

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1388

As Engrossed: 3/5/2015

Bill Subtitle: TO LIMIT THE FEE LEVIED ON CATTLE FOR THE FUNDING OF THE BRUCELLOSIS CONTROL AND ERADICATION PROGRAM.

Basic Change : Sponsor: Representative Wardlaw

Engrossment 03/05/15 --- House Amendment 1 --- Amends the bill to provide that if the Executive Director of the Livestock and Poultry Commission determines that there is a bovine emergency, the director may promulgate a rule to temporarily raise the fee after approval for the Legislative Council or the Joint Budget Committee. An adopted rule would be effective for one year or until the emergency no longer exists, whichever is a shorter time period. An extension of the increased fee may be granted.

Original Bill --- This proposal would remove the language allowing the Arkansas Livestock and Poultry Commission to change the fee levied to fund the brucellosis control and eradication program in Arkansas. The fee is currently levied at \$1.00 per head on all cattle sold in the state. The proposed change would levy the current \$1.00 fee permanently.

Revenue Impact :

None

Taxpayer Impact :

During times of bovine emergencies, the \$1.00 fee could be temporarily increased if approved by the Legislative Council or the Joint Budget Committee.

Resources Required :

None

Time Required :

Adequate time is allowed for this proposal.

Procedural Changes :

Education of staff.

Legal Analysis :

Under current law, § 2-40-206 establishes the fee levied on cattle for purposes of funding the brucellosis program to \$1.00 per head on all cattle sold in the state and also allows the Arkansas Livestock and Poultry Commission to adjust the fee for any reason the commission deems necessary. HB1388 sets limitations on the commission's ability to modify the fee, requiring the Executive Director of the commission to declare a bovine emergency and seek approval from the Legislative Council or Joint Budget Committee before the director can promulgate a rule to change the fee. Any rule to change the fee shall only be effective for the period of the bovine emergency or one year, whichever is shorter. If a bovine emergency exists beyond one year, the director is required to obtain approval from the Legislative Council or Joint Budget Committee each year the fee is increased beyond \$1.00. Under the bill, the executive director is specifically prohibited from establishing an emergency rule to raise the fee.

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