

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

SENATE BILL 896

4
5 By: Senators Broadway, Salmon
6
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE ARKANSAS RICE RESEARCH AND
10 PROMOTION ACT; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT TO AMEND THE ARKANSAS RICE
14 RESEARCH AND PROMOTION ACT.
15
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 SECTION 1. Arkansas Code § 2-20-501 is amended to read as follows:
20 2-20-501. Title.

21 This subchapter shall be known and may be cited as the "Arkansas Rice
22 Research and Promotion Act of ~~1999~~ 2007".
23

24 SECTION 2. Arkansas Code § 2-20-507 is amended to read as follows:
25 2-20-507. Assessments on grown rice.

26 ~~(a) There are imposed and levied:~~

27 ~~(1) An assessment at the rate of one and thirty five hundredths~~
28 ~~cents (1.35) per bushel to be paid by the buyer at the first point of sale,~~
29 ~~whether within or without the state, on rice grown within the state or at the~~
30 ~~point the rice enters into the United States Department of Agriculture loan~~
31 ~~program; and~~

32 ~~(2) An assessment at the rate of one and thirty five hundredths~~
33 ~~cents (1.35) per bushel to be paid by the producer on all rice grown within~~
34 ~~this state.~~

35 ~~(b) The assessment imposed and levied by this section shall be~~
36 ~~collected by the Director of the Department of Finance and Administration~~



1 from the buyer of rice at the first point of sale or at the point the rice
2 enters into the United States Department of Agriculture loan program.

3 ~~(c)(1) The proceeds of the assessment, less not more than three~~
4 ~~percent (3%) to cover the cost of collections, shall be deposited with the~~
5 ~~Treasurer of State in a special fund to be established for the Arkansas Rice~~
6 ~~Research and Promotion Board to the credit of the board.~~

7 ~~(2) Disbursement shall be made only upon a motion duly passed by~~
8 ~~the board and presented to the Treasurer of State and only for a purpose~~
9 ~~prescribed in this subchapter.~~

10 (a)(1)(A) There is imposed and levied an assessment at the rate of two
11 and seven-tenths cents (2.7¢) per bushel on all rice grown within the state
12 from August 1, 2007, until July 1, 2009, and on all rice grown within the
13 state thereafter at a rate of three cents (3¢) per bushel.

14 (B) This assessment shall be deducted from the amount paid
15 the producer at the first point of sale, whether within or without the state,
16 or at the point the rice enters into the United States Department of
17 Agriculture loan program.

18 (2)(A) The assessment shall not be imposed unless:

19 (i) The question of its imposition has been
20 submitted to and approved by at least three-fifths (3/5) of the rice
21 producers that vote in the referendum to be called and held within ninety
22 (90) days after August 1, 2007; and

23 (ii) A minimum of ten percent (10%) of rice
24 producers, as determined by the latest available agricultural census data,
25 shall have voted.

26 (B) The rice producers shall be notified by the Arkansas
27 Rice Research and Promotion Board of the results of the referendum.

28 (3)(A)(i) The assessment imposed in this section shall be
29 effective beginning August 1, 2007.

30 (ii) The assessment shall be a continuing levy until
31 either terminated by the board or until another election is held at which a
32 majority of the rice producers in the state vote against the levy.

33 (B)(i) If petitions containing the signatures of twenty
34 percent (20%) of the rice producers in the state, as determined by the latest
35 available agricultural census, are filed with the board requesting that the
36 question of continuing the assessment be submitted to a vote of the rice

1 producers, the board shall cause an election to be held within ninety (90)
 2 days after the filing of the petitions.

3 (ii) The election shall be conducted in the same
 4 manner as the initial election held on the question of the levy of the
 5 assessment.

6 (iii) If a majority of the producers voting at the
 7 election vote against the levy of the assessment, the assessment shall not be
 8 levied unless and until a levy is approved at a subsequent election called by
 9 the board.

10 (b)(1) The assessment imposed and levied by this section shall be
 11 collected by the Director of the Department of Finance and Administration
 12 from the buyer of rice at the first point of sale or at the point the rice
 13 enters into the United States Department of Agriculture loan program.

14 (2)(A) The proceeds of the assessment, less not more than three
 15 percent (3%) to cover cost of collections, shall be deposited with the
 16 Treasurer of State into a special fund to be established for the board to the
 17 credit of the board.

18 (B) Of the amount of the proceeds of the assessment that
 19 are deposited with the Treasurer of State under subdivision (b)(2)(A) of this
 20 section:

21 (i) Sixty percent (60%) shall be spent on rice
 22 research; and

23 (ii) Forty percent (40%) shall be spent on
 24 promotion.

25 (C) Disbursement of the assessment imposed and levied in
 26 this section shall be made only upon motions passed by the board and
 27 presented to the Treasurer of State and only for purposes prescribed in this
 28 subchapter.

29 ~~(d)(1) The funds derived from the assessment paid by a buyer at the~~
 30 ~~first point of sale shall be used for:~~

31 ~~(A) Market development and promotion;~~

32 ~~(B) Basic administration expenses; and~~

33 ~~(C) Defraying the costs of referenda that the board may~~
 34 ~~refer to buyers of rice.~~

35 ~~(2) The funds derived from the assessment paid by a producer~~
 36 ~~shall be used for:~~

1 ~~(A) Rice extension and rice research;~~
 2 ~~(B) Basic administration expenses; and~~
 3 ~~(C) Defraying the costs of referenda that the board may~~
 4 ~~refer to producers of rice.~~

5 (3) Funds under ~~subdivisions (d)(1) and (2)~~ subdivision (b)(2)(B) of
 6 this section may be applied within or without Arkansas, including regional,
 7 national, and international applications.

8
 9 SECTION 3. Arkansas Code Title 2, Chapter 20, Subchapter 5 is amended
 10 to add additional sections to read as follows:

11 2-20-512. Referendum in each county.

12 (a) The Arkansas Rice Research and Promotion Board shall appoint three
 13 (3) rice producers from each county that shall be responsible for holding a
 14 referendum in the county.

15 (b) The board shall set the dates for a referendum.

16 (c) Voting shall be in Agricultural Stabilization and Conservation
 17 Service offices under supervision of the three (3) producers appointed to
 18 hold a referendum.

19 (d) Ballots shall be furnished by the board.

20 (e) The result shall be certified not more than three (3) days after
 21 the election, on forms furnished by the board, by registered mail to the
 22 board.

23 (f) The board shall be reimbursed from funds collected for the cost of
 24 holding a referendum.

25
 26 2-20-513. Refunds to producers.

27 (a) A rice producer may:

28 (1) Request and receive a refund of the amount deposited with
 29 the Treasurer of State under § 2-20-507(b)(2)(B)(ii) of this section from the
 30 sale of his or her rice; or

31 (2) Have the amount deposited with the Treasurer of State under
 32 § 2-20-507(b)(2)(B)(ii) from the sale of his or her rice disbursed to:

33 (A) The USA Rice Federation; or

34 (B) The US Rice Producers Association.

35 (b) The Arkansas Rice Research and Promotion Board shall create a
 36 check-off card to allow rice producers to choose to:

- 1 (1) Receive a refund under subdivision (a)(1) of this section;
- 2 (2) Disburse the amount under subdivision (a)(2) of this section
- 3 to the USA Rice Federation; or
- 4 (3) Disburse the amount under subdivision (a)(2) of this section
- 5 to the United States Rice producers Association.
- 6 (c) The board shall make the check-off cards available to rice
- 7 producers at each local Farm Service Agency office when the rice producers
- 8 certify the rice acres planted.
- 9 (d)(1) The board shall ensure that the check-off cards are delivered
- 10 to the Department of Finance and Administration.
- 11 (2) If the board passes a motion under § 2-20-507(b)(2)(C), the
- 12 department shall disburse funds as indicated on the check-off cards.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36