1 2	State of Arkansas As Engrossed: H3/8/13 H3/14/13 89th General Assembly As Engrossed: Bill
2	Regular Session, 2013 HOUSE BILL 1580
4	
5	By: Representative Talley
6	
7	For An Act To Be Entitled
8	AN ACT CONCERNING AN ARKANSAS BOVINE ANIMAL DISEASE
9	PROGRAM AND THE USE OF THE LIVESTOCK AND POULTRY
10	COMMISSION DISEASE AND PEST CONTROL FUND; TO MAKE
11	TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES.
12	
13	
14	Subtitle
15	CONCERNING AN ARKANSAS BOVINE ANIMAL
16	DISEASE PROGRAM AND THE USE OF THE
17	LIVESTOCK AND POULTRY COMMISSION DISEASE
18	AND PEST CONTROL FUND; AND TO MAKE
19	TECHNICAL CORRECTIONS.
20	
21	
22	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23	
24	SECTION 1. Arkansas Code § 2-40-206 is amended to read as follows:
25	2-40-206. Funding of brucellosis <u>Arkansas bovine animal disease</u>
26	program.
27	(a)(1)(A) In order to fund or partially fund the brucellosis control
28	and eradication an Arkansas bovine animal disease program, there is hereby
29	levied until July 1, 1990, a fee <i>of one dollar (\$1.00) <u>not to exceed two</u></i>
30	<u>dollars (\$2.00)</u> per head on all cattle sold in this the state; after which
31	the.
32	(B) The Arkansas Livestock and Poultry Commission shall:
33	(i) establish <u>Establish by rule</u> the amount of the
34 35	fee it feels necessary to <u>operate and</u> continue the brucellosis <u>Arkansas</u> <u>bovine animal disease</u> program ,; and
36	<u>(ii) Not increase the fee levied under this</u>



.

HB1580

1 subsection unless the balance of the Livestock and Poultry Commission Disease 2 and Pest Control Fund under § 19-6-448 is less than five hundred thousand 3 dollars (\$500,000). 4 (2) The fee shall not be assessed on the resale of any cattle 5 within ten (10) calendar days after the prior sale if the fee was paid on the 6 prior sale. 7 (b)(1)(A) The fee shall be collected by the purchaser and remitted 8 shall collect the fee and remit the fee monthly to the Director of the 9 Department of Finance and Administration, except that. However, if the sale 10 occurs through a livestock auction market or any other agent of the seller, 11 the livestock auction market or other agent shall collect and remit the fee. 12 (B)(i) The director may promulgate such rules and 13 regulations as it deems necessary to implement the collection of the fee. 14 (2)(A) After deducting three percent (3%) for credit to the 15 Constitutional Officers Fund and the State Central Services Fund, the 16 remainder of funds so remitted to the director shall be deposited in into the 17 State Treasury as special revenues and credited to the Livestock and Poultry 18 Commission Disease and Pest Control Fund. 19 (B) Before the close of each fiscal year, the Chief Fiscal 20 Officer of the State shall determine: 21 (i) Determine the amount of funds which that will 22 remain at the end of the fiscal year in the Livestock and Poultry Commission 23 Disease and Pest Control Fund from fees collected under the provisions of this section. He or she shall allow such; and 24 25 (ii) Allow the remaining funds to be carried forward 26 and made available for the same purposes in the next-succeeding fiscal year. 27 (c) Rules promulgated under this section are subject to the Administrative Procedure Act, § 25-15-201 et seq. 28 29 30 SECTION 2. Arkansas Code § 19-6-448 is amended to read as follows: 31 19-6-448. Livestock and Poultry Commission Disease and Pest Control 32 Fund. (a) There is created on the books of the Treasurer of State, the 33 Auditor of State, and the Chief Fiscal Officer of the State a special revenue 34 fund to be known as the "Livestock and Poultry Commission Disease and Pest 35 36 Control Fund".

2

02-28-2013 15:56:48 JLL245

As Engrossed: H3/8/13 H3/14/13

1	(b) The Livestock and Poultry Commission Disease and Pest Control Fund
2	fund shall consist of those the special revenues as specified in § 19-6-
3	301(126) there to be used in order to fund or partially fund the brucellosis
4	control and eradication program as set out in Act 150 of 1985 and Act 151 of
5	1985 and any other revenues authorized by law.
6	(c) The fund shall be used to fund or partially fund an Arkansas
7	bovine animal disease program as provided in § 2-40-206.
8	
9	SECTION 3. Arkansas Code § 19-6-301(126), concerning the enumeration
10	of special revenues, is amended to read as follows:
11	(126) Those portions of vaccination fees imposed at livestock
12	markets , as enacted by Acts 1985, No. 150, and Acts 1985, No. 151, § 2-40-
13	206, under § 2-40-206 and that portion of all fines and penalties resulting
14	from arrests made or citations issued by Arkansas Livestock and Poultry
15	Commission enforcement officers, § 2-33-113(b);
16	
17	/s/Talley
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	

3