

Act 102 of the 1989 Regular Session.

Act 102

HB1190

By: Representatives McCuiston, Balton, Wagner, Northcutt, Calhoun, Cunningham, Glover, McKissack, Foster, O. Miller, Baker, Todd, Arnold, and McGinnis

"AN ACT TO AMEND ARKANSAS CODE 2-20-406 TO INCREASE THE ASSESSMENT ON SOYBEANS FOR SOYBEAN RESEARCH, PROMOTION, AND MARKET DEVELOPMENT FROM ONE CENT (1_) PER BUSHEL TO TWO CENTS (2_) PER BUSHEL; TO AUTHORIZE A REFERENDUM ON THE ASSESSMENT UPON PETITION OF FIFTEEN PERCENT (15%) OF THE SOYBEAN PRODUCERS IN THE STATE; TO REPEAL ARKANSAS CODE 2-20-405; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 2-20-406 is hereby amended to read as follows:
"2-20-406. Assessments on Arkansas grown soybeans.

(a) (1) Effective July 1, 1989, there is imposed and levied an assessment at the rate of two cents (2_) per bushel on all soybeans grown within the State of Arkansas. This assessment shall be deducted from the amount paid the producer at the first point of sale, whether within or without the state or at the point the soybeans enter into the United States Department of Agriculture loan program.

(2) (A) The question of the levy of the two cents (2_) per bushel assessment on soybeans provided for in this section may be referred to a vote of the soybean producers of the state by the filing of petitions with the Arkansas Soybean Promotion Board containing signatures by Arkansas soybean producers equal in number to fifteen percent (15%) of all soybean producers in the state.

(B) If the petitions are filed and at the referendum election a majority of the Arkansas soybean producers voting on the question vote against the levy of two cents (2_) per bushel on soybeans, the assessment shall not thereafter be levied.

(C) Only those soybean producers who produce soybeans in Arkansas in the crop year immediately preceding the referendum election shall be eligible to vote in the election.

(b) (1) The assessment imposed and levied by this section shall be collected by the Director of the Department of Finance and Administration from the buyer of soybeans at the first point of sale or at the point the soybeans enter into the United States Department of Agriculture loan program.

(2) (A) The proceeds of the assessment, less not more than three percent (3%) to cover cost of collections, shall be deposited with the State Treasurer in a special fund to be established for the board.

(B) Disbursement shall be made only upon motions duly passed by the board and presented to the State Treasurer and only for purposes prescribed in this subchapter."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. Arkansas Code 2-20-405 and all laws and parts of laws in conflict with this act are hereby repealed.

SECTION 4. It is hereby found and determined by the General Assembly that it is essential to the soybean promotion in Arkansas that the assessment on soybeans for research, promotion and market development be increased from one cent per bushel to two cents per bushel to provide necessary funds to fund the program; that this act is designed to provide such increase and in order to assure effective and efficient administration of the increased levy, it is essential that the act become effective at the beginning of the fiscal year, July 1, 1989. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect on and after July 1, 1989.

APPROVED: February 20, 1989
