

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas

84th General Assembly

Regular Session, 2003

A Bill

HOUSE BILL 1013

By: Representatives Nichols, Oglesby, Scroggin, Bolin, L. Prater, Ledbetter, Gipson

For An Act To Be Entitled

AN ACT TO CONNECT VARIOUS AGRICULTURE RELATED
AGENCIES TO AN ARKANSAS AGRICULTURE DEPARTMENT;
TO TRANSFER THE ADMINISTRATION OF VARIOUS STATE
AGENCIES TO THE ARKANSAS AGRICULTURE DEPARTMENT;
TO CREATE AN ADVISORY BOARD TO THE ARKANSAS
AGRICULTURE DEPARTMENT; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO CONNECT VARIOUS AGRICULTURE
RELATED AGENCIES TO AN ARKANSAS
AGRICULTURE DEPARTMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Findings.

The General Assembly finds that:

(1) Agriculture accounts for five billion dollars (\$5,000,000,000) a
year of business income in Arkansas;

(2) Three hundred thirty-five thousand (335,000) Arkansas jobs
directly involve or operate in support of agriculture;

(3) Agriculture and agriculture-related jobs account for twenty-three
percent (23%) of all employment in Arkansas;

(4) Responsibility for supporting agriculture in Arkansas is spread
across six (6) state agencies;

(5) Marketing of the agricultural products of Arkansas is made
extremely difficult by the diffusion of responsibility across six (6) state
agencies; and

(6) Marketing of the agricultural products of Arkansas would be vastly



1 improved if a central office were devoted to creating, publicizing, and
2 sustaining an information network for Arkansas farmers and ranchers.

3
4 SECTION 2. Arkansas Code Title 25 is amended by adding the following
5 new chapter:

6 25-35-101. Creation - Appointment of director.

7 (a) There is created the Arkansas Agriculture Department.

8 (b)(1) The executive head of the department shall be the Director of
9 the Arkansas Agriculture Department.

10 (2) The director shall be appointed by the Governor with the
11 consent of the Senate and shall serve at the pleasure of the Governor.

12
13 25-35-102. Powers and Duties.

14 The Arkansas Agriculture Department shall:

15 (1) Administer the departments, institutions, other agencies, or parts
16 thereof transferred to the department under §§ 25-35-103 and 25-35-104;

17 (2) Coordinate all existing programs and create any new programs that
18 will enhance the marketing of the state's agricultural products to
19 intrastate, national and international markets;

20 (3) Coordinate all existing programs and create any new programs that
21 will improve education concerning agriculture, aquaculture, horticulture and
22 kindred industries;

23 (4) Establish a clearinghouse for collecting, correlating, analyzing,
24 and interpreting marketing and educational information and data concerning
25 needs of and resources for agriculture, aquaculture, horticulture and kindred
26 industries;

27 (5) Develop a website devoted to marketing and education concerning
28 agriculture, aquaculture, horticulture and kindred industries, including a
29 distinctive logo publicizing products as "Grown in Arkansas";

30 (6) Encourage the organization of neighborhood and county agricultural
31 clubs and associations;

32 (7) Coordinate the various activities of the department with those of
33 the federal government and other states on matters pertaining to agriculture,
34 aquaculture, horticulture and kindred industries and enter into agreements
35 for that purpose;

36 (8) Coordinate all existing programs concerning agriculture,

aquaculture, horticulture and kindred industries with the University of Arkansas Cooperative Extension Service and the Arkansas Rural Development Commission;

(9) Make any and all contracts and grants and employ, to the extent funds are available, such personnel as may be necessary to carry out the purposes of this chapter;

(10) Receive, administer, disburse, dispose, and account for funds, commodities, equipment, supplies, and any kind of property given, granted, loaned, or advanced to the State of Arkansas for agriculture, aquaculture, horticulture and kindred industries; and

(11) Assist other departments, agencies, and institutions of the state and federal governments, when so requested, by performing services in conformity with the purposes of this chapter.

25-35-103. Type 1 Transfers of Various Agricultural Agencies.

(a) The following departments, institutions, other agencies, or parts thereof are transferred to the Arkansas Agriculture Department by a type 1 transfer, as provided for in § 25-2-104, under which the departments, institutions, other agencies, or parts thereof, shall be administered under the direction and supervision of that principal department but shall retain exactly the same prescribed statutory powers, authorities, duties, and functions as it had prior to the transfer:

(1) Abandoned Pesticide Advisory Board, created under § 8-7-1204;

(2) Arkansas Beef Council, created under § 2-35-303;

(3) Arkansas Catfish Promotion Board, created by § 2-9-103;

(4) Arkansas Corn and Grain Sorghum Promotion Board, created under § 2-20-804;

(5) Arkansas Fire Ant Advisory Board, created under § 2-16-701;

(6) Arkansas Forestry Commission, created under § 15-31-101;

(7) Arkansas Livestock and Poultry Commission, created under § 2-33-101;

(8) Arkansas Rural Development Commission, created under § 15-6-104;

(9) Arkansas Rice Research and Promotion Board, created under § 2-20-505;

1 (10) Arkansas Soil and Water Conservation Commission, created
 2 under § 15-20-201;

3 (11) Arkansas Soybean Promotion Board, created under § 2-20-404;

4 (12) Arkansas Wheat Promotion Board, created under § 2-20-604;

5 (13) Department of Rural Services, created under § 15-6-105; and

6 (14) State Plant Board, created under § 2-16-206.

7 (b)(1) There are transferred from each of the departments,
 8 institutions, other agencies, or parts thereof listed in subsection (a) of
 9 this section to the Arkansas Agriculture Department those administrative
 10 support personnel, including the associated positions, titles,
 11 appropriations, funds, and assets, and those materials, data, and information
 12 deemed by the director of the department to be necessary for the effective
 13 operations of the department.

14 (2) After the transfers required under subdivision (b)(1) of
 15 this section, the departments, institutions, other agencies, or parts thereof
 16 listed in subsection (a) of this section shall not employ any administrative
 17 personnel other than those deemed by the director of the department to be
 18 necessary to the operations of those departments, institutions, other
 19 agencies, or parts thereof.

21 25-35-104. Type 2 Transfer of the Division of Agricultural Development
 22 of the Arkansas Development Finance Authority.

23 The Division of Agriculture Development of the Arkansas Development
 24 Finance Authority, created under § 15-5-802 is transferred to the Arkansas
 25 Agriculture Department by a type 2 transfer, under which its statutory
 26 authority, powers, duties, functions, records, personnel, property,
 27 unexpended balances of appropriations, allocations, or other funds, including
 28 the functions of budgeting or purchasing, are transferred to the department.

30 25-35-105. Advisory Board.

31 (a) The Agriculture Advisory Board is created to consist of (15)
 32 members, as follows:

33 (1) The Director of the Arkansas Agriculture Department, who
 34 shall be the chair of the board;

35 (2) The Executive Director of the Arkansas Soil and Water
 36 Conservation Commission;

1 (3) The Director of the State Plant Board;
 2 (4) The Executive Director of the Arkansas Livestock and Poultry
 3 Commission;
 4 (5) The Director the Department of Rural Services;
 5 (6) The Director of the Division of Agriculture Development;
 6 (7) The State Forester;
 7 (8) The Director of the University of Arkansas Cooperative
 8 Extension Service;
 9 (9) The Vice President for Agriculture of the University of
 10 Arkansas system;
 11 (10)(A) Four (4) members who are actively involved in farming in
 12 Arkansas, to be appointed by the Governor.
 13 (B) Each of the four (4) congressional districts shall be
 14 represented by at least one (1) farmer member; and
 15 (11) Two (2) members to represent consumers, to be appointed by
 16 the Governor.
 17 (b) The board shall advise the Director of the Arkansas Agriculture
 18 Department on all matters concerning agriculture, aquaculture, horticulture
 19 and kindred industries and all matters concerning the departments,
 20 institutions, other agencies, or parts thereof transferred to the department
 21 under §§ 25-35-103 and 25-35-104.
 22 (c) The board shall meet at least monthly and shall fix a regular date
 23 for the monthly meeting.
 24 (d)(1) The members of the board appointed by the Governor shall serve
 25 staggered terms of four (4) years, to be determined by lot at the first
 26 meeting of the board.
 27 (2) The members appointed by the Governor shall serve no more
 28 than two (2) terms.
 29 (e)(1) Vacancies due to death, resignation, refusal to serve, or other
 30 causes among members of the board appointed by the Governor shall be filled
 31 by appointment of the Governor to serve the remainder of an unexpired term.
 32 (2) A person so appointed is eligible for appointment to a
 33 subsequent full term on the board.
 34 (f)(1) State agency members of the board shall receive no additional
 35 salary or per diem for their services as members of the committee, but they
 36 may receive expense reimbursement in accordance with § 25-16-902.

1 (2) The members appointed by the Governor may receive expense
2 reimbursement from funds made available for that purpose in accordance with §
3 25-16-902.
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