

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1725

5 By: Representative D. Douglas
6

For An Act To Be Entitled

8 AN ACT TO TRANSFER THE ABANDONED PESTICIDE ADVISORY
9 BOARD, THE ARKANSAS FORESTRY COMMISSION, THE ARKANSAS
10 LIVESTOCK AND POULTRY COMMISSION, THE STATE PLANT
11 BOARD, THE ARKANSAS FARM MEDIATION OFFICE, THE
12 VETERINARY MEDICAL EXAMINING BOARD, AND THE ARKANSAS
13 STATE BOARD OF REGISTRATION FOR FORESTERS TO THE
14 ARKANSAS AGRICULTURE DEPARTMENT THROUGH A TYPE 4
15 TRANSFER; AND FOR OTHER PURPOSES.
16
17

Subtitle

18 TO TRANSFER VARIOUS STATE AGENCIES TO THE
19 ARKANSAS AGRICULTURE DEPARTMENT THROUGH A
20 TYPE 4 TRANSFER.
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. DO NOT CODIFY. Transfer of the Abandoned Pesticide
27 Advisory Board, the Arkansas Forestry Commission, the Arkansas Livestock and
28 Poultry Commission, the State Plant Board, the Arkansas Farm Mediation
29 Office, the Veterinary Medical Examining Board, and the Arkansas State Board
30 of Registration for Foresters to the Arkansas Agriculture Department.

31 (a)(1) The Abandoned Pesticide Advisory Board, the Arkansas Forestry
32 Commission, the Arkansas Livestock and Poultry Commission, the State Plant
33 Board, the Arkansas Farm Mediation Office, the Veterinary Medical Examining
34 Board, and the Arkansas State Board of Registration for Foresters are
35 transferred to the Arkansas Agriculture Department by a type 4 transfer under
36 § 25-2-107.



1 (2) For purposes of this act, the Arkansas Agriculture
2 Department shall be considered a principal department established by Acts
3 1971, No. 38.

4 (b) The boards, commissions, or other governing bodies of the
5 Abandoned Pesticide Advisory Board, the Arkansas Forestry Commission, the
6 Arkansas Livestock and Poultry Commission, the State Plant Board, the
7 Arkansas Farm Mediation Office, the Veterinary Medical Examining Board, and
8 the Arkansas State Board of Registration for Foresters are retained and shall
9 continue to exercise their statutory authority, powers, duties, and
10 functions.

11 (c)(1) The directors, if any, of the Abandoned Pesticide Advisory
12 Board, the Arkansas Forestry Commission, the Arkansas Livestock and Poultry
13 Commission, the State Plant Board, the Arkansas Farm Mediation Office, the
14 Veterinary Medical Examining Board, and the Arkansas State Board of
15 Registration for Foresters shall be nominated by the board, commission, or
16 governing body of the Abandoned Pesticide Advisory Board, the Arkansas
17 Forestry Commission, the Arkansas Livestock and Poultry Commission, the State
18 Plant Board, the Arkansas Farm Mediation Office, the Veterinary Medical
19 Examining Board, and the Arkansas State Board of Registration for Foresters
20 subject to confirmation by the Governor.

21 (2) The directors, if any, of the Abandoned Pesticide Advisory
22 Board, the Arkansas Forestry Commission, the Arkansas Livestock and Poultry
23 Commission, the State Plant Board, the Arkansas Farm Mediation Office, the
24 Veterinary Medical Examining Board, and the Arkansas State Board of
25 Registration for Foresters shall serve at the pleasure of the Governor.

26 (d) All records, personnel, property, unexpended balances of
27 appropriations, allocations, or other funds, including the functions of
28 budgeting and purchasing, are transferred to the principal department.

29 (e) The members of any statutory board or commission of the Abandoned
30 Pesticide Advisory Board, the Arkansas Forestry Commission, the Arkansas
31 Livestock and Poultry Commission, the State Plant Board, the Arkansas Farm
32 Mediation Office, the Veterinary Medical Examining Board, and the Arkansas
33 State Board of Registration for Foresters are transferred and their
34 successors shall continue to be selected in the manner and serve for the
35 terms provided by the statutes applicable to the board or commission as such
36 statutes may from time to time be amended.

1 SECTION 2. Arkansas Code § 2-7-201 is amended to read as follows:

2 2-7-201. Creation.

3 (a) There is hereby created within the ~~Arkansas Development Finance~~
4 ~~Authority~~ Arkansas Agriculture Department the Arkansas Farm Mediation Office
5 which shall administer the Arkansas Farm Mediation Program to provide
6 mediation and debt management services to farmers and their creditors in the
7 State of Arkansas.

8 (b)(1) The program shall be administered by the ~~President of the~~
9 ~~Arkansas Development Finance Authority~~ Secretary of the Arkansas Agriculture
10 Department who shall employ mediators and administrative staff in such
11 numbers as are necessary and as the General Assembly may appropriate to carry
12 out the provisions of this chapter.

13 (2) The ~~president~~ Secretary of the Arkansas Agriculture
14 Department may apply to the United States Secretary of Agriculture or any
15 other agency or department for any financial assistance for the
16 administration and operation of the program.

17 (3) The ~~president~~ Secretary of the Arkansas Agriculture
18 Department or his or her designee shall select mediators who are
19 knowledgeable in the areas of finance, agriculture, and negotiation and shall
20 train them in any other matters as are necessary to carry out their functions
21 under this chapter.

22 (4) The ~~president~~ Secretary of the Arkansas Agriculture
23 Department may promulgate rules to carry out the provisions of this chapter.

24
25 SECTION 3. Arkansas Code § 25-38-203(4)-(10), concerning the powers
26 and duties of the Arkansas Agriculture Department, are amended to read as
27 follows:

28 (4) Develop a website devoted to marketing and education
29 concerning agriculture, aquaculture, horticulture, forestry, and kindred
30 industries, including a distinctive logo publicizing products as "~~Crown in~~
31 ~~Arkansas~~" "Arkansas Grown" and "Arkansas Made";

32 (5) Encourage the organization of neighborhood and county
33 agricultural clubs and associations;

34 (6) Coordinate the various activities of the department with
35 those of the federal government and other states on matters pertaining to
36 agriculture, aquaculture, horticulture, forestry, and kindred industries and

1 enter into agreements for that purpose;

2 (7) Coordinate with existing programs concerning agriculture,
 3 aquaculture, horticulture, forestry, and kindred industries with the
 4 University of Arkansas Division of Agriculture and other agricultural
 5 universities of this state;

6 (8) Make all contracts and grants and employ, to the extent
 7 funds are available, such personnel as may be necessary to carry out the
 8 purposes of this chapter; ~~and~~

9 (9) Assist other departments, agencies, and institutions of the
 10 state and federal governments, when so requested, by performing services in
 11 conformity with the purposes of this chapter; ~~;~~

12 (10) Designate employees who shall have the powers of peace
 13 officers in the enforcement of criminal laws pertaining to the agricultural
 14 and forestry industries of this state; and

15 (11) Promulgate rules necessary to carry out the powers and
 16 duties of the department and provide for the orderly administration of the
 17 department.

18
 19 SECTION 4. Arkansas Code § 25-38-204 is amended to read as follows:
 20 25-38-204. Type ~~1~~ 4 transfers of various agricultural agencies.

21 The following departments, institutions, other agencies, or parts
 22 thereof, are transferred to the Arkansas Agriculture Department by a type ~~1~~ 4
 23 transfer, as provided for ~~in § 25-2-104~~ under § 25-2-107, under which the
 24 ~~departments, institutions, other agencies, or parts thereof, shall be~~
 25 ~~administered under the direction and supervision of that principal~~
 26 ~~department, but shall retain the same prescribed statutory powers,~~
 27 ~~authorities, duties, and functions as they had before the transfer~~ boards and
 28 commissions of the transferred agencies are retained and shall continue to
 29 exercise their statutory authority, powers, duties, and functions:

30 (1) Abandoned Pesticide Advisory Board, created under § 8-7-
 31 1204;

32 (2) Arkansas Forestry Commission, created under § 15-31-101;

33 (3) Arkansas Livestock and Poultry Commission, created under §
 34 2-33-101;

35 (4) State Plant Board, created under § 2-16-206; ~~and~~

36 ~~(5) Aquaculture business enterprise facilities and operations~~

1 ~~with the Arkansas Development Finance Authority.~~

2 (5) Arkansas Farm Mediation Office, created under § 2-7-201;

3 (6) Veterinary Medical Examining Board, created under § 17-101-
 4 201; and

5 (7) Arkansas State Board of Registration for Foresters, created
 6 under § 17-31-201.

7
 8 SECTION 5. Arkansas Code § 25-38-206(a), concerning the transfer of
 9 human resources and accounting offices of various agricultural agencies, is
 10 amended to read as follows:

11 (a) The human resource and accounting operations of the following
 12 boards and commissions shall be administered under the direction and
 13 supervision of the Arkansas Agriculture Department:

- 14 (1) ~~The~~ State Plant Board;
- 15 (2) ~~The~~ Arkansas Livestock and Poultry Commission; ~~and~~
- 16 (3) ~~The~~ Arkansas Forestry Commission;
- 17 (4) Veterinary Medical Examining Board; and
- 18 (5) Arkansas State Board of Registration for Foresters.

19
 20 SECTION 6. Arkansas Code § 25-38-207, concerning duties of the
 21 Arkansas Agriculture Board, is amended to add an additional subsection to
 22 read as follows:

23 (h) The Arkansas Agriculture Board shall report annually to the
 24 Legislative Council at the end of the fiscal year.