

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

*As Engrossed: S3/3/11*  
**A Bill**

SENATE BILL 348

5 By: Senator M. Lamoureux  
6

7 **For An Act To Be Entitled**

8 AN ACT TO PROVIDE THAT THE ARKANSAS AGRICULTURAL  
9 MARKETING GRANTS FUND SHALL ALSO BE USED TO PROVIDE  
10 FUNDING TO VITICULTURE AND ENOLOGY PROGRAMS AT PUBLIC  
11 *INSTITUTIONS OF HIGHER EDUCATION; TO DECLARE AN*  
12 *EMERGENCY; AND FOR OTHER PURPOSES.*  
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15 **Subtitle**

16 *TO PROVIDE THAT THE ARKANSAS AGRICULTURAL*  
17 *MARKETING GRANTS FUND SHALL ALSO BE USED*  
18 *TO PROVIDE FUNDING TO VITICULTURE AND*  
19 *ENOLOGY PROGRAMS AT PUBLIC INSTITUTIONS*  
20 *OF HIGHER EDUCATION AND TO DECLARE AN*  
21 *EMERGENCY.*  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code § 3-5-901 is amended to read as follows:

27 3-5-901. Program established.

28 As a means of providing more stable markets for grapes, fruits,  
29 berries, or vegetables used in the production of wine in this state, the  
30 General Assembly establishes a program of payments, in the form of grants, to  
31 be made to:

32 (1) Each ~~each~~ winery in this state with respect to grapes,  
33 fruits, berries, or vegetables grown and produced in Arkansas and used by  
34 wineries located in this state in the production of wine; and

35 (2) Viticulture and enology programs at public institutions of  
36 higher education.



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SECTION 2. Arkansas Code § 3-5-903 is amended to read as follows:

3-5-903. Rules and regulations.

The Director of the Department of Finance and Administration may establish reasonable ~~rules and~~ regulations to be followed by:

(1) Wineries ~~wineries~~ in this state in making application for the subsidy payments and to prevent abuse of the subsidy payments; and

(2) Public institutions of higher education in Arkansas with a viticulture and enology program in making application for a grant.

SECTION 3. Arkansas Code § 3-5-905 is amended to read as follows:

3-5-905. Applications.

(a) ~~Any~~ A winery in this state that produces wine from grapes, fruits, berries, or vegetables grown in this state and complies with the provisions of § 3-5-904, that desires to receive the grants authorized in this subchapter with respect to the purchase of such products or with respect to such products produced in vineyards or of other growing facilities in this state belonging to the winery, may make application for grant payments under this subchapter upon forms and in accordance with the ~~rules and~~ regulations promulgated by the Director of the Department of Finance and Administration.

(b) A public institution of higher education in Arkansas that has a viticulture and enology program may make application for grant payments under this subchapter upon form and in accordance with regulations promulgated by the Director of the Department of Finance and Administration.

SECTION 4. Arkansas Code § 3-5-907(b), concerning grant payments, are amended to read as follows:

(b) Grant funds awarded shall be distributed ~~equally~~:

(1) ~~First~~ First to each winery at a ~~base amount not to exceed twenty-five thousand dollars (\$25,000), with any remaining balance of the grant to be divided among each grantee according to the same ratio as the wine taxes paid in the previous calendar year by the grantee, as determined by the Chief Fiscal Officer of the State~~ rate of one dollar (\$1.00) per gallon of wine sold in Arkansas in the previous calendar year with the total amount of the grant fund not to exceed the total wine tax paid by each winery; and

(2) The remaining balance to viticulture and enology programs at

1 public institutions of higher education in Arkansas.

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3 SECTION 5. Arkansas Code § 3-5-908 is repealed since there is  
4 duplicative language in § 19-5-1070.

5 ~~3-5-908. Arkansas Agricultural Marketing Grants Fund.~~

6 ~~There is established on the books of the Treasurer of State, Auditor of~~  
7 ~~State, and Chief Fiscal Officer of the State an Arkansas Agricultural~~  
8 ~~Marketing Grants Fund, into which shall be paid such moneys as may be~~  
9 ~~provided by law to be used exclusively for making payments of grants to~~  
10 ~~eligible Arkansas wineries.~~

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12 SECTION 6. Arkansas Code § 19-5-1070(b), concerning the Arkansas  
13 Agricultural Marketing Grants Fund, is amended to read as follows:

14 (b) ~~This~~ The fund shall consist of such moneys as may be provided by  
15 law, there to be used exclusively for making payments of grants to eligible;

16 (1) Arkansas wineries with respect to the purchase of grapes,  
17 fruits, berries, or vegetables produced in this state and purchased for use  
18 in this state for the production of wine; and

19 (2) Viticulture and enology programs at public institutions of  
20 higher education in Arkansas.

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22 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the  
23 General Assembly of the State of Arkansas that the wine industry is a vital  
24 component of Arkansas's economy; that research in the area of viticulture and  
25 enology is important to the continued success of the wine industry in  
26 Arkansas; and that this act is immediately necessary to fund viticulture and  
27 enology programs that will contribute to a more robust industry and economy.  
28 Therefore, an emergency is declared to exist and this act being immediately  
29 necessary for the preservation of the public peace, health, and safety shall  
30 become effective on:

31 (1) The date of its approval by the Governor;

32 (2) If the bill is neither approved nor vetoed by the Governor,  
33 the expiration of the period of time during which the Governor may veto the  
34 bill; or

35 (3) If the bill is vetoed by the Governor and the veto is  
36 overridden, the date the last house overrides the veto.

*/s/M. Lamoureux*

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