

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

A Bill

ACT 888 OF 1997
HOUSE BILL 1855

5 By: Representatives Hunton, Simon and George
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7

For An Act To Be Entitled

9 "AN ACT TO CREATE THE ARKANSAS DAIRY COMMITTEE; AND FOR
10 OTHER PURPOSES."

Subtitle

13 "AN ACT TO CREATE THE ARKANSAS DAIRY
14 COMMITTEE."

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. (a) Authority is granted to the Arkansas Livestock and
19 Poultry Commission to create an Arkansas Dairy Committee which shall serve as
20 an official committee of the Arkansas Livestock and Poultry Commission. The
21 Arkansas Livestock and Poultry Commission shall create the Arkansas Dairy
22 Committee upon the enactment of similarly designed committees or commissions
23 in at least three (3) of the states south and east or contiguous to Arkansas
24 and upon the consent of the Congress of the United States.

25 (b)(1) The Arkansas Dairy Committee shall include five (5) persons, with
26 at least one (1) dairy farmer engaged in milk production at the time of
27 appointment or reappointment, one (1) member of the Livestock and Poultry
28 Commission, one (1) consumer representative and two (2) at-large members.
29 Dairy Committee members shall be appointed by the Governor upon nominations
30 submitted by the Livestock and Poultry Commission. The members shall be
31 residents and voters of the State of Arkansas.

32 (2) Dairy Committee members shall serve no more than three (3)
33 consecutive three (3) year terms.

34 (c)(1) The Arkansas Dairy Committee, when activated, shall have the
35 power to enter into compacts, subject to congressional approval, with legally
36 constituted dairy commissions or similar authorities of the other states or

1 the United States of America to effect a uniformity in regulating and insuring
2 an adequate supply of pure and wholesome milk to the inhabitants of this
3 state.

4 (2) The Arkansas Dairy Committee shall enter into a southeastern
5 dairy compact, provided such a regional compact is authorized.

6 (3) The Arkansas Dairy Committee shall have the right to accept
7 or reject any actions taken by the regional compact as they may apply to the
8 dairy industry in Arkansas.

9 (d) The committee shall have the authority to adopt such administrative
10 rules to govern its operations. All operating or management rules of the
11 Arkansas Dairy Committee shall be adopted through procedures utilized by and
12 under the supervision of the Arkansas Livestock and Poultry Commission.

13 (e) A southeastern dairy compact may establish rules using the
14 procedures outlined in the Federal Administrative Procedure Act and may
15 process under emergency rule-making provisions without making findings of an
16 emergency.

17 (f) This act shall not take effect until the southeastern or southern
18 dairy compact is enacted by three (3) other states and approved by the
19 Congress of the United States.

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

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25 SECTION 3. If any provision of this act or the application thereof to
26 any person or circumstance is held invalid, such invalidity shall not affect
27 other provisions or applications of the act which can be given effect without
28 the invalid provision or application, and to this end the provisions of this
29 act are declared to be severable.

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31 SECTION 4. All laws and parts of laws in conflict with this act are
32 hereby repealed.

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35 APPROVED:3-27-97