

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**

# A Bill

**HOUSE BILL**

4 **By: Representatives George & Steele**

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## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 2-40-401 ET SEQ. TO  
9 ELIMINATE ALL REFERENCES TO THE USE OF DISPOSAL PITS; AND  
10 FOR OTHER PURPOSES."

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## **Subtitle**

13 "TO AMEND ARKANSAS CODE 2-40-401 ET SEQ. TO ELIMINATE ALL  
14 REFERENCES TO THE USE OF DISPOSAL PITS."

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

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18 SECTION 1. Arkansas 2-40-401 is hereby amended to read as follows:

19 "2-40-401. Definitions. As used in this subchapter, unless the context  
20 otherwise requires:

21 (1)

22 Approved incineration means a method of incineration approved by the  
23 commission;

24 (2) Commission means the Arkansas Livestock and Poultry Commission  
25 created by §2-33-101;

26 (3) Fowl carcasses means carcasses of fowl which died as the result  
27 of sickness, suffocation, accident, or from any cause other than intentional  
28 slaughter;

29 (4) Responsible person means the person who has the direct  
30 responsibility for the day-to-day care of the fowl involved;

31 (5) Fowl shall include all domesticated avian species."

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33 SECTION 2. Arkansas Code 2-40-403 is hereby amended to read as follows:

34 "2-40-403. Requirements. All fowl carcasses and all parts thereof  
35 shall be:

1 (1) Cremated by an approved incineration method or buried within  
2 twenty-four (24) hours of death; or

3 (2) Otherwise disposed of as prescribed by regulations of the Arkansas  
4 Livestock and Poultry Commission."

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6 SECTION 3. Arkansas Code 2-40-404 is hereby amended to read as follows:

7 "2-40-404. Specifications. The commission shall, by regulation,  
8 specify:

9 (1) The requirements for incineration;

10 (2) The method of burying fowl carcasses and parts thereof; and

11 (3) All other methods and procedures found acceptable by the commission  
12 for the disposal of fowl carcasses and parts thereof."

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14 SECTION 4. All provisions of this act of a general and permanent nature  
15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
16 Revision Commission shall incorporate the same in the Code.

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18 SECTION 5. If any provision of this act or the application thereof to  
19 any person or circumstance is held invalid, such invalidity shall not affect  
20 other provisions or applications of the act which can be given effect without  
21 the invalid provision or application, and to this end the provisions of this  
22 act are declared to be severable.

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24 SECTION 6. All laws and parts of laws in conflict with this act are  
25 hereby repealed.

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27 SECTION 7. EMERGENCY. It is hereby found and determined by the General  
28 Assembly that eliminating the use of disposal pits is essential for  
29 effectively and efficiently protecting the health and well being of the  
30 public. Therefore, an emergency is hereby declared to exist, and this act  
31 being immediately necessary for the preservation of the public peace, health,  
32 and safety shall be in full force and effect from and after its passage and  
33 approval.

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