinity of
25 the nuisance, and after seven days from the first publication and posting,
26 the director shall abate the nuisance in the manner specified in the
27 direction.

28 C. If the nuisance is abated by the director the expense shall be
29 borne by the state, but, when the abatement does not involve the destruction
30 of the plant or thing and it has some value after the crop pest or disease
31 has been eradicated, then the state shall have a first claim and lien thereon
32 for the payment of expenses incurred in the abatement of the nuisance.

33 D. The director shall notify the owner or person in charge or control
34 of the nuisance of the amount of the expenses, and that unless the amount is
35 paid within ten days after the date of service of the notice upon the owner
36 or person in charge, the plant or thing will be sold at public sale, and the
37 proceeds, or so much thereof as may be necessary, applied to the payment of
38 the expenses. The notice shall be personally served or posted as required
39 in this section for notices to abate.

40 E. If the owner or person in charge of the plant or thing fails to pay
41 the expenses within the time specified in the notice, the director shall give
42 public notice of the time and place of sale with a description of the plant
43 or thing to be sold, and the amount of expenses against it, which shall
44 include costs of publication, posting and service of notice. The notice of

1 sale shall be published and posted as provided in this section for the
2 publication and posting of direction to suppress the nuisance.

3 F. The owner or person in charge of a plant or thing constituting the
4 nuisance may waive in writing the service of all directions and notices in
5 connection with the abatement or sale thereof.

6 G. If the director is required to abate the nuisance of cotton or
7 cotton stubble which is not destroyed before a date established by the
8 director or is required to abate the nuisance of cotton planted before a date
9 established by the director, unless the director waives such dates due to
10 variations in weather conditions, following the refusal by the owner or
11 person in charge or control of the nuisance to do so, the owner or person in
12 charge or control of the nuisance shall reimburse the department for ~~one~~
13 ~~hundred fifty per cent of~~ the ACTUAL costs of the state's abatement of the
14 nuisance. An injunction shall not be granted to stay this state from abating
15 the nuisance. TO COLLECT THE COSTS OF REIMBURSEMENT THE DIRECTOR MAY EITHER
16 REQUEST REIMBURSEMENT FROM THE COTTON RESEARCH AND PROTECTION COUNCIL UNDER
17 PROGRAMS OF THE COUNCIL TO ABATE COTTON FIELDS, OR FROM THE OWNER OR PERSON
18 IN CHARGE. If the ~~owner or person in charge fails to pay the amount required~~
19 ~~to be reimbursed to the director under this subsection~~ ACTUAL COSTS OF
20 ABATEMENT ARE NOT PAID within ten days after the owner or person in charge
21 receives notice of the amount of the costs, the director ~~shall~~ MAY CHARGE ONE
22 HUNDRED FIFTY PER CENT OF THE COSTS AND MAY prepare and file or record in the
23 office of the county recorder of the county where the land is situated a
24 notice of lien, setting forth the amount of the unpaid costs and the name of
25 the owner or person in charge, and upon such recording, the amount required
26 to be reimbursed becomes a lien on the land subordinate only to any lien for
27 state and local taxes. THE DIRECTOR MAY ISSUE A NOTICE OF ABATEMENT PENALTY
28 TO BE APPLIED TO ANY REBATE AUTHORIZED PURSUANT TO SECTION 3-1083, SUBSECTION
29 B, PARAGRAPH 4 AND SECTION 3-1087, SUBSECTION B.

30 Sec. 3. Section 3-205, Arizona Revised Statutes, is amended to read:

31 3-205. Abatement of nuisance not imminently dangerous;
32 procedure; lien; foreclosure; release of lien;
33 reimbursement to state for certain abatements

34 A. If the director believes the danger to the agricultural and
35 horticultural industry is not imminent, or if impractical for any reason to
36 summarily abate the nuisance, as described in sections 3-203, 3-204, 3-206
37 and 3-207, the direction shall not require summary destruction or
38 eradication, but shall set forth the measures required to be taken by the
39 owner or person in charge to control, suppress or eradicate the danger, and
40 shall require the person, at his expense, to take and comply with the
41 measures specified in the direction and subsequent directions.

42 B. The directions shall be made, given and served as prescribed for
43 summary abatement, and if they are not complied with, the director may

1 proceed as provided by the directions, and the expense shall be charged
2 against the state.

3 C. If the plant or thing constituting the nuisance consists only of
4 personalty, and is not attached to land or contained in a building,
5 enclosure, vehicle or place belonging to the person, the state shall have the
6 same lien and it is enforceable in the same manner as provided for summary
7 abatement of the nuisance under section 3-204.

8 D. If the plant or thing is attached to land, or contained in a
9 building, enclosure or vehicle which is the property of the person, then the
10 lien shall also attach to the land, building, enclosure or vehicle, and the
11 director shall prepare and file in the office of the county recorder where
12 the property is situated a notice of the lien, setting forth the amount and
13 the name of the owner or person in charge, and stating that the amount of the
14 lien shall be paid within thirty days from filing the notice, or otherwise
15 the property will be subjected to payment thereof.

16 E. The lien shall be prior to all other liens against the property
17 except liens for state and county taxes. If the amount of the lien is not
18 paid within the thirty days, the county attorney shall, on written request
19 of the director, foreclose the lien against the property impressed therewith
20 as other liens are foreclosed.

21 F. Upon satisfaction of the lien, the director shall issue a release
22 of the lien to the person against whom the lien was claimed. Such release
23 shall be a document in a form as specified in section 11-480.

24 G. If the director is required to abate the nuisance of cotton or
25 cotton stubble which is not destroyed before a date established by the
26 director or is required to abate the nuisance of cotton planted before a date
27 established by the director, unless the director waives such dates due to
28 variations in weather conditions, following the refusal by the owner or
29 person in charge or control of the nuisance to do so, the owner or person in
30 charge or control of the nuisance shall reimburse the department for ~~one~~
31 ~~hundred fifty per cent of~~ the ACTUAL costs of the state's abatement of the
32 nuisance. An injunction shall not be granted to stay this state from abating
33 the nuisance. TO COLLECT THE COSTS OF REIMBURSEMENT THE DIRECTOR MAY EITHER
34 REQUEST REIMBURSEMENT FROM THE COTTON RESEARCH AND PROTECTION COUNCIL UNDER
35 PROGRAMS OF THE COUNCIL TO ABATE COTTON FIELDS, OR FROM THE OWNER OR PERSON
36 IN CHARGE. ~~If the owner or person in charge fails to pay the amount required~~
37 ~~to be reimbursed to the department under this subsection~~ ACTUAL COSTS OF
38 ABATEMENT ARE NOT PAID within ten days after the owner or person in charge
39 receives notice of the amount of the costs, the department ~~shall~~ MAY CHARGE
40 ONE HUNDRED FIFTY PER CENT OF THE COSTS AND MAY prepare and file or record
41 in the office of the county recorder of the county where the land is situated
42 a notice of lien, setting forth the amount of the unpaid costs and the name
43 of the owner or person in charge, and upon such recording, the amount
44 required to be reimbursed becomes a lien on the land subordinate only to any

1 lien for state and local taxes. THE DIRECTOR MAY ISSUE A NOTICE OF ABATEMENT
2 PENALTY TO BE APPLIED TO ANY REBATE AUTHORIZED PURSUANT TO SECTION 3-1083,
3 SUBSECTION B, PARAGRAPH 4 AND SECTION 3-1087, SUBSECTION B.

4 Sec. 4. Section 3-205.02, Arizona Revised Statutes, is amended to
5 read:

6 3-205.02. Regulating production of colored cotton; civil
7 penalties

8 A. The director may adopt rules to regulate the production of colored
9 cotton. The rules shall include registering producers, production
10 requirements, field separation, cotton appliances used to produce, transport
11 and handle colored cotton and ginning and seed requirements.

12 B. The director may impose the following sanctions for violating
13 colored cotton rules:

14 1. A civil penalty assessed against a grower of not more than seven
15 hundred fifty dollars per acre for each planted acre of colored cotton unless
16 the grower voluntarily abates the colored cotton crop before the first bloom.

17 2. A civil penalty assessed against the owner or operator of a cotton
18 gin of not more than one hundred dollars per bale of colored cotton for
19 violating ginning rules.

20 3. A CIVIL PENALTY ASSESSED AGAINST THE OWNER OR OPERATOR OF A COTTON
21 APPLIANCE OF NOT MORE THAN FIVE HUNDRED DOLLARS PER VIOLATION FOR VIOLATING
22 THE COTTON APPLIANCE RULES.

23 ~~4.~~ 4. Suspension or revocation of a grower's colored cotton
24 registration.

25 Sec. 5. Section 3-1082, Arizona Revised Statutes, is amended to read:

26 3-1082. Cotton research and protection council; membership;
27 terms; vacancy; compensation

28 A. The cotton research and protection council is established and is
29 composed of nine active cotton producers to be appointed by the governor. The
30 members shall be appointed as follows:

31 1. Two each who are residents of:

- 32 (a) Maricopa county.
- 33 (b) Pinal county.
- 34 (c) The Yuma, La Paz and Mohave counties area.

35 2. One each who ~~are residents~~ IS A RESIDENT of:

- 36 (a) Pima county.
- 37 (b) Cochise county.
- 38 (c) The Graham and Greenlee counties area.

39 B. The governor may consult with any recognized cotton producer
40 organizations in this state in determining appointments to the council.

41 C. The term of office of council members is three years and expires
42 on December 31 of the appropriate year, but a member may continue to serve
43 until his successor is appointed and assumes office. ~~A member whose term~~
44 ~~expires~~ A MEMBER IS ELIGIBLE FOR A SECOND CONSECUTIVE THREE YEAR TERM. A

1 MEMBER WHO COMPLETES A SECOND CONSECUTIVE THREE YEAR TERM is ineligible for
2 reappointment for at least one year. ~~except that a member who is appointed~~
3 ~~to fill a vacancy may be reappointed to serve a full three year term of~~
4 ~~office without waiting one year.~~ On the expiration of a term of a member or
5 in the event of a vacancy a successor shall be appointed by the governor.

6 D. The office of any member shall be deemed vacant and the governor
7 shall appoint a person to fill the remainder of the term under any of the
8 following circumstances:

- 9 1. The member is no longer an active cotton producer.
10 2. The member is unable to perform his duties.
11 3. The absence of the member from three consecutive council meetings
12 if the absences have not been excused by the council.
13 4. The member has ceased to reside in the county or county area that
14 the member was appointed to represent.

15 E. Members of the council are not eligible to receive compensation but
16 are eligible for reimbursement of expenses pursuant to title 38, chapter 4,
17 article 2.

18 Sec. 6. Section 3-1083, Arizona Revised Statutes, is amended to read:
19 3-1083. Council powers and duties

20 A. The council shall:

- 21 1. Receive and disburse monies to be used in administering the
22 provisions of this article.
23 2. Meet at least once each calendar quarter and more frequently on the
24 call of the chairman or by five members of the council.
25 3. Annually elect a chairman from among its members.
26 4. Elect a secretary and treasurer from among its members.
27 5. Establish an executive committee consisting of the chairman,
28 secretary and treasurer. The executive committee shall act in accordance
29 with the direction received from the council or, if necessary, the executive
30 committee shall act and bring the matter before the full council at the next
31 regular meeting of the council for review and ratification.
32 6. Provide for an annual audit of its accounts by a qualified public
33 accounting firm and make an annual financial statement available to any
34 producer and the auditor general on request.
35 7. Keep and maintain a permanent record of its proceedings and make
36 these records available for public inspection for any lawful purpose.
37 8. Prepare an annual report of its activities, receipts and
38 expenditures. The report shall be submitted to the governor, other state
39 officers as the council determines and other persons in the cotton industry
40 in this state as may be appropriate. Copies of the annual report shall be
41 available to any interested cotton producer and the general public on
42 request.
43 9. Organize and administer any referendum called under subsection C,
44 paragraph 6 of this section.

1 10. REIMBURSE THE DEPARTMENT FOR COSTS INCURRED IN THE ABATEMENT OF
2 COTTON FIELDS UNDER SECTION 3-204, SUBSECTION G AND SECTION 3-205, SUBSECTION
3 G FROM MONIES AUTHORIZED FOR ABATEMENT OF COTTON FIELDS PURSUANT TO SECTION
4 3-1087, SUBSECTION B, IF MONIES ARE AVAILABLE.

5 B. The council may authorize or contract for any of the following
6 programs:

7 1. Those research programs that are related to cotton production or
8 its protection.

9 2. The execution of nuisance abatements related to cotton protection
10 as provided for under sections 3-204 and 3-205.

11 3. Programs of cotton pest eradication.

12 4. A program to refund collected fees to cotton producers to provide
13 an incentive to abate cotton fields TO BE ADMINISTERED IN COOPERATION WITH
14 THE DEPARTMENT.

15 5. Any other programs that the council deems to be appropriate for
16 furthering the purposes of this article.

17 C. The council may:

18 1. Adopt rules ~~and regulations~~ necessary to promptly and effectively
19 administer the provisions of this article.

20 2. Accept donations of monies, property, services or other assistance
21 from public or private sources for the express purpose of furthering the
22 objectives of this article.

23 3. Investigate and prosecute in the name of this state any action or
24 suit to enforce the collection or ensure payment of the fees authorized and
25 to sue and be sued in the name of the council.

26 4. Cooperate with any local, state and national organizations or
27 agencies engaged in activities similar to or related to those of the council
28 and enter into contracts with these organizations or agencies for carrying
29 on joint programs.

30 5. Act jointly and in cooperation with this state or any other state
31 or the federal government in the administration of any program deemed by the
32 council as beneficial to the cotton industry of this state.

33 6. Refer to the cotton producers in this state for an advisory vote
34 the question of establishing, continuing or discontinuing any program
35 authorized by this article.

36 7. Expend monies for public relations programs that are organized to
37 promote the cotton industry or agriculture in this state.

38 D. No member may serve in the same executive office of the council for
39 more than ~~two~~ THREE consecutive years.

40 Sec. 7. Section 3-1086, Arizona Revised Statutes, is amended to read:
41 3-1086. Fees; collection; budget

42 A. The council shall, on or before July 1 of each calendar year,
43 assess a fee of not to exceed one dollar per bale of cotton produced in this
44 state on land above twenty-seven hundred feet in elevation and not to exceed

1 five dollars per bale of cotton produced in this state on land twenty-seven
2 hundred feet in elevation or below. If the director finds that programs of
3 cotton pest eradication are necessary on land above twenty-seven hundred feet
4 in elevation, the council may, upon such finding, raise the fee not to exceed
5 five dollars per bale of cotton.

6 ~~B. The fee shall be collected at the time of ginning and remitted to~~
7 ~~the council by gins in accordance with procedures and on forms the council~~
8 ~~prescribes. A gin shall remit on or before February 15 of each year either~~
9 ~~the full amount of the fee as set by the council or only that portion of the~~
10 ~~fee not designated as a refund for the abatement of cotton fields as provided~~
11 ~~in section 3-1087, subsection B. COTTON GINS SHALL COLLECT AND REMIT THE FEE~~
12 ~~TO THE COUNCIL ACCORDING TO PROCEDURES AND ON FORMS THE COUNCIL PRESCRIBES.~~
13 ~~A GIN SHALL REMIT AT LEAST ONE-HALF OF THE ANNUAL FEE AS ESTABLISHED BY THE~~
14 ~~COUNCIL AND NOT DESIGNATED AS A REFUND FOR THE ABATEMENT OF COTTON FIELDS AS~~
15 ~~PROVIDED IN SECTION 3-1087, SUBSECTION B ON OR BEFORE FEBRUARY 15 OF EACH~~
16 ~~YEAR WITH A REPORT OF ACTUAL BALES GINNED THROUGH JANUARY 31 OF EACH YEAR AND~~
17 ~~AN ESTIMATE OF BALES TO BE GINNED BY MARCH 15. THE REMAINDER OF THE FEE IS~~
18 ~~DUE ON OR BEFORE MARCH 15 OF EACH YEAR. The portion of the fee that is~~
19 ~~designated as a refund for the abatement of cotton fields may be held by the~~
20 ~~gin, subject to certification by the Arizona department of agriculture that~~
21 ~~a producer has complied with the abatement program. Upon notification of~~
22 ~~certification to the gin, the fee designated for the abatement program as a~~
23 ~~refund shall be credited to the producer's account of the gin responsible for~~
24 ~~the remittance of the fee. If a producer fails to comply with the program~~
25 ~~to abate cotton fields according to plow-up rules adopted under chapter 2,~~
26 ~~article 1 of this title, the fee designated as a refund shall be remitted,~~
27 ~~in full, to the council. The gin shall inform the council, on forms~~
28 ~~prescribed by the council, of the names of persons or farms for which the gin~~
29 ~~is withholding the fee designated as a refund under section 3-1087,~~
30 ~~subsection B, at THE time the fee is collected.~~

31 C. A cotton producer is responsible for payment of the fee unless the
32 fee is withheld for payment to the council by a gin.

33 D. Before establishing the annual fee the council shall establish a
34 budget. The budget is effective on approval of the council.

35 E. Title 41, chapter 6 does not apply to setting the fee under this
36 section, but the council shall provide sixty days' advance notice of the
37 meeting at which the fee will be adopted and the amount of the proposed fee.
38 The council shall receive public testimony at the meeting regarding the fee.

39 Sec. 8. Section 3-1086.01, Arizona Revised Statutes, is amended to
40 read:

41 3-1086.01. Colored cotton fee

42 A. On or before July 1 of each year:

43 1. The department shall submit a proposed budget to the council for
44 enforcing rules regarding colored cotton production.

1 2. The council may assess a fee of not more than three dollars per
2 bale of colored cotton produced in this state to provide sufficient monies
3 to enforce the rules for colored cotton production. Before establishing the
4 annual fee, the council shall adopt a budget for colored cotton enforcement
5 activities.

6 B. Cotton gins shall collect the fee and remit the monies to the
7 council on or before ~~February 15~~ APRIL 1 of each year according to the
8 procedures and on forms that the council prescribes.

9 C. A COTTON PRODUCER IS RESPONSIBLE FOR PAYMENT OF THE FEE REQUIRED
10 BY THIS SECTION UNLESS THE FEE IS WITHHELD FOR PAYMENT TO THE COUNCIL BY A
11 GIN.

12 ~~C.~~ D. Title 41, chapter 6 does not apply to setting the fee under
13 this section, but the council shall provide sixty days' advance notice of the
14 meeting at which the fee will be adopted and the amount of the proposed fee.
15 The council shall receive public testimony at the meeting regarding the fee.

16 ~~D.~~ E. The council may enter into an intergovernmental agreement
17 pursuant to title 11, chapter 7, article 3 with the department to provide
18 necessary enforcement services for colored cotton.

19 Sec. 9. Section 3-1087, Arizona Revised Statutes, is amended to read:
20 3-1087. Deposit of fees; use on termination

21 A. Monies collected pursuant to sections 3-1086 and 3-1086.01 shall
22 be deposited and held in trust in the council's accounts, which are
23 administered by the department as the council's agent, and disbursed as
24 approved by the council for the purposes prescribed in this article.

25 B. The council may use monies collected under section 3-1086 as a
26 refund to cotton producers to facilitate a program to provide incentives for
27 the abatement of cotton fields. The council may issue a refund only on
28 certification by the Arizona department of agriculture that the cotton field
29 has been abated according to plow-up rules adopted under chapter 2, article
30 1 of this title. With the approval of the cotton producer, a refund may be
31 assigned to a lending institution. A PORTION OF THE REFUND MAY BE WITHHELD
32 AS A PENALTY FOR NONCOMPLIANCE WITH PLOW-UP RULES. THE COUNCIL IN
33 COOPERATION WITH THE DEPARTMENT SHALL ANNUALLY AGREE ON CRITERIA SPECIFYING
34 HOW THE AMOUNT OF PENALTY SHALL BE DETERMINED. A PRODUCER MAY APPEAL THE
35 WITHHELD PORTION OF THE REFUND AS A PENALTY PURSUANT TO SECTION 3-107.

36 C. If the council is terminated, any monies in the council's accounts
37 shall be expended to meet existing legal obligations of the council. The
38 council shall expend any remaining monies on any program consistent with this
39 article.

40 D. The monies in the account may be invested pursuant to section
41 35-313. Interest earned on these monies shall be credited to the account.

~~APPROVED BY THE GOVERNOR APRIL 23, 1996~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 23, 1996~~