

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative J. Wilson

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For An Act To Be Entitled

8 "AN ACT TO CREATE THE ARKANSAS AGRICULTURE DEPARTMENT; AND

9 FOR OTHER PURPOSES."

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11

Subtitle

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"AN ACT TO CREATE THE ARKANSAS

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AGRICULTURE DEPARTMENT.

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

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17 SECTION 1. Effective July 1, 1997, there is hereby created the
18 Arkansas Department of Agriculture under the direction of a Commissioner of
19 Agriculture who shall be appointed by the Governor and subject to
20 confirmation by the Senate. To be eligible to be appointed to the office of
21 Commissioner of Agriculture the person must be an experienced and practical
22 farmer and must have engaged in the business of agriculture for at least five
23 (5) years of the ten (10) years preceding appointment; or must have worked
24 for a state or federal agency in a position directly related to agriculture
25 for at least five (5) years preceding appointment; or must have owned or
26 operated a farm, ranch or timberland for at least five (5) years preceding
27 appointment.

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29 SECTION 2. The Department of Agriculture shall have the following
30 powers and duties:

31 (a) encourage the proper development of agriculture, horticulture and
32 related industries;

33 (b) conduct farmers institutes at times and places as necessary to
34 best promote the advancement of agricultural knowledge and improvement of
35 agricultural methods and practices;

1 (c) publish and distribute papers and addresses read and delivered at
2 the institutes;

3 (d) investigate subsoil, its relation to agriculture and the best
4 method of effecting it in the different portions of the state;

5 (e) investigate the problem of drainage and irrigation in the
6 different portions of the state;

7 (f) investigate and report on the question of broadening the market
8 and increasing the demand for agricultural and horticultural products, both
9 in the United States and in foreign countries;

10 (g) investigate the diseases of crops grown in the state to discover
11 remedies;

12 (h) investigate the habits and propagation of insects that are
13 injurious to crops and the best manner for their destruction;

14 (i) correspond with the United States Department of Agriculture, the
15 agricultural departments of other states and territories, and agricultural
16 departments of foreign countries and representatives of the United States in
17 those countries for the purpose of gathering information that will advance
18 the interest of agriculture in this state;

19 (j) collect and publish statistics and other information relating to
20 agriculture which the department considers beneficial to developing the
21 agricultural resources of this state;

22 (k) establish and maintain seed testing facilities;

23 (l) regulate the agricultural industry within this state and its
24 relationship with other states and foreign countries in accordance with
25 federal law and regulation;

26 (m) encourage, nurture and do everything within the full extent of its
27 regulatory power to maintain family farms in this state;

28 (n) develop a registry of corporate ownership of Arkansas farm land
29 and indicate the address of the corporate headquarters;

30 (o) develop a registry of Arkansas farm land owned by persons or
31 entities residing out of state and indicate the address of the out of state
32 owners;

33 (p) in developing the land ownership registries prescribed above the
34 uses of the farm land shall be indicated; and

35 (q) make an annual report available to the public regarding its

1 activities.

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3 SECTION 3. If the department determines that a dangerous insect, pest
4 or plant disease new to and not widely distributed outside the state exists
5 within an area of the state the department may quarantine the infested area
6 at the boundaries of the state or at other areas within the state. If the
7 department determines that an insect, pest or plant disease of general
8 distribution in this state does not exist in an area the department may
9 declare the area pest free and quarantine the surrounding areas. If the
10 department establishes a quarantine area or even without establishing a
11 quarantine area if the department determines there is a likelihood of
12 introduction or dissemination of an insect, pest or plant disease that is
13 dangerous to the interest of horticulture or agriculture in this state the
14 department may stop and inspect vehicles entering this state or moving within
15 this state to determine if the vehicle contains a plant, plant product or
16 other substance capable of introducing or disseminating the pest or disease.

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18 SECTION 4. The department shall promulgate regulations necessary to
19 implement the provisions of this act.

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21 SECTION 5. All provisions of this act of a general and permanent
22 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
23 Code Revision Commission shall incorporate the same in the Code.

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25 SECTION 6. 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 7. All laws and parts of laws in conflict with this act are
32 hereby repealed.

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