

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**

# **A Bill**

**ACT 344 OF 1995**  
**HOUSE BILL 1485**

4 **By: Representatives B. Wood, Northcutt, McGinnis, Baker, Simmons, Simon, G. Hendrix,**  
5 **Angel, Schexnayder, and Johnson**

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## **For An Act To Be Entitled**

9 "AN ACT TO AMEND THE ARKANSAS RICE RESEARCH AND PROMOTION  
10 ACT TO ALLOW THE PRODUCERS BY REFERENDUM TO AUTHORIZE THE  
11 RICE PROMOTION BOARD TO LEVY AN ASSESSMENT OF 1.35¢ PER  
12 BUSHEL TO BE PAID BY THE BUYER AND NOT MORE THAN 1.50¢ PER  
13 BUSHEL TO BE PAID BY THE PRODUCER AND PROVIDE THAT SUCH  
14 ASSESSMENT SHALL NOT BE SUBJECT TO REFUND; AND FOR OTHER  
15 PURPOSES."

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## **Subtitle**

18 "ACT TO AUTHORIZE RICE PROMOTION BOARD  
19 TO LEVY AN ASSESSMENT OF 1.35¢ PER  
20 BUSHEL TO BE PAID BY THE BUYER AND NOT  
21 MORE THAN 1.50¢ TO BE PAID THE  
22 PRODUCER."

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

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26 SECTION 1. Subchapter 5 of Chapter 20 of Title 2 of the Arkansas Code  
27 is amended by inserting an additional section at the end thereof to read as  
28 follows:

29 "2-20-511. The Arkansas Rice Research and Promotion Board may refer to  
30 the rice producers of this state the issue of authorizing the board to levy,  
31 in lieu of the assessments provided in § 2-20-507, an assessment of 1.35¢ per  
32 bushel to be paid by the buyer at the first point of sale, whether within or  
33 without the state, on rice grown within the state, or at the point the rice  
34 enters into the United States Department of Agriculture Loan Program and up to  
35 1.50¢ per bushel as determined by the board to be paid by the producer on all  
36 rice grown within this state. The funds derived from the assessment of 1.35¢

1 per bushel shall be used for rice promotion and market development and the  
2 funds derived from the 1.50¢ per bushel assessment shall be used entirely for  
3 rice research. The assessment shall not be subject to refund notwithstanding  
4 § 2-20-509. The board shall prescribe the method by which the referendum may  
5 be conducted which may be by balloting either in person or by mail or a  
6 combination of methods. If at least a majority of the rice producers who vote  
7 in the referendum vote in favor of the proposal it shall take effect on the  
8 next August 1 following the referendum. The assessments shall be a continuing  
9 levy until either terminated by the board or until another referendum is held  
10 at which a majority of rice producers in the state vote against the levy.  
11 When petitions contain signatures of at least twenty-five percent (25%) of the  
12 rice producers in the state, as determined by the latest available  
13 agricultural census, are filed with the board requesting that the question of  
14 continuing the board's assessment under this section be submitted to a vote of  
15 the rice producers, the board shall cause such an election to be held within  
16 ninety (90) days after the filing of the petitions. If the referendum  
17 provided for in this section is defeated the board may resubmit the referendum  
18 at any time. The board may utilize the assessments levied under this chapter  
19 to pay the cost of conducting the referendum."

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21 SECTION 2. All provisions of this act of a general and permanent nature  
22 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
23 Revision Commission shall incorporate the same in the Code.

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25 SECTION 3. If any provision of this act or the application thereof to  
26 any person or circumstance is held invalid, such invalidity shall not affect  
27 other provisions or applications of the act which can be given effect without  
28 the invalid provision or application, and to this end the provisions of this  
29 act are declared to be severable.

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31 SECTION 4. All laws and parts of laws in conflict with this act are  
32 hereby repealed.

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34 SECTION 5. EMERGENCY. It is hereby found and determined by the General  
35 Assembly that the referendum provided in this act should be in effect prior to

1 August 1; that in order to allow enough time to prepare for and conduct the  
2 referendum this act must go into effect immediately. Therefore, an emergency  
3 is hereby declared to exist and this act being necessary for the immediate  
4 preservation of the public peace, health and safety shall be in full force and  
5 effect from and after its passage and approval.

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APPROVED: 2-16-95

