SENATE BILL NO. 2765

AN ACT TO CREATE A POULTRY GROWERS GRIEVANCE BOARD; TO PROVIDE FOR GRIEVANCES TO BE HEARD; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. This act shall be known and may be cited as the Mississippi Poultry Growers Grievance Act.

SECTION 2. As used in this act:

(a) "Board" means the Poultry Growers Grievance Review Board created in this act.

(b) "Commissioner" means the Commissioner of the Department of Agriculture and Commerce.

(c) "Department" means the Mississippi Department of Agriculture and Commerce.

(d) "Grower" means a person who grows, raises or produces poultry or poultry products and contracts with a processor to provide management, labor, machinery, facilities or any other production input for the production of poultry or poultry products.

(e) "Person" means any individual, partnership, association, corporation, limited liability company, or any other legal entity.

(f) "Processor" means a person who in the ordinary course of business, buys poultry or poultry products grown, raised or produced in this state or who contracts with a grower to grow, raise or produce poultry or poultry products in this state.

SECTION 3. There is hereby created the Mississippi Poultry Growers Grievance Review Board with domicile at the capital city of the state. The board shall be composed of six (6) members:
one (1) member shall be the Commissioner of Agriculture and Commerce as ex officio member. One (1) member shall be appointed from each congressional district and the remainder from the state at large. The commissioner shall appoint the members to terms of one (1), two (2), three (3), four (4) and five (5) years, respectively, so as to stagger the terms. After the expiration of the initial terms, the terms shall be for four (4) years. Each member shall serve, after the completion of his term, until his successor is appointed and duly qualified. Each vacancy shall be filled by appointment for the unexpired term.

**SECTION 4.** The powers and duties of the board shall include, but be not limited to, the following:

(a) To hear grievances of growers and producers. The grievance procedure shall be voluntary.

(b) All material, data and information received by the board with respect to any grievance filed under this act are confidential and not subject to the Public Records Act. No official or employee of the board may knowingly disclose any such information without the consent of the parties involved.

(d) The state shall bear the cost of the grievance process including the cost of all meetings.

(e) Each session of the grievance process shall be scheduled in a timely manner and shall be held in a location convenient to the parties involved.

**SECTION 5.** This act shall take effect and be in force from and after July 1, 2003.