

1 HOUSE JOINT RESOLUTION 63

2 WHEREAS, The bounty of agriculture from the State of  
3 Illinois is a primary source of high-quality foods that  
4 nourish the people of the world, and the global consumption  
5 of the produce of Illinois' agriculture is expected to grow  
6 at least three percent annually for the next two decades; and

7 WHEREAS, The markets for Illinois' agricultural products  
8 are increasingly global and complex, and Illinois farmers,  
9 marketers, suppliers, and food, feed, fiber, and medical and  
10 industrial raw material processors have a need to take steps  
11 to protect the viability of their operations against the  
12 vagaries of the global agricultural market while taking  
13 advantage of value-added opportunities; and

14 WHEREAS, In recent years, Illinois' farmers, marketers,  
15 suppliers, and food, feed, fiber, and medical and industrial  
16 raw material processors have responded to the uncertainties  
17 and complexities of global markets by entering into contracts  
18 to stabilize production, delivery, and pricing of  
19 agricultural products; and

20 WHEREAS, Illinois' agricultural economy has a need for a  
21 consistent framework for these contracts, so as to ensure  
22 that efforts to reduce the uncertainties of global  
23 agricultural markets that face Illinois' farmers, marketers,  
24 suppliers, and food, feed, fiber, and medical and industrial  
25 raw material processors is done within a framework that is  
26 fair to farmers and processors; that improves Illinois'  
27 competitive advantage in retaining and attracting agriculture  
28 and agriculture-related businesses; and that increases the  
29 competitive advantage of Illinois' agricultural products in  
30 the growing global markets; and

31 WHEREAS, Illinois' lawmakers are challenged to respond to  
32 the needs of Illinois' agricultural economy in a manner that

1 is fair to every segment of Illinois' agricultural economy  
2 and that provides the greatest opportunity for the economic  
3 viability and growth of all components of Illinois'  
4 agricultural economy; therefore, be it

5 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE  
6 NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE  
7 SENATE CONCURRING HEREIN, that the Attorney General and the  
8 Director of Agriculture are urged to convene a panel of  
9 interested parties; and be it further

10 RESOLVED, That the panel should conduct an independent  
11 review of the guidelines, rules, and laws that currently  
12 apply to the execution and performance of agricultural  
13 contracts in Illinois, with the purpose of determining what  
14 protections are currently available under State and federal  
15 law and of determining the need for further guidelines,  
16 rules, or laws to assure clarity and basic fairness for  
17 farmers, marketers, suppliers, and food, feed, fiber, and  
18 medical and industrial raw material processors, that improve  
19 Illinois' competitive advantage in retaining and attracting  
20 agriculture and agriculture-related businesses, and that  
21 increase the competitive advantage of Illinois' agricultural  
22 products in the growing global markets; and be it further

23 RESOLVED, That the panel should conduct an independent  
24 review of the types of agricultural production,  
25 production-related, marketing, and marketing-related  
26 contracts currently being used in the State of Illinois, to  
27 determine the impact of the different types of available  
28 contracts on Illinois' agricultural economy; and be it  
29 further

30 RESOLVED, That the panel should recommend specific types  
31 of education to be offered for all sectors of Illinois'  
32 agricultural economy to promote the understanding of the

1 benefits and responsibilities of entering into agricultural  
2 marketing, marketing-related, production, and  
3 production-related contracts; and be it further

4 RESOLVED, That the panel should monitor the use of the  
5 recommended education programs concerning agricultural  
6 production and marketing contracts; and be it further

7 RESOLVED, That the panel should report to the General  
8 Assembly, no later than January 8, 2003, on its findings; and  
9 be it further

10 RESOLVED, That the panel convened should be jointly  
11 chaired by the Attorney General, or his or her designee, and  
12 the Director of Agriculture, or his or her designee, and  
13 should be composed of representatives from the following  
14 groups: the Chairman of the Senate Agriculture Committee or  
15 his or her designee; the Minority Spokesman of the Senate  
16 Agriculture Committee or his or her designee; the Chairman of  
17 the House Agriculture Committee or his or her designee; the  
18 Minority Spokesman of the House Agriculture Committee or his  
19 or her designee; one individual farmer nominated by the  
20 Director of Agriculture; one individual farmer nominated by  
21 the Attorney General; one individual from a food processor or  
22 a food distributor nominated by the Director of Agriculture;  
23 one representative nominated by the Illinois Farm Bureau; one  
24 representative nominated by the Illinois Farmers' Union; one  
25 representative nominated by the Illinois Corn Growers'  
26 Association; one representative nominated by the Illinois  
27 Soybean Association; one representative nominated by the  
28 Illinois Specialty Growers' Association; one representative  
29 nominated by the Illinois Fertilizer and Chemical  
30 Association; one representative nominated by the Grain and  
31 Feed Association of Illinois; one representative nominated by  
32 the Illinois Seed Trade Association; one representative  
33 nominated by the Midwest Food Processors Association; one

1 representative nominated by the Illinois Pork Producers  
2 Association; one representative nominated by the Illinois  
3 Beef Association; one representative nominated by the  
4 Illinois Poultry Association; one representative nominated by  
5 the Illinois Milk Producers Association; one representative  
6 nominated by the Renewable Fuels Association; and one  
7 representative nominated by the Illinois Chamber of Commerce;  
8 and be it further

9 RESOLVED, That the panel should meet as directed by the  
10 Attorney General and the Director of Agriculture, and  
11 representatives shall serve without compensation; and be it  
12 further

13 RESOLVED, That due to the technical legal nature of the  
14 contractual law issues that will be reviewed by the panel,  
15 the representatives may be assisted and advised by legal  
16 counsel of their choosing, at their own expense; the presence  
17 of a representative's legal counsel does not entitle that  
18 representative to an additional vote in making the panel's  
19 recommendations; and be it further

20 RESOLVED, That suitable copies of this resolution be  
21 delivered to the Attorney General and the Director of  
22 Agriculture.