

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/5/15 S3/25/15

A Bill

HOUSE BILL 1388

5 By: Representative Wardlaw
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For An Act To Be Entitled

8 AN ACT TO LIMIT THE FEE LEVIED ON CATTLE FOR THE
9 FUNDING OF THE BRUCELLOSIS CONTROL AND ERADICATION
10 PROGRAM; AND FOR OTHER PURPOSES.
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Subtitle

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14 TO LIMIT THE FEE LEVIED ON CATTLE FOR THE
15 FUNDING OF THE BRUCELLOSIS CONTROL AND
16 ERADICATION PROGRAM.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 2-40-206(a)(1), as amended by Section 1 of*
22 *Act 342 of 2015 and concerning funding of the bovine disease control and*
23 *eradication program, formerly known as the brucellosis control and*
24 *eradication program, is amended to read as follows:*

25 *(a)(1)(A) In order to fund or partially fund the bovine disease*
26 *control and eradication program, there is hereby levied ~~until July 1, 1990,~~ a*
27 *fee of one dollar (\$1.00) per head on all cattle sold in this state; ~~after~~*
28 *~~which the Arkansas Livestock and Poultry Commission shall establish the~~*
29 *~~amount of the fee it feels necessary to continue to be used for the bovine~~*
30 *disease control and eradication program.*

31 *(B)(i) However, if the Executive Director of the Arkansas*
32 *Livestock and Poultry Commission determines there is an emergency, the*
33 *executive director may promulgate a rule to temporarily raise the fee set in*
34 *subdivision (a)(1)(A) of this section after receiving approval of the rule*
35 *from the Legislative Council or, if the General Assembly is in session, the*
36 *Joint Budget Committee.*



1 (ii) A rule adopted to raise the fee under this
2 subdivision (a)(1)(B) shall be effective only during the period of time the
3 emergency persists or for one (1) year, whichever is shorter.

4 (iii) If an emergency persists after one (1) year,
5 the commission may promulgate a rule to extend the increased fee for
6 additional one-year periods by following the procedures stated in subdivision
7 (a)(1)(B)(i) of this section each year the rule increasing the fee is to be
8 effective.

9 (iv) The executive director shall not adopt an
10 emergency rule to raise the fee under this subdivision (a)(1)(B).

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12 /s/Wardlaw
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