

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 2172

4
5 By: Representative Wilson

For An Act To Be Entitled

9 "AN ACT TO CREATE THE ARKANSAS AGRICULTURE DEPARTMENT; AND
10 FOR OTHER PURPOSES."

Subtitle

13 "AN ACT TO CREATE THE ARKANSAS
14 AGRICULTURE DEPARTMENT."

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

18 SECTION 1. Effective July 1, 1999, there is hereby created the Arkansas
19 Department of Agriculture under the direction of a Commissioner of Agriculture
20 who shall be appointed by the Governor and subject to confirmation by the
21 Senate. To be eligible to be appointed to the office of Commissioner of
22 Agriculture the person must:

23 (1) be an experienced and practical farmer and must have engaged in the
24 business of agriculture for at least five of the ten years preceding
25 appointment;

26 (2) must have worked for a state or federal agency in a position
27 directly related to agriculture for at least five years preceding appointment;
28 or

29 (3) must have owned or operated a farm, ranch or timberland for at least
30 five years preceding appointment.

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32 SECTION 2. The Department of Agriculture shall have the following
33 powers and duties:

34 (a) encourage the proper development of agriculture, horticulture and
35 related industries;

36 (b) conduct farmers institutes at times and places as necessary to

1 best promote the advancement of agricultural knowledge and improvement of
2 agricultural methods and practices;

3 (c) publish and distribute papers and addresses read and delivered at
4 the institutes;

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

7 (e) investigate the problem of drainage and irrigation in the different
8 portions of the state;

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

12 (g) investigate the diseases of crops grown in the state to discover
13 remedies;

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

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

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

24 (k) establish and maintain seed testing facilities;

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

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

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

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

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

1 (q) make an annual report available to the public regarding its
2 activities.

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

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

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

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26 SECTION 6. If any provision of this act or the application thereof to
27 any person or circumstance is held invalid, such invalidity shall not affect
28 other provisions or applications of the act which can be given effect without
29 the invalid provision or application, and to this end the provisions of this
30 act are declared to be severable.

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

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