

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H3/8/13 H3/14/13
A Bill

HOUSE BILL 1580

By: Representative Talley

For An Act To Be Entitled

AN ACT CONCERNING AN ARKANSAS BOVINE ANIMAL DISEASE PROGRAM AND THE USE OF THE LIVESTOCK AND POULTRY COMMISSION DISEASE AND PEST CONTROL FUND; TO MAKE TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING AN ARKANSAS BOVINE ANIMAL DISEASE PROGRAM AND THE USE OF THE LIVESTOCK AND POULTRY COMMISSION DISEASE AND PEST CONTROL FUND; AND TO MAKE TECHNICAL CORRECTIONS.

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

SECTION 1. Arkansas Code § 2-40-206 is amended to read as follows:

2-40-206. Funding of ~~brucellosis~~ Arkansas bovine animal disease program.

(a)(1)(A) In order to fund or partially fund ~~the brucellosis control and eradication~~ an Arkansas bovine animal disease program, there is hereby levied ~~until July 1, 1990, a fee of one dollar (\$1.00) not to exceed two dollars (\$2.00)~~ per head on all cattle sold in this the state; after which ~~the.~~

(B) The Arkansas Livestock and Poultry Commission *shall:*
(i) ~~establish~~ Establish by rule the amount of the fee ~~it feels necessary to operate and~~ continue the ~~brucellosis~~ Arkansas bovine animal disease program; and

(ii) Not increase the fee levied under this



subsection unless the balance of the Livestock and Poultry Commission Disease and Pest Control Fund under § 19-6-448 is less than five hundred thousand dollars (\$500,000).

(2) The fee shall not be assessed on the resale of ~~any~~ cattle within ten (10) calendar days after the prior sale if the fee was paid on the prior sale.

(b)(1)(A) ~~The fee shall be collected by the purchaser and remitted~~ shall collect the fee and remit the fee monthly to the Director of the Department of Finance and Administration, ~~except that.~~ However, if the sale occurs through a livestock auction market or any other agent of the seller, the livestock auction market or other agent shall collect and remit the fee.

(B)(i) ~~The director may promulgate such rules and regulations as it deems necessary~~ to implement the collection of the fee.

(2)(A) After deducting three percent (3%) for credit to the Constitutional Officers Fund and the State Central Services Fund, the remainder of funds ~~so~~ remitted to the director shall be deposited ~~in~~ into the State Treasury as special revenues and credited to the Livestock and Poultry Commission Disease and Pest Control Fund.

(B) Before the close of each fiscal year, the Chief Fiscal Officer of the State shall ~~determine:~~

(i) Determine the amount of funds ~~which that~~ will remain at the end of the fiscal year in the Livestock and Poultry Commission Disease and Pest Control Fund from fees collected under ~~the provisions of~~ this section. ~~He or she shall allow such; and~~

(ii) Allow the remaining funds to be carried forward and made available for the same purposes in the next-succeeding fiscal year.

(c) Rules promulgated under this section are subject to the Administrative Procedure Act, § 25-15-201 et seq.

SECTION 2. Arkansas Code § 19-6-448 is amended to read as follows:

19-6-448. Livestock and Poultry Commission Disease and Pest Control Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a special revenue fund to be known as the "Livestock and Poultry Commission Disease and Pest Control Fund".

(b) The Livestock and Poultry Commission Disease and Pest Control Fund fund shall consist of those the special revenues as specified in § 19-6-301(126) there to be used in order to fund or partially fund the brucellosis control and eradication program as set out in Act 150 of 1985 and Act 151 of 1985 and any other revenues authorized by law.

(c) The fund shall be used to fund or partially fund an Arkansas bovine animal disease program as provided in § 2-40-206.

SECTION 3. Arkansas Code § 19-6-301(126), concerning the enumeration of special revenues, is amended to read as follows:

(126) Those portions of vaccination fees imposed at livestock markets, ~~as enacted by Acts 1985, No. 150, and Acts 1985, No. 151, § 2-40-206,~~ under § 2-40-206 and that portion of all fines and penalties resulting from arrests made or citations issued by Arkansas Livestock and Poultry Commission enforcement officers, § 2-33-113(b);

/s/Talley