

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 S4/8/03

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 THE ARKANSAS AGRICULTURE *DEPARTMENT,*
15 *THE ARKANSAS AGRICULTURE BOARD, AND THE ARKANSAS*
16 *AGRICULTURE ADVISORY BOARD;* AND FOR OTHER
17 PURPOSES.
18

Subtitle

19 AN ACT TO CONNECT VARIOUS AGRICULTURE
20 RELATED AGENCIES TO AN ARKANSAS
21 AGRICULTURE DEPARTMENT.
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24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

SECTION 1. Findings.

27 The General Assembly finds that:

28 (1) Agriculture accounts for five billion dollars (\$5,000,000,000) a
29 year of business income in Arkansas;
30

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

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

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



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

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

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

10 25-35-101. Creation - Appointment of secretary.

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

12 (b)(1) The executive head of the department shall be the Secretary of
13 the Arkansas Agriculture Department.

14 (2) The Secretary shall be appointed by the Governor and shall
15 serve at the pleasure of the Governor.

16
17 25-35-102. Powers and duties.

18 The Arkansas Agriculture Department shall:

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

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

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

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

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

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

36 (7) Coordinate the various activities of the department with those of

1 the federal government and other states on matters pertaining to agriculture,
2 aquaculture, horticulture, forestry, and kindred industries and enter into
3 agreements for that purpose;

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

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

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

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

18
19 25-35-103. Type 1 transfers of various agricultural agencies.

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

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

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

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

30 (4) Arkansas Livestock and Poultry Commission, created under § 2-33-
31 101;

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

33 (6) Arkansas Soil and Water Conservation Commission, created under §
34 15-20-201;

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

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

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

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

10
11 25-35-105. Cooperation - Promotion Boards.

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

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

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

16 (3) Arkansas Corn and Grain Sorghum Promotion Board, created under §
17 2-20-804;

18 (4) Arkansas Rice Research and Promotion Board, created under § 2-20-
19 505;

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

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

22
23 25-35-106. Agriculture Board.

24 (a) The Arkansas Agriculture Board is created to consist of thirteen
25 (13) members, as follows:

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

29 (A) Poultry;

30 (B) Cattle;

31 (C) Aquaculture;

32 (D) Rice, soybeans, small grains or feed, and forage
33 crops;

34 (E) Cotton;

35 (F) Pork;

36 (G) Sheep or goats;

1 (H) Tree crops or forestry; and

2 (I) Horticulture or vegetable crops;

3 (2) Four (4) members, appointed by the Governor with the consent
4 of the Senate, who are actively involved in at least one (1) of the following
5 areas of the agricultural industry:

6 (A) Plant food, agricultural chemicals, or seed
7 merchandising;

8 (B) Meat processing;

9 (C) Grain processing; and

10 (D) Domestic food products, processing, and global
11 marketing.

12 (b) The board shall advise the Secretary of the Arkansas Agriculture
13 Department on all matters concerning agriculture, aquaculture, horticulture,
14 and kindred industries.

15 (c) The board shall meet at least quarterly and shall fix a regular
16 date for the quarterly meeting.

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

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

23 (e)(1) Vacancies due to death, resignation, refusal to serve, or other
24 causes among members of the board appointed by the Governor shall be filled
25 by appointment by the Governor of a qualified person to serve the remainder
26 of the unexpired term.

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

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

33 (2) The members appointed by the Governor may receive expense
34 reimbursement from funds made available for that purpose in accordance with §
35 25-16-902, to the extent funds are available.

36

1 25-35-107. Arkansas Agriculture Advisory Board.

2 (a) There is created the Arkansas Agriculture Advisory Board to
3 consist of the following members:

4 (1) The Vice President for Agriculture of University of Arkansas
5 System;

6 (2) The Dean of Agriculture of Arkansas State University;

7 (3) The Dean of Agriculture of the University of Arkansas at
8 Pine Bluff;

9 (4) A representative of the University of Arkansas for Medical
10 Sciences who is actively involved in nutrition teaching, research, or both;

11 (5) A consumer affairs representative for the University of
12 Arkansas Cooperative Extension Service; and

13 (6) The President of the Arkansas Association of Conservation
14 Districts.

15 (b) The advisory board shall serve in an advisory capacity to the
16 Arkansas Agriculture Board created by § 25-35-106.

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18 /s/ Nichols
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