

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Gibson**
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A BILL ACT 764 OF 1991
SENATE BILL 6

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8 **For An Act To Be Entitled**

9 "AN ACT TO AMEND THE ARKANSAS CATFISH PROCESSOR FAIR
10 PRACTICES ACT TO REQUIRE CATFISH PROCESSORS TO USE A
11 WEIGHING DEVICE WHICH ELECTRONICALLY PRINTS A TICKET
12 THAT PROVIDES AN EXACT DUPLICATE OF THE WEIGHT
13 INDICATED; TO REQUIRE CERTAIN INFORMATION ON THE
14 PRINTED TICKETS; *TO CREATE A CATFISH INDUSTRY DEVELOPMENT*
15 *PROGRAM WITHIN THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY;*
16 AND FOR OTHER PURPOSES."

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

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19 SECTION 1. Arkansas Code 2-6-107 is hereby amended by adding at the end
20 thereof the following subsections:

21 "(d) At the time catfish are delivered to a processor and unloaded from
22 a live-haul truck, the processor shall weigh the catfish using a device that
23 is of a type suitable for the weighing of catfish. Deductions for trash fish,
24 turtles and other foreign material except water shall be determined by a
25 separate weighing of the same. There

26 shall be no water tare nor deductions made for water in weighing baskets.

27 Processors are responsible for draining water from weighing baskets.

28 (e) Scales used to weigh catfish and foreign material under this
29 section must be capable of electronically printing a ticket that provides an
30 exact duplicate of the weight indicated. A copy of the ticket shall be
31 provided to the producer at the time of weighing. The
32 ticket shall also contain the following:

33 (1) the name and address of the processor;

34 (2) the name of the owner of the catfish being weighed;

35 (3) the date the catfish is weighed;

36 (4) the signature of the individual who weighs the catfish;

1 and

2 (5) any additional information as the State Plant Board deems
3 necessary for the lawful and accurate recording of the weight of the
4 catfish.

5 (f) Processors who process less than 17,500 pounds of catfish per week
6 are not required to use the electronic printing scales otherwise
7 required by this section.

8 (g) The State Plant Board shall be responsible for the enforcement of
9 this section, and its agents shall perform periodic inspections of processing
10 plants to insure that the provisions of this section are being carried out and
11 that all deductions for foreign material are legitimate and fair to the
12 producer."

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14 SECTION 2. (a) There is hereby created a Catfish Industry Development
15 Program within the Arkansas Development Finance Authority. The office will be
16 staffed with adequate personnel to carry out its functions as itemized and
17 described in this section and in the authority's appropriation legislation.

18 (b) The functions of the Catfish Industry Development Program shall
19 include:

20 (1) Monitor and advise the Governor and the authority on federal
21 and state legislative issues affecting the catfish industry;

22 (2) Identify job creation opportunities in the catfish industry;

23 (3) Identify new catfish industry enterprises as well as assist
24 in implementing a catfish industry awareness program in this state;

25 (4) Identify problems in the catfish industry and develop
26 necessary policies and programs to address the problems;

27 (5) Develop financing programs to provide funds for new and
28 existing catfish industry enterprises; and

29 (6) Perform such other duties as prescribed by the Governor and
30 the chairman of the authority.

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32 SECTION 3. All provisions of this Act of a general and permanent nature
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
34 Revision Commission shall incorporate the same in the Code.

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