

ARKANSAS SENATE
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of Senate Bill No. 403

TO CONSOLIDATE AGRICULTURE BOARDS AND COMMISSIONS; TO ABOLISH CERTAIN BOARDS
WITHIN THE DEPARTMENT OF AGRICULTURE; TO TRANSFER THE DUTIES OF CERTAIN BOARDS
WITHIN THE DEPARTMENT OF AGRICULTURE; AND TO DECLARE AN EMERGENCY.

Amendment No. 1 to Senate Bill 403

Amend Senate Bill No. 403 as originally introduced:

Page 2, delete line 11, and substitute the following:

"effect until they are amended or repealed under authority given by law.

(d) All funds and unexpended balances of appropriations transferred under this section shall continue to be used for the purposes for which they were designated."

AND

Page 2, delete line 31, and substitute the following:

"effect until they are amended or repealed under authority given by law.

(d) All funds and unexpended balances of appropriations transferred under this section shall continue to be used for the purposes for which they were designated."

AND

Page 3, delete line 16, and substitute the following:

"given by law.

(d) All funds and unexpended balances of appropriations transferred under this section shall continue to be used for the purposes for which they were designated."

AND

Page 4, delete line 2, and substitute the following:

"under authority given by law.

(d) All funds and unexpended balances of appropriations transferred under this section shall continue to be used for the purposes for which they were designated."



AND

Page 4, delete line 22, and substitute the following:

"in effect until they are amended or repealed under authority given by law.

(d) All funds and unexpended balances of appropriations transferred under this section shall continue to be used for the purposes for which they were designated."

AND

Page 5, delete line 28, and substitute the following:

"effect until they are amended or repealed under authority given by law.

(d) All funds and unexpended balances of appropriations transferred under this section shall continue to be used for the purposes for which they were designated."

AND

Page 6, delete line 12, and substitute the following:

"effect until they are amended or repealed under authority given by law.

(d) All funds and unexpended balances of appropriations transferred under this section shall continue to be used for the purposes for which they were designated."

AND

Page 6, delete line 31, and substitute the following:

"until they are amended or repealed under authority given by law.

(d) All funds and unexpended balances of appropriations transferred under this section shall continue to be used for the purposes for which they were designated."

AND

Page 6, delete line 34, and substitute the following:

(a) Effective on July 1, 2026, the Red River Commission is abolished, and its authority, duties,"

AND

Page 7, delete line 2, and substitute the following:

"(b) Effective on July 1, 2026, the Red River Commission's statutory powers, duties, and"

AND

Page 7, delete line 7, and substitute the following:

"(c)(1) The abolishment of the Red River Commission on July 1, 2026 does not affect the"

AND

Page 7, delete line 13, and substitute the following:

"they are amended or repealed under authority given by law.

(d) All funds and unexpended balances of appropriations transferred under this section shall continue to be used for the purposes for which they were designated, including without limitation funds designated for the Red River Navigation Feasibility Study."

AND

Page 17, delete line 3, and substitute the following:

"Plant Board, to be appointed by the Governor At least five (5) but no more than seven (7) practical cotton"

AND

Page 17, delete lines 11 through 13, and substitute the following:

"(4) One (1) representative of state government from this state recommended by the State Plant Board, to be appointed by the Governor The cotton grower member of the State Plant Board, as designated in § 2-16-206(a)(2); and"

AND

Page 18, line 11, delete "four-year terms" and substitute "four-year five-year terms"

AND

Page 18, line 12, delete "2004" and substitute "2004 2023"

AND

Page 18, delete lines 15 through 20, and substitute the following:

"(3)(A) Within the parameters of subdivision (g)(3)(B) of this section, the cotton growers' organization shall ensure that the five (5) eradication zones as they existed on January 1, 2003 2023, are represented on the board of directors in proportion to the number of acres of cotton planted in each zone using the prior three (3) years' average acreage to determine the proportional representation."

AND

Page 18, delete line 22, and substitute the following:

"organization shall cause its board of directors to shall be composed of:"

AND

Page 18, line 25, delete "2003" and substitute "2003 2023"

AND

Page 18, line 28, delete "2003" and substitute "~~2003~~ 2023"

AND

Page 18, line 31, delete "2003" and substitute "~~2003~~ 2023"

AND

Page 18, line 34, delete "2003" and substitute "~~2003~~ 2023; ~~and~~"

AND

Page 18, line 36, delete "Northeast Boll" and substitute "Northeast Delta Boll"

AND

Page 19, delete line 1, and substitute the following:

"it existed on January 1, ~~2003~~ 2023; and

(vi) Up to two (2) additional members under § 2-16-612(c)(1), if at the discretion of the Governor, he or she deems it to be in the best interest of the State of Arkansas to appoint additional members."

AND

Page 19, delete lines 2 through 4, and substitute the following:

"(4) As vacancies occur, or in case of additional appointments under § 2-16-612(c)(1) and § 2-16-612(g)(3)(B)(vi), they shall be filled in a manner that will, to the extent possible, ensure the proportional representation required in subdivision (g)(3)(A) of this section."

AND

Page 19, delete lines 28 and 29, and substitute the following:

"subchapter shall be promptly remitted to the certified cotton growers' organization under such terms and conditions as the ~~board~~"

AND

Page 29, delete lines 16 through 18, and substitute the following:

"(g)(1) The commission shall create a committee to make recommendations to the commission including without limitation recommendations regarding:

(A) Rulemaking;

(B) Disciplinary issues;

(C) Ethical complaints; and

(D) Evaluation of applications under § 17-101-101 et seq.

(2) The veterinary members of the commission under § 2-33-102(a)(2) shall be members of the committee.

(3) The chair of the commission shall also designate an additional two (2) Arkansas licensed veterinarians who are engaged primarily in small animal veterinary medicine to serve on the committee."

AND

Page 32, delete lines 19 through 22, and substitute the following:

"14-118-202. Red River Commission – Creation, powers, and duties.

(a) There is created and established as a committee of the Arkansas Natural Resources Commission the Red River Commission with the following powers, duties, and"

AND

Page 33, delete line 1, and substitute the following:

"main stem of the Red River.

(b) If the Red River Commission ceases to exist, all of the powers and responsibilities of the Red River Commission under this section shall automatically transfer to the Department of Agriculture."

AND

Page 33, delete lines 3 through 30

AND

Page 34, delete lines 2 and 3, and substitute the following:

"Lafayette ~~Counties~~ County in Arkansas, the ~~commission~~ Red River Commission may, after performing ~~their~~ the commission's duties as outlined"

AND

Page 34, delete line 13, and substitute the following:

"upon the petition of the commission under this"

AND

Page 34, delete line 20, and substitute the following:

"the commission ~~established~~ under this subchapter"

AND

Page 34, delete lines 22 through 28

AND

Page 38, delete lines 10 and 11, and substitute the following:

"(g)(1) A minimum of two (2) members of the commission shall be water well contractors licensed under § 17-50-201 et seq.

(2)(A) One (1) of the water well contractors shall have his or her principal place of business southeast of the fall line in Arkansas, and

be actively engaged in the construction of wells and pump installation in the Mississippi Embayment or Gulf Coastal Plain as represented on the geologic map of Arkansas.

(B) One (1) of the water well contractors shall have his or her principal place of business northwest of the fall line in Arkansas and be actively engaged in the construction of water wells and pump installation in the Ozark region, Arkansas River Valley, or Ouachita Mountain region as represented on the geologic map of Arkansas."

AND

Page 38, delete lines 32 through 34, and substitute the following:

"(h)(1) The commission shall create a committee to make recommendations to the commission, including without limitation recommendations regarding:

(A) Rulemaking;

(B) Disciplinary issues;

(C) Ethical complaints; and

(D) Evaluation of applications under § 17-50-201 et seq.

(2) A water well contractor member of the commission designated under § 15-20-202(g) shall chair the committee.

(3) The chair of the commission may also designate other Arkansas licensed water well contractors to serve on the committee on an ad hoc basis."

AND

Page 39, delete lines 2 through 13, and substitute the following:

"(a)(1) The Arkansas Forestry Commission shall consist of nine (9) members to be appointed by the Governor by and with the advice and consent of the Senate ~~from resident electors of this state having a long standing interest in the forest resources of Arkansas.~~

(2)(A) ~~Three (3) of the nine (9) members appointed to the commission shall be small tree farmers.~~

(B) ~~As used in this section, "small tree farmer" means a person owning timber acreage of two hundred fifty (250) acres or less~~ One (1) nonvoting member of the commission shall be nominated by the Provost of the University of Arkansas at Monticello from the faculty or staff of the College of Forestry, Agriculture, and Natural Resources at the University of Arkansas Monticello to be appointed by the Governor.

(3) ~~Each congressional district shall be represented on the commission."~~

AND

Page 39, delete lines 27 through 29, and substitute the following:

"(f)(1)(A) Three (3) of the members appointed to the commission by the Governor shall be small tree farmers.

(B) As used in this section, "small tree farmer" means a person owning timber acreage of two hundred fifty (250) acres or less.

(2) At least three (3) members of the commission shall be

foresters registered under § 17-31-101 et seq.

(3) Each congressional district shall be represented on the commission.

(g)(1) The commission shall create a committee to make recommendations to the commission, including without limitation recommendations regarding:

(A) Rulemaking;

(B) Disciplinary issues;

(C) Ethical complaints; and

(D) Evaluation of applications under § 17-31-101 et seq.

(2) The registered forester members of the commission designated under subdivision (f)(3) of this section shall be members of the committee.

(3) The chair of the commission may also designate other Arkansas registered foresters to serve on the committee on an ad hoc basis."

AND

Page 43, delete line 36

AND

Page 44, line 1, delete "(c)(1)" and substitute "~~(e)~~(b)(1)"

AND

Page 44, line 18, delete "(d)(1)" and substitute "~~(d)~~(c)(1)"

AND

Page 48, line 14, delete "Commission" and substitute "Commission."

AND

Page 48, delete line 15

AND

Page 58, delete lines 23 through 25, and substitute the following:
"Natural Resources Commission."

AND

Page 95, delete line 3, and substitute the following:
"~~118-202,~~

SECTION 191. Arkansas Code § 25-38-202(b)(3), concerning the creation of the Department of Agriculture and the duties of the Secretary of the Department of Agriculture, is amended to add an additional subdivision to read as follows:

(D) After consultation with and approval from the Governor, establish advisory committees to advise the department on all matters concerning agriculture, forestry, and natural resources."

AND

Page 105, delete line 12, and substitute the following:

"vacancies on the Arkansas Forestry Commission.

(d) Under Section 44 of this act the membership of the Arkansas Livestock and Poultry Commission is modified, and this act shall not shorten the term of any current member of the Arkansas Livestock and Poultry Commission, and the shortening of the term of membership shall be implemented as terms expire, if a member voluntarily resigns, and by filling vacancies on the Arkansas Livestock and Poultry Commission."

AND

Appropriately renumber the sections of the bill

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

By: Senator B. Johnson

MLD/MLD - 03-28-2023 09:49:02

MLD332

Secretary