

1 State of Arkansas *As Engrossed: H3/5/15 S3/25/15*

2 90th General Assembly

# A Bill

3 Regular Session, 2015

HOUSE BILL 1388

4

5 By: Representative Wardlaw

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## For An Act To Be Entitled

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AN ACT TO LIMIT THE FEE LEVIED ON CATTLE FOR THE

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FUNDING OF THE BRUCELLOSIS CONTROL AND ERADICATION

10

PROGRAM; AND FOR OTHER PURPOSES.

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## Subtitle

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TO LIMIT THE FEE LEVIED ON CATTLE FOR THE

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FUNDING OF THE BRUCELLOSIS CONTROL AND

16

ERADICATION PROGRAM.

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

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21 *SECTION 1. Arkansas Code § 2-40-206(a)(1), as amended by Section 1 of*  
22 *Act 342 of 2015 and concerning funding of the bovine disease control and*  
23 *eradication program, formerly known as the brucellosis control and*  
24 *eradication program, is amended to read as follows:*

25 *(a)(1)(A) In order to fund or partially fund the bovine disease*  
26 *control and eradication program, there is hereby levied until July 1, 1990, a*  
27 *fee of one dollar (\$1.00) per head on all cattle sold in this state; after*  
28 *which the Arkansas Livestock and Poultry Commission shall establish the*  
29 *amount of the fee it feels necessary to continue to be used for the bovine*  
30 *disease control and eradication program.*

31 *(B)(i) However, if the Executive Director of the Arkansas*  
32 *Livestock and Poultry Commission determines there is an emergency, the*  
33 *executive director may promulgate a rule to temporarily raise the fee set in*  
34 *subdivision (a)(1)(A) of this section after receiving approval of the rule*  
35 *from the Legislative Council or, if the General Assembly is in session, the*  
36 *Joint Budget Committee.*



1                    (ii) A rule adopted to raise the fee under this  
2 subdivision (a)(1)(B) shall be effective only during the period of time the  
3 emergency persists or for one (1) year, whichever is shorter.

4                    (iii) If an emergency persists after one (1) year,  
5 the commission may promulgate a rule to extend the increased fee for  
6 additional one-year periods by following the procedures stated in subdivision  
7 (a)(1)(B)(i) of this section each year the rule increasing the fee is to be  
8 effective.

9                    (iv) The executive director shall not adopt an  
10 emergency rule to raise the fee under this subdivision (a)(1)(B).

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12                    /s/Wardlaw

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15                    **APPROVED: 04/06/2015**