

"AN ACT TO AMEND SECTION 3 OF ACT 587 OF 1981 [ARK. STAT. 82-4008] TO INCREASE FEES IN THE GRADE "A" MILK PROGRAM; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 3 of Act 587 of 1981, the same being Arkansas Statute 82-4008, is hereby amended to read as follows:

"Section 3. (a) In order to make the Grade 'A' milk and milk products inspection/regulation program self-supporting, the Accounting Division of the Arkansas Department of Health shall collect on a monthly basis unless otherwise stated the following Grade 'A' milk and milk products inspection fees:

(1) Producer \$.025 per 100 pounds of Grade 'A' milk inspected by the State.

(2) Imported raw Grade 'A' milk produced and inspected in another state and imported into Arkansas as raw Grade 'A' milk shall pay an inspection fee of ten dollars (\$10.00) for each sample analyzed by the laboratory of the State Health Department.

(3) Milk Plant \$.025 per 100 pounds of Grade 'A' milk processed or distributed.

(4) Producer-Distributor \$.05 per 100 pounds of Grade 'A' milk produced or sold.

(5) Milk Hauler who samples and transports Grade 'A' milk in the State shall pay an annual permit of ten dollars (\$10.00). The fee shall be due January 1 of each year.

(6) Distributors of Grade 'A' milk processed by plants outside of Arkansas and sold in the State \$.025 per 100 pounds or a monthly minimum fee of one hundred dollars (\$100.00) per month plus ten dollars (\$10.00) for each sample analyzed by the laboratory of the State Department of Health. The larger of the two (2) sums shall be paid during the following month.

(7) Single service plants shall pay an annual permit of one hundred dollars (\$100.00). This fee shall not be applied to plants paying a milk inspection fee. The fee shall be due January 1 of each year.

(b) If any person fails, neglects or refuses to pay the above fee and is delinquent for a period of thirty (30) days, the Director of the State Health Department is hereby directed and empowered to prohibit such person from distributing, hauling, selling or otherwise handling Grade 'A' milk or milk products in the State and shall suspend their permit and withdraw all inspection service from the establishment until fees are paid in full."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. EMERGENCY. It is hereby found and determined by the General Assembly that due to current economic conditions, budgetary constraints may limit the ability of the Department of Health to adequately provide needed services unless some license fees are increased; that it is most equitable to make this increase effective immediately upon passage of this Act. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: 4/4/87

