

**ARKANSAS SENATE**  
87th General Assembly - Regular Session, 2009  
**Amendment Form**

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**Subtitle of House Bill No. 1451**

"AN ACT TO ENSURE AN ADEQUATE SUPPLY OF ARKANSAS MILK FOR ARKANSAS  
CONSUMERS; TO STABILIZE AND STIMULATE DAIRY FARMS IN ARKANSAS; AND  
TO CREATE THE DAIRY STABILIZATION FUND."

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**Amendment No. 1 to House Bill No. 1451.**

Amend House Bill No. 1451 as engrossed, H2/23/09 (version: 02-23-2009 10:06)

Page 1, delete lines 32 through 36

AND

Page 2, delete lines 1 through 20 and substitute the following:

"(1) "Butter" means the fatty substance obtained from milk by churning;

(2) "Cheese" means solid foods made from pressed curds of milk, including hard, American, processed, shredded, mozzarella, and cream;

(3) "Cultured milk products" means yogurt, cottage cheese, and sour cream;

(4)(A) "Dairy products" means refrigerated or frozen items sold to consumers in Arkansas that are processed directly from raw milk.

(B) "Dairy products" does not include a dairy product that is used as an ingredient for a nondairy finished product;"

(5) "Fluid milk" means whole, reduced fat, skim, flavored, and buttermilk, including cream and half and half;

(6) "Ice cream" means flavored cream or custard made from milk, sweetened and frozen, including full fat, low fat, ice milk, frozen yogurt, and milk sherbet;

(7) "Milk producer" means any person or entity that operates a"

AND

Page 2, line 23, delete "(3)" and substitute "(8)"

AND

Page 2, delete lines 27 and 28 and substitute the following:

"2-10-202. Dairy fee.

(a) A wholesaler shall pay a dairy fee of not more than"



AND

Page 2, delete lines 34 through 36 and substitute the following:

"(2) The director shall deposit the dairy fee into general revenues.

(c) A wholesaler that is subject to the dairy fee under"

AND

Page 3, delete line 6 through 36

AND

Page 4, delete lines 1 through 28 and substitute the following:

"moneys collected under this section.

(e) If an Arkansas retailer purchases milk or dairy products from an unlicensed wholesaler, distributor, or manufacturer for sale in Arkansas, the retailer shall pay the fee when the property is transferred to a retail store for sale to the ultimate consumers as reflected in the records of the retailer."

AND

Page 4, delete line 30 and substitute the following:

"The Director of the Department of Finance and Administration shall adopt rules"

AND

Page 5, delete lines 1 through 4 and substitute the following:

"Auditor of State, and the Chief Fiscal Officer of the State an Arkansas Agriculture Department Stabilization Program fund.

(b)(1) Moneys from a Dairy Stabilization program appropriation from general revenues shall be deposited into the State Treasury to the credit of the Arkansas Agriculture Department Stabilization Program fund."

AND

Page 5, line 9, delete "payments" and substitute "grants"

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Bryles

MGF/KSW - 03-09-2009 12:50

MGF287

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Secretary