

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/31/03

A Bill

HOUSE BILL 1199

5 By: Representatives Nichols, Clemons, Dickinson, Gipson, Ledbetter, Oglesby, Petrus, Scroggin,
6 Stovall, Thomas, White, *Kenney, Bolin, Harris*
7
8

For An Act To Be Entitled

10 AN ACT TO CONNECT VARIOUS AGRICULTURE RELATED
11 AGENCIES TO AN ARKANSAS AGRICULTURE DEPARTMENT;
12 TO TRANSFER THE ADMINISTRATION OF VARIOUS STATE
13 AGENCIES TO THE ARKANSAS AGRICULTURE DEPARTMENT;
14 TO CREATE AN ADVISORY BOARD TO THE ARKANSAS
15 AGRICULTURE DEPARTMENT; AND FOR OTHER PURPOSES.
16

Subtitle

17 AN ACT TO CONNECT VARIOUS AGRICULTURE
18 RELATED AGENCIES TO AN ARKANSAS
19 AGRICULTURE DEPARTMENT.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

SECTION 1. Findings.

25 The General Assembly finds that:

26 (1) Agriculture accounts for five billion dollars (\$5,000,000,000) a
27 year of business income in Arkansas;

28 (2) Three hundred thirty-five thousand (335,000) Arkansas jobs
29 directly involve or operate in support of agriculture;

30 (3) Agriculture and agriculture-related jobs account for twenty-three
31 percent (23%) of all employment in Arkansas;

32 (4) Responsibility for supporting agriculture in Arkansas is spread
33 across six (6) state agencies;

34 (5) Marketing of the agricultural products of Arkansas is made
35 extremely difficult by the diffusion of responsibility across six (6) state
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1 agencies; and

2 (6) Marketing of the agricultural products of Arkansas would be vastly
3 improved if a central office were devoted to creating, publicizing, and
4 sustaining an information network for Arkansas farmers and ranchers.

5
6 SECTION 2. Arkansas Code Title 25 is amended by adding the following
7 new chapter:

8 25-35-101. Creation - Appointment of director.

9 (a) There is created the Arkansas Agriculture Department.

10 (b)(1) The executive head of the department shall be the Director of
11 the Arkansas Agriculture Department.

12 (2) The director shall be appointed by the Agriculture Advisory
13 Board with the approval of the Governor and the consent of the Senate and
14 shall serve at the pleasure of the board.

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16 25-35-102. Powers and duties.

17 The Arkansas Agriculture Department shall:

18 (1) Administer the departments, institutions, other agencies, or parts
19 thereof transferred to the department under §§ 25-35-103 and 25-35-104;

20 (2) Coordinate all existing programs and create any new programs that
21 will enhance the marketing of the state's agricultural products to
22 intrastate, national, and international markets;

23 (3) Coordinate all existing programs and create any new programs that
24 will improve education concerning agriculture, aquaculture, horticulture, and
25 kindred industries;

26 (4) Establish a clearinghouse for collecting, correlating, analyzing,
27 and interpreting marketing and educational information and data concerning
28 needs of and resources for agriculture, aquaculture, horticulture, and
29 kindred industries;

30 (5) Develop a website devoted to marketing and education concerning
31 agriculture, aquaculture, horticulture, and kindred industries, including a
32 distinctive logo publicizing products as "Grown in Arkansas";

33 (6) Encourage the organization of neighborhood and county agricultural
34 clubs and associations;

35 (7) Coordinate the various activities of the department with those of
36 the federal government and other states on matters pertaining to agriculture,

1 aquaculture, horticulture, and kindred industries and enter into agreements
2 for that purpose;

3 (8) Coordinate with existing programs concerning agriculture,
4 aquaculture, horticulture, and kindred industries with the University of
5 Arkansas Cooperative Extension Service and the Arkansas Rural Development
6 Commission;

7 (9) Make any and all contracts and grants and employ, to the extent
8 funds are available, such personnel as may be necessary to carry out the
9 purposes of this chapter;

10 (10) Receive, administer, disburse, dispose, and account for funds,
11 commodities, equipment, supplies, and any kind of property given, granted,
12 loaned, or advanced to the State of Arkansas for agriculture, aquaculture,
13 horticulture, and kindred industries; and

14 (11) Assist other departments, agencies, and institutions of the state
15 and federal governments, when so requested, by performing services in
16 conformity with the purposes of this chapter.

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18 25-35-103. Type 1 transfers of various agricultural agencies.

19 The following departments, institutions, other agencies, or parts
20 thereof are transferred to the Arkansas Agriculture Department by a type 1
21 transfer, as provided for in § 25-2-104, under which the departments,
22 institutions, other agencies, or parts thereof, shall be administered under
23 the direction and supervision of that principal department but shall retain
24 exactly the same prescribed statutory powers, authorities, duties, and
25 functions as they had prior to the transfer:

26 (1) Abandoned Pesticide Advisory Board, created under § 8-7-1204;

27 (2) Arkansas Fire Ant Advisory Board, created under § 2-16-701;

28 (3) Arkansas Forestry Commission, created under § 15-31-101;

29 (4) Arkansas Livestock and Poultry Commission, created under § 2-33-
30 101;

31 (5) Arkansas Rural Development Commission, created under § 15-6-104;

32 (6) Arkansas Soil and Water Conservation Commission, created under §
33 15-20-201;

34 (7) Department of Rural Services, created under § 15-6-105; and

35 (8) State Plant Board, created under § 2-16-206.

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1 25-35-104. Type 2 Transfer of the Division of Agricultural Development
2 of the Arkansas Development Finance Authority.

3 The Division of Agriculture Development of the Arkansas Development
4 Finance Authority, created under § 15-5-802, is transferred to the Arkansas
5 Agriculture Department by a type 2 transfer, under which its statutory
6 authority, powers, duties, functions, records, personnel, property,
7 unexpended balances of appropriations, allocations, or other funds, including
8 the functions of budgeting or purchasing, are transferred to the department.

9
10 25-35-105. Cooperation - Promotion Boards.

11 The following boards shall cooperate with the Arkansas Agriculture
12 Department and the Agriculture Advisory Board:

13 (1) Arkansas Beef Council, created under § 2-35-303;

14 (2) Arkansas Catfish Promotion Board, created by § 2-9-103;

15 (3) Arkansas Corn and Grain Sorghum Promotion Board, created under §
16 2-20-804;

17 (4) Arkansas Rice Research and Promotion Board, created under § 2-20-
18 505;

19 (5) Arkansas Soybean Promotion Board, created under § 2-20-404; and

20 (6) Arkansas Wheat Promotion Board, created under § 2-20-604.

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22 25-35-106. Advisory board.

23 (a) The Agriculture Advisory Board is created to consist of nineteen
24 (19) members, as follows:

25 (1) Nine (9) members, appointed by the Governor with the consent
26 of the Senate, who are actively involved in at least one (1) of the following
27 areas of agriculture:

28 (A) Poultry;

29 (B) Cattle, hog, sheep, or goats;

30 (C) Aquaculture;

31 (D) Rice;

32 (E) Cotton;

33 (F) Soybeans;

34 (G) Small grains or feed and forage crops;

35 (H) Tree crops or forestry; and

36 (I) Horticulture or vegetable crops;

1 (2) Five (5) members, appointed by the Governor with the consent
2 of the Senate, who are actively involved in at least one (1) of the following
3 areas of the agricultural industry:

4 (A) Plant food, agricultural chemicals, or seed
5 merchandising;

6 (B) Meat processing;

7 (C) Grain Processing;

8 (D) Domestic food products marketing; and

9 (E) Export food products marketing;

10 (3) The Vice President for Agriculture of University of Arkansas
11 System, as a nonvoting member;

12 (4) The Dean of Agriculture of Arkansas State University, as a
13 nonvoting member;

14 (5) The Dean of Agriculture of the University of Arkansas at
15 Pine Bluff, as a nonvoting member;

16 (6) A representative of the University of Arkansas for Medical
17 Sciences who is actively involved in nutrition teaching, research, or both,
18 as a nonvoting member; and

19 (7) A consumer affairs representative for the University of
20 Arkansas Cooperative Extension Service, as a nonvoting member.

21 (b) The board shall appoint the Director of the Arkansas Agriculture
22 Department with the approval of the Governor and the consent of the Senate.

23 (c) The board shall advise the Director of the Arkansas Agriculture
24 Department on all matters concerning agriculture, aquaculture, horticulture,
25 and kindred industries.

26 (d) The board shall meet at least quarterly and shall fix a regular
27 date for the quarterly meeting.

28 (e)(1) The members of the board appointed by the Governor shall serve
29 staggered terms of four (4) years, to be determined at the first meeting of
30 the board by lot in a manner to result in, as far as possible, an equal
31 number of terms expiring each year.

32 (2) The members appointed by the Governor shall serve no more
33 than two (2) terms.

34 (f)(1) Vacancies due to death, resignation, refusal to serve, or other
35 causes among members of the board appointed by the Governor shall be filled
36 by appointment by the Governor of a qualified person to serve the remainder

1 of the unexpired term.

2 (2) A person so appointed is eligible for appointment to a
3 subsequent full term on the board.

4 (g)(1) State agency members of the board shall receive no additional
5 salary or compensation for their services as members of the committee, but
6 they may receive expense reimbursement in accordance with § 25-16-902, to the
7 extent funds are available.

8 (2) The members appointed by the Governor may receive expense
9 reimbursement from funds made available for that purpose in accordance with §
10 25-16-902, to the extent funds are available.

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12 */s/ Nichols*
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