

Act 20 of the Third Special Session of 1989.

Act 20

HB1002

By: Representative George

For An Act To Be Entitled
"AN ACT TO AMEND ARKANSAS CODE 2-40-403 AND 404 TO
EMPOWER THE ARKANSAS LIVESTOCK AND POULTRY COMMISSION
TO DETERMINE ACCEPTABLE METHODS OF DISPOSING OF FOWL
CARCASSES; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 2-40-403 is hereby amended to read as follows:

"2-40-403. Requirements. All fowl carcasses and all parts thereof shall be cremated by an approved incineration method or buried or disposed of in an approved disposal pit within twenty-four (24) hours of death, or otherwise disposed of as prescribed by regulations of the Arkansas Livestock and Poultry Commission."

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

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

- (1) The requirements for disposal pits and incineration;
- (2) The method of burying fowl carcasses and parts thereof; and
- (3) All other methods and procedures found acceptable by the commission for the disposal of fowl carcasses and parts thereof."

SECTION 3. Subchapter 4 of Chapter 40 of Title 2 of the Arkansas Code is hereby amended by adding a new section to read as follows:

"2-40-406. Department of Pollution Control and Ecology Jurisdiction Unimpaired. No provision of this subchapter shall be interpreted as denying or preempting the regulatory or enforcement jurisdiction of the Arkansas Department of Pollution Control and Ecology."

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

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 6. Emergency. It is hereby found and determined by the General Assembly that the Livestock and Poultry Commission should have authority to regulate the methods and procedures for the disposal of fowl carcasses; that this Act will grant such authority to the Commission; and that this Act should go into effect immediately in order to provide needed flexibility to the law as soon as possible. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: November 6, 1989
