

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

A Bill

HOUSE BILL 1485

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

6
7
8

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."

16
17
18
19
20
21
22
23

Subtitle

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

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

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
35 to 1.50¢ per bushel as determined by the board to be paid by the producer on

1 all rice grown within this state. The funds derived from the assessment of
 2 1.35¢ per bushel shall be used for rice promotion and market development and
 3 the funds derived from the 1.50¢ per bushel assessment shall be used entirely
 4 for rice research. The assessment shall not be subject to refund not
 5 withstanding § 2-20-509. The board shall prescribe the method by which the
 6 referendum may be conducted which may be by balloting either in person or by
 7 mail or a combination of methods. If at least a majority of the rice
 8 producers who vote in the referendum vote in favor of the proposal it shall
 9 take effect on the next August 1 following the referendum. The assessments
 10 shall be a continuing levy untill either terminated by the board or until
 11 another referendum is held at which a majority of rice producers in the state
 12 vote against the levy. When petitions contain signatures of at least twenty-
 13 five percent (25%) of the rice producers in the state, as determined by the
 14 latest available agricultural census, are filed with the board requesting
 15 that the question of continuing the board_s assessment under this section be
 16 submitted to a vote of the rice producers, the board shall cause such an
 17 election to be held within ninety (90) days after the filing of the
 18 petitions. If the referendum provided for in this section is defeated the
 19 board may resubmit the referendum at any time. The board may utilize the
 20 assessments levied under this chapter to pay the cost of conducting the
 21 referendum."

22

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

26

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

32

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

35

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

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

1
2
3