



Fifty-first Legislature - First Regular Session

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### 3-1083. [Council powers and duties](#)

#### A. The council shall:

1. Receive and disburse monies to be used in administering this article.
2. Meet at least once each calendar quarter and more frequently on the call of the chairman or by five members of the council.
3. Annually elect a chairman from among its members.
4. Elect a secretary and treasurer from among its members.
5. Establish an executive committee consisting of the chairman, secretary and treasurer. An executive committee member may not serve in the same executive office for more than three years. The executive committee shall act in accordance with the direction received from the council or, if necessary, the executive committee shall act and bring the matter before the full council at the next regular meeting of the council for review and ratification.
6. Provide for a triennial audit of its accounts by a qualified public accounting firm and additional audits as the council may require and make an annual financial statement available to any producer and the auditor general on request.
7. Keep and maintain a permanent record of its proceedings and make these records available for public inspection for any lawful purpose.
8. Prepare an annual report of its activities, receipts and expenditures. The report shall be submitted to the governor, other state officers as the council determines and other persons in the cotton industry in this state as may be appropriate. Copies of the annual report shall be available to any interested cotton producer and the general public on request.
9. Organize and administer any referendum called for under subsection C, paragraph 9 of this section.

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

1. Those research programs that are related to cotton production or its protection, including cotton seed breeding or other research programs to develop germplasm.
2. Programs of aflatoxin control and cotton pest eradication.
3. A program to rebate a portion of collected fees to cotton producers to provide an incentive to plow up cotton fields in a timely manner.
4. Any other programs that the council deems to be appropriate for furthering the purposes of this article.

#### C. The council may:

1. Adopt rules necessary to promptly and effectively administer this article.
2. Award grants of monies, property, services or other assistance to public or private recipients for the express purpose of furthering the objectives of this article, including research programs related to cotton protection and production authorized by the council.
3. Accept grants and donations of monies, property, services or other assistance from public or private sources for the express purpose of furthering the objectives of this article.
4. Investigate and prosecute in the name of this state any action or suit to enforce the collection or ensure payment of the fees authorized and to sue and be sued in the name of the council.
5. Buy and sell seed and other products used in the council's aflatoxin control program, extend credit in connection with the sale and distribution of treated seed and other products, collect and enforce debts or obligations with respect to extended credit and take a security interest in collateral of all kinds, including real and personal property to secure the credit.
6. Cooperate with any local, state and national organizations or agencies engaged in activities similar to or related to those of the council and enter into contracts with

these organizations or agencies for carrying on joint programs.

7. Acquire and protect patents, licenses or certificates of protection for plant varieties resulting from seed breeding or other programs authorized by the council and grant licenses to use intellectual property rights held by the council.

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

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

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

11. Purchase and sell motor vehicles for the administration of its own motor vehicle fleet and provide for its operation and maintenance.

12. Provide monies to the department as necessary for the abatement of a cotton nuisance under section 3-204, subsection G or section 3-205, subsection G or for the plow up of cotton fields pursuant to section 3-204.01 to be loaned by and repaid to the council pursuant to section 3-1085, subsection B.