

LEGISLATIVE SUMMARY

92ND ARKANSAS GENERAL ASSEMBLY
JANUARY 14 - APRIL 24, 2019



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92nd General Assembly

Each legislative session, I am grateful for the passion of our membership and their efforts to make Arkansas a better environment for agriculture. At the core of Farm Bureau's mission is advocacy for the interests of agriculture in the public arena. Our Farm Bureau leaders go above and beyond. They are constant advocates for agriculture. Thank you for being that voice for agriculture when it would be easier to let someone else speak up.

On behalf of Arkansas Farm Bureau, I want to thank the General Assembly and Gov. Asa Hutchinson for being receptive to our work. They have helped us have a great session and we appreciate their support. Farm Bureau loves working with you to make Arkansas a better place. Together we made the state a better place for Arkansas agriculture. We must continue to work on issues that affect our ability to provide food, fiber and shelter for citizens of our state, our country and many parts of the world. We also want to continue to expand opportunities and services to rural Arkansas.

I also want to credit our great staff who represent Farm Bureau at the Capitol and across the state. They make us better advocates and are a vital to our success.

Arkansas Farm Bureau is a well-known and respected champion for agriculture. It is our heritage. Our goal is that it will always synonymous with our name. I thank you again for your hard work on behalf of Arkansas agriculture and the people of the great state of Arkansas. God bless you and your families, God bless the farmers and ranchers of our state and God bless Arkansas Farm Bureau.



—Randy Veach
Arkansas Farm Bureau President

2019 SESSION PRIORITY ISSUE LIST

- Funding for University of Arkansas Division of Agriculture (**Revenue Stabilization Act**)
 - Governor committed \$1.1 million to the base. We are asking for more in the base. Approximately 40 legislators have signed a letter requesting more base funding.
- Advocate for our policy in regards to the proposed government reorganization (**HB 1763**).

HB 1763 **HOUSE VOTE 3/14/2019**

Nays: 0

Yeas: 82

Barker, Beck, Bentley, Berry, Blake, Boyd, Bragg, Breaux, Brown, Burch, Capp, Cavanaugh, Christiansen, Cloud, Clowney, Coleman, A. Collins, C. Cooper, Cozart, Crawford, Dalby, A. Davis, Deffenbaugh, Della Rosa, Dotson, D. Douglas, Eaves, Evans, D. Ferguson, K. Ferguson, Fielding, C. Fite, L. Fite, V. Flowers, Fortner, D. Garner, Gates, Gazaway, Glover, Godfrey, M. Gray, Hawks, Hillman, G. Hodges, M. Hodges, Holcomb, Hollowell, House, Jett, L. Johnson, Kelly, Love, Lowery, Lundstrum, Lynch, Maddox, J. Mayberry, McCullough, McKenzie, McNair, Murdock, Nicks, Perry, Petty, Pilkington, Richardson, Richey, Richmond, Scott, B. Smith, S. Smith, Speaks, Sullivan, Tosh, Vaught, Walker, Wardlaw, Warren, Watson, D. Whitaker, Wing, Mr. Speaker

Non Voting: 8

F. Allen, M. Davis, Eubanks, Ladyman, Magie, S. Meeks, Rushing, Wooten,

Present: 10

Gonzales, Jean, McCollum, Miller, Payton, Penzo, Rye, Slape, Sorvillo, Womack

ARKANSAS FARM BUREAU PRIORITIES FOR THE 92ND GENERAL ASSEMBLY

Protection of agriculture sales tax exemptions

After thorough review of Arkansas tax code, the legislature confirmed the continued need for agriculture sales tax exemptions. The taskforce made one recommendation regarding an agriculture-related exemption concerning the abuse of the ATV exemption for farm use. President Pro Tempore Jim Hendren filed **SB 561**, now **Act 819**, making various changes to the state's tax code. It places administration of the franchise tax with the Department of Finance and Administration rather than the Secretary of State. It would also require the department to report before each regular session to the Legislative Council and the governor on the effect of each exemption, discount, credit, and deduction relating to state income, sales, and use tax. The act includes new procedures for the agriculture exemption for all-terrain vehicles. Buyers who want to claim the exemption must submit more information at the time of purchase to receive the exemption.

Funding for UA Division of Agriculture

The governor added \$1.1 million in base funding for the University of Arkansas Division of Agriculture, a victory over previous sessions when it was all "one-time" money. The Division will receive \$3 million total above their previous base but \$1.9 million will be one-time funds. Many legislators remain staunch supporters of the Division of Agriculture and many signed onto a letter requesting more base funding.

Highway Funding

Gov. Asa Hutchison's proposed plan will add approximately \$300 million in state dollars to the highway budget annually. An independent audit, requested by legislators and conducted by Arkansas Legislative Audit, said \$478 million annually is needed to maintain and allow construction for growth of Arkansas infrastructure. Arkansas has 765 bridges that are considered structurally deficient. Of Arkansas' 102,000 miles of roads and only 22,000 miles are eligible for federal



aid. Ninety percent of Arkansans feel our roads need repair, and 89 percent believe the work of improving roads is good for job creation.

HJR 1018 refers to the November 2020 ballot an extension of the ½ cent sales tax for highway funding that citizens are already paying. The tax will generate approximately \$200 million annually. The funds are committed to bond indebtedness until 2023 but if **HJR 1018** passes, the money will convert to regular highway funds after the bonds expire.

The legislature also adopted **SB 336**, now **Act 416**. The act levies an indexed wholesale tax on motor fuel and diesel and places revenue from that and other sources in the State Highway Fund for maintenance of streets, highways and bridges. The tax does not apply to off road diesel. It also adds annual fees of \$100 and \$200, respectively, to hybrid and electric vehicle registration and transfers casino tax revenues in excess of \$31 million annually with a minimum of \$35 million to the State Highway Fund. Farm Bureau supported both bills.

Preserve the structure and purpose of the commodity promotion and research programs

Arkansas Farm Bureau has strong policy in support of maintaining the structure and purpose of the commodity promotion and research programs including the public-private partnership of administration. The governor committed early in the transformation process that the promotion and research programs would not be part of the transformation plan. The appropriations for those programs have all been signed by the governor and are now Acts.

SB 29, now **Act 14**, appropriates \$1,067,076 to the Arkansas Beef Council for fiscal 2019-20 operations.

SB 30, now **Act 15**, appropriates \$120,000 to the Arkansas Catfish Promotion Board for fiscal 2019-20 operations.

HB 1055, now **Act 37**, appropriates \$444,494 to the Arkansas Wheat Promotion Board for fiscal 2019-20 operations.

HB 1056, now **Act 38**, appropriates \$8,300,000 to the Arkansas Soybean Promotion Board for fiscal 2019-20 operations.

HB 1058, now **Act 40**, appropriates \$6,980,696 from the Arkansas Rice Research and Promotion Fund and \$15,000,000 from Tariff Rate Quota to

the Arkansas Rice Research and Promotion Board for fiscal 2019-20 operations.

Truth in Labeling

Rep. David Hillman's truth in labeling bill, **HB 1407**, is now **Act 501**. The bill creates a fine for mislabeling of agricultural products. The fine is \$1,000 per violation for misbranding or misrepresenting an agricultural product that is edible by humans, including: affixing a label that is false or misleading or selling the agricultural product under the name of another food. The bill includes specifically inaccurate labeling of meat products and rice. Sen. Bruce Maloch also passed **SB 563**, now **Act 741**, which allows the Department of Agriculture to draft regulations for food labeling.

Advocate for our policy in regards to the proposed government reorganization

Rep. Andy Davis and Sen. Bart Hester were the lead sponsors of **HB 1763**, now **Act 910**. The bill is the comprehensive transformation of state government. The governor and his staff were the architects of the plan with the goal of improved efficiency. The act consolidated state agencies from 42 to 15. Those cabinet level agencies are:

- (1) The Department of Agriculture;
- (2) The Department of Commerce;
- (3) The Department of Corrections;
- (4) The Department of Education;
- (5) The Department of Energy and Environment;
- (6) The Department of Finance and Administration;
- (7) The Department of Health;
- (8) The Department of Human Services;
- (9) The Department of the Inspector General;
- (10) The Department of Labor and Licensing;
- (11) The Department of the Military;
- (12) The Department of Parks, Heritage, and Tourism;
- (13) The Department of Public Safety;
- (14) The Department of Transformation and Shared Services; and
- (15) The Department of Veterans Affairs

After review, Arkansas Farm Bureau supported the bill and subsequent amendments. The Department of Agriculture will include the following boards

• Support the transfer of regulatory authority of agriculture non-point source pollution to Arkansas Natural Resources Commission (**SB 550**)

– **SB 550** passed the Senate 25-5. The House Agriculture Committee sent the bill to internal study. Gov. Hutchinson issued a statement saying "I am confident in the current process at ADEQ, and I continue to have reservations with regard to SB550 and the transfer of Regulation 5 permitting authority from the ADEQ to the Arkansas Natural Resource Commission (ANRC). I will continue to monitor this legislation closely."

SB 550

SENATE VOTES

Yeas: 25

B. Ballinger, Bledsoe, Caldwell, A. Clark, J. Cooper, B. Davis, J. Dismang, L. Eads, J. English, Flippo, S. Flowers, T. Garner, K. Hammer, J. Hendren, Hester, Hickey Hill, B. Johnson, Maloch, M. Pitsch, Rice, B. Sample, G. Stubblefield, J. Sturch, Teague

Nays: 5

Bond, Elliott, K. Ingram, M. Johnson, G. Leding

Non Voting: 2

Irvin, D. Wallace

Present: 3

E. Cheatham, L. Chesterfield, Rapert

Excused: 0

• Reorganize the membership of the Livestock & Poultry Commission with more industry and farmer representation (**SB 536**)

– The bill was not considered.

• Support for a highway maintenance program (**SB 336** and **HJR 1018**)

– Now **Act 416** which adds \$97 million to highway funding via fuel tax, hybrid fees and casino revenues. **HJR 1018** was adopted and be referred to the 2020 ballot. It proposes to continue the current ½ cent sales tax for highway funding. That would be about \$200 million annually.

SB 336**SENATE VOTE 2/21/2019****Yeas: 27**

Bledsoe, Bond, Caldwell, E. Cheatham, L. Chesterfield, J. Cooper, L. Eads, Elliott, J. English, Flippo, S. Flowers, J. Hendren, Hickey, K. Ingram, Irvin, B. Johnson, M. Johnson, G. Leding, Maloch, M. Pitsch, Rapert, Rice, B. Sample, G. Stubblefield, J. Sturch, Teague, D. Wallace

Nays: 8

B. Ballinger, A. Clark, B. Davis, J. Dismang, T. Garner, K. Hammer, Hester, Hill

Non Voting: 0**Present: 0****Excused: 0****HOUSE VOTE 3/4/2019****Yeas: 71**

F. Allen, Barker, Bentley, Blake, Boyd, Bragg, Breaux, Brown, Burch, Capp, Christiansen, Cloud, Clowney, Coleman, A. Collins, Cozart, Crawford, Dalby, A. Davis, Deffenbaugh, Della Rosa, D. Douglas, Eubanks, Evans, D. Ferguson, K. Ferguson, Fielding, C. Fite, L. Fite, V. Flowers, Fortner, D. Garner, Gazaway, Glover, Godfrey, Hawks, Hillman, M. Hodges, Holcomb, Holowell, House, Jean, Jett, L. Johnson, Kelly, Ladyman, Love, Lynch, Magie, McCullough, McKenzie, McNair, Murdock, Nicks, Perry, Richardson, Richey, Richmond, Rushing, Rye, Scott, B. Smith, S. Smith, Sorvillo, Wardlaw, Warren, Watson, D. Whitaker, Wing, Wooten, Mr. Speaker

Nays: 26

Beck, Berry, C. Cooper, M. Davis, Dotson, Eaves, Gates, Gonzales, G. Hodges, Lowery, Lundstrum, Maddox, J. Mayberry, McColium, S. Meeks, Miller, Payton, Penzo, Petty, Pilkington, Slape, Speaks, Sullivan, Tosh, Vaught, Womack

Non Voting: 1

Walker

Present: 2

Cavanaugh, M. Gray

and commissions: The Abandoned Pesticide Advisory Board, The Arkansas Agriculture Board, The Arkansas Bureau of Standards, The Arkansas Boll Weevil Eradication Committee, The Arkansas Farm Mediation Office, The Arkansas Fire Ant Advisory Board, The Arkansas Forestry Commission, The Arkansas Livestock and Poultry Commission, The Arkansas Milk Stabilization Board, The Arkansas Natural Resources Commission, The Arkansas Seed Arbitration Committee, The Arkansas State Board of Registration for Foresters, The Arkansas State Board of Registration for Professional Soil Classifiers, The Arkansas Unpaved Road Program, The Commission on Water Well Construction, The Litter Utilization Committee, The Private Wetland and Riparian Zone Creation, Restoration, and Conservation Committee, The Ouachita River Commission, The Red River Compact Commission, The State Plant Board, The Veterinary Medical Examining Board, and The Wetlands Technical Advisory Committee.

The name of the Arkansas Agriculture Department was changed to the Department of Agriculture and will be a cabinet-level department. The Department of Agriculture will assume personnel, administrative functions, human resources and accounting offices of all the transferring agencies. The secretary of agriculture will determine job descriptions, duties, salaries and benefits. All programs and positions funded by special funds shall continue to be used for designated purposes. "Administrative functions" does not include rule making and those will be reserved to the current rule-making bodies. Transferred entities shall continue to exercise their statutory authority including collection of fees and promulgation of rules. The department shall provide all support, employment needs and staff to carry out the rules promulgated or issued by the transferred entities. All revenue shall continue to be held in the accounts and be used solely for the purposes for which the revenue was collected. Real property will remain in the name of the transferred entity to be administered by the Department of Agriculture. The director of the State Plant Board will be appointed by the board with the approval of the governor and shall serve at the pleasure the governor. This is current law. A later amendment clarified that the secretary of agriculture

could not be appointed as the director of the plant board. The secretary of agriculture will appoint the seed arbitration committee but the organizations with recommendation responsibilities will retain those. The deputy director of the Livestock and Poultry Commission will be restored to a director position. That director will be appointed by the governor in consultation with the secretary of agriculture. This adjustment mirrors the law prior to 2017. The secretary of agriculture shall employ the state veterinarian. The Department of Agriculture may assign additional laboratory duties and functions to the veterinary diagnostic lab but those additional duties will not be funded by special revenues and will be funded by the department. The Unpaved Roads Program will be moved under the Natural Resources Commission. The state forester will be employed by the Forestry Commission with the approval of the governor and shall serve at the pleasure of the governor. The act does not alter the administration or purpose of the promotion and research boards. The act becomes effective July 1, 2019 and initial agency heads will be named prior to that date.

Right-to-Farm Real Estate Disclosure

Sen. Matt Pitsch, Rep. DeAnn Vaught successfully supported **SB 408**, now **Act 515**. The act requires a closing agent to include notice of Arkansas' Right-to-Farm law in all real estate transactions. The act will raise awareness of the right to farm and the protection that is conveyed via the law.

Support the transfer of regulatory authority of agriculture non-point source pollution to Arkansas Department of Natural Resources

Sen. Gary Stubblefield and Rep. Mary Bentley's **SB 550** to transfer the regulatory authority of non-point source pollution from Arkansas Department of Environment Quality to Arkansas Department of Natural Resources has been referred to interim study by the House Agriculture, Forestry and Economic Committee. Although the bill was heavily opposed by certain environmental groups, Central Arkansas Water, Beaver Water District, Entergy and the governor, Sen. Stubblefield was successful in passing the bill out of the Senate. On the House side, it became evident that the

bill lacked the votes to advance out of the committee. Rep. Mary Bentley made the motion to refer the bill to interim study so the committee can review the process of other states where similar permits are administered by the Department of Agriculture.

New Farm Machinery Quality Assurance Act

Sen. Blake Johnson and Rep. Marcus Richmond were lead sponsors on **SB 450**, now **Act 588**, to create the New Farm Machinery Quality Assurance Act, commonly known as a “lemon law.” The act gives farmers the right to a refund or replacement equipment if a new piece of farm machinery is repaired three or more times for the same issue (or five times for different issues) or 30 days of “out” time in the first 12 months or 600 hours from delivery. The act does not apply to equipment under 25-horse power, lawn mowers or ATVs. Dealers are responsible for

that do not substantially impact the use of the machinery will not trigger the act. The act applies to self-propelled farm machinery purchased after Jan. 1, 2020.

Reorganize the membership of the Livestock & Poultry Commission with more industry and farmer representation

Sen. Bruce Maloch’s **SB 536** to make the majority of the seats on the Livestock and Poultry Commission active producers lacked momentum to advance this session.

SESSION HIGHLIGHTS

Gov. Asa Hutchinson established his agenda early in the session frequently saying he wanted to address four T’s:



notifying buyers at the time of purchase of the law and their rights under the law. **SB 450** incentivizes dealers to provide replacement equipment during repair time because days of “out time” do not count if replacement equipment is provided. Buyers are responsible for notifying appropriate dealers or manufacturers using certified mail when seeking remedy under the law. Damage caused by abuse, neglect, accidents or nonconformities

Transformation of Government, Tax Reform, Transportation and Teacher Pay. Transformation and transportation both coincided with priorities of Arkansas Farm Bureau. The legislature passed legislation addressing both. The General Assembly also adopted a modest increase in pay for beginning teachers via **HB 1145 (Act 170)**, raising the minimum to \$36,000 by 2022-23 with a budget impact of \$60 million.

SENATE VOTE 3/5/2019

Yeas: 25

Bledsoe, Bond, Caldwell, E. Cheatham, L. Chesterfield, J. Cooper, L. Eads, Elliott, Flippo, S. Flowers, J. Hendren, Hickey, K. Ingram, B. Johnson, M. Johnson, G. Leding, Maloch, M. Pitsch, Rapert, Rice, B. Sample, G. Stubblefield, J. Sturch, Teague, D. Wallace

Nays: 8

B. Ballinger, A. Clark, B. Davis, J. Dismang, T. Garner, K. Hammer, Hester, Hill

Non Voting: 2

J. English, Irvin

Present: 0

Excused: 0

HJR 1018

HOUSE VOTE 3/4/2019

Yeas: 67

F. Allen, Barker, Boyd, Bragg, Brown, Burch, Capp, Christiansen, Cloud, Clowney, Coleman, A. Collins, C. Cooper, Cozart, Crawford, Dalby, A. Davis, Della Rosa, D. Douglas, Eubanks, Evans, D. Ferguson, K. Ferguson, Fielding, C. Fite, L. Fite, V. Flowers, Fortner, D. Garner, Gazaway, Glover, Godfrey, M. Gray, Hawks, Hillman, M. Hodges, Holcomb, House, Jett, L. Johnson, Kelly, Ladyman, Love, Lynch, Magie, McCullough, McNair, Murdock, Nicks, Perry, Richardson, Richey, Richmond, Rye, Scott, Slape, B. Smith, S. Smith, Tosh, Vaught, Wardlaw, Warren, Watson, D. Whitaker, Wing, Wooten, Mr. Speaker

Nays: 30

Beck, Bentley, Berry, Breaux, Cavanaugh, M. Davis, Deffenbaugh, Dotson, Eaves, Gates, Gonzales, G. Hodges, Jean, Lowery, Lundstrum, Maddox, J. Mayberry, McColium, McKenzie, S. Meeks, Miller, Payton, Penzo, Petty, Pilkington, Sorvillo, Speaks, Sullivan, Walker, Womack

Non Voting: 2

Blake, Rushing

Present: 1

Hollowell

SENATE VOTE 3/7/2019

Yeas: 25

Bond, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Cooper, B. Davis, J. Dismang, L. Eads, Elliott, J. English, S. Flowers, J. Hendren, Hickey, Hill, K. Ingram, B. Johnson, M. Johnson, Maloch, M. Pitsch, Rapert, Rice, J. Sturch, Teague, D. Wallace

Nays: 7

B. Ballinger, Flippo, T. Garner, K. Hammer, Hester, Irvin, G. Stubblefield

Non Voting: 3

Bledsoe, G. Leding, B. Sample

Present: 0

Excused: 0

- Establish new food labeling laws/regulations (**HB 1407** and **SB 563**)
 - **HB 1407** is now **Act 501**. It creates a law regarding mislabeling of food products. **SB 563** allows the Department of Agriculture to establish food labeling rules.

HB1407

HOUSE VOTE 3/4/2019

Yeas: 87

Barker, Beck, Bentley, Berry, Boyd, Bragg, Breaux, Brown, Burch, Capp, Cavanaugh, Christiansen, Cloud, Clowney, Coleman, A. Collins, C. Cooper, Cozart, Crawford, Dalby, A. Davis, M. Davis, Deffenbaugh, Della Rosa, D. Douglas, Eaves, Eubanks, Evans, D. Ferguson, Fielding, C. Fite, L. Fite, Fortner, D. Garner, Gates, Gazaway, Glover, Gonzales, M. Gray, Hawks, Hillman, G. Hodges, M. Hodges, Holcomb, Hollowell, House, Jean, Jett, Kelly, Ladyman, Love, Lowery, Lundstrum, Lynch, Maddox, Magie, J. Mayberry, McCullough, McKenzie, McNair, Miller, Murdock, Nicks, Payton, Penzo, Perry, Petty, Pilkington, Richey, Richmond, Rushing, Rye, Scott, Slape, B. Smith, S. Smith, Sorvillo, Speaks, Sullivan, Tosh, Vaught, Wardlaw, Warren, Watson, Wing, Womack, Wooten

Nays: 4

Dotson, Godfrey, McCollum, D. Whitaker

Tax Reform

The General Assembly adopted multiple measures of tax reform during the 2019 session. The major reform measures were done in **SB 211**, **SB 447**, **SB 561** and **SB 576**.

At beginning of the session, Gov. Asa Hutchinson, supported by legislative leadership, advocated for **SB 211 (Act 182)** to reduce the rate on the state's top income earners. The new plan will be phased in over two years. The first year, beginning Jan. 1, 2020, will see the traditional, six-rate upper income bracket eliminated and replaced with a four-rate bracket of 2 percent, 4 percent, 5.9 percent and 6.6 percent. In the proposed plan, the state will consolidate brackets and reduce the top marginal tax rate from 6.9 percent to 6.6 percent. Also reducing the top marginal tax rate in the middle-income bracket from 6 percent to 5.9 percent. The fiscal impact of this phase will be \$51.2 million. This cost will be split between two state fiscal years, with \$25.6 million cuts in FY2020 and FY2021. The second year, beginning Jan. 1, 2021, will reduce the top marginal tax rate from 6.6

on the first \$22,500 of income which is reported by upper income taxpayers. This increased income offsets the total cost of the plan. Taxpayers with at least \$38,200 in taxable income will receive a tax cut. The current top rate of 6.9 percent applies to people with at least \$79,300 a year in 2018 taxable income. Under the new law, the 5.9 percent rate would apply to those making at least \$80,500 a year.

The state also reduced the state's corporate income tax and applied the internet sales tax via **SB 576** now **Act 822**. It amends Arkansas tax laws regarding various provisions for the filing on income taxes by corporations; state and local sales and use taxes on remote seller tax collection requirements; and sales tax requirements on car washes. The act provides specific amending provisions for the following:

- Reduce the state's top corporate income tax rate from 6.5 percent to 6.2 percent for income exceeding \$100,000 for tax years starting on or after Jan. 1, 2021, and to 5.9 percent for income exceeding \$25,000 for tax years beginning on or after Jan.



percent to 5.9 percent. The fiscal impact of this second phase will be \$45.8 million. The impact will be spread across two fiscal years, FY2021 and FY2022. When fully implemented, the budget impact will be \$97 million. The 2-4-5.9 plan will impose marginally higher rates of tax

1, 2022. Phase in an extension of net operating loss carry-forward periods (\$70 million revenue loss when fully implemented in 2032);

- Requires the collection of sales and use tax by remote sellers and marketplace facilitators (internet sales

tax – \$35 million revenue gain);

- Change the state’s sales and tourism tax provisions to provide that “accommodations intermediaries” (companies like Air B and B and Vacation Rental by Owner) would be required to collect and remit Arkansas taxes when furnishing an accommodation in the state.

- Provide a sales tax exemption for certain providers of carwash services;
- Exempts from sales tax all purchases by car wash operators; and
- Levies new annual fees on certain car wash operators and monthly water usage fees on operators of car wash tunnels.

SB 447, now Act 808, increases the Homestead Tax Credit to \$375. **Act 808** diverts \$8.2 million from the property tax relief trust fund to the county voting systems grant fund. It shifts other excess money from the trust fund to the state’s long-term reserve fund. The finance department projects transfers of \$24.5 million to the long-term reserve fund in 2020 and then \$29.4 million in 2021.

SB 561 now Act 819:

- Transfers the administration and collection of the state’s franchise tax from the secretary of state’s office to the Department of Finance and Administration, effective May 1, 2021.
- Requires the Assessment Coordination Department to adopt mandatory guidelines to be followed by county assessors to identify property exempt from property taxes and for assessing business inventory. The department would report noncompliance by counties to the Legislature.
- Requires the finance department to report to the Legislative Council and the governor before each regular legislative session on the effect of each income and sales tax exemption, discount, credit and deduction.
- Provides a sales-tax exemption for advertising space on a public transit bus, effective Oct. 1.
- Requires more information on all-terrain vehicles to ensure that they are eligible for the farm machinery and equipment sales tax exemption at the time of purchase, effective Oct. 1.

HB 1980 now Act 1071 passed late in the session to equalize the tax for e-cigarettes. The tax adjustment was originally paired with an Earned Income Tax Credit. When that bill stalled in the House Revenue and Taxation, **HB 1980 (Act 1071)** was introduced to address the e-cigarette tax.

CONSTITUTIONAL AMENDMENTS

The General Assembly referred three items to the voters for the 2020 ballot. The first was issue was the highway funding measure including in the Arkansas Farm Bureau priority list. The other two are yet another proposed change to Arkansas’ term limit law for state senators and representatives and ballot initiative reform.

Term Limits

Legislators hope offering a voluntary reduction in years of service will stall efforts for a ballot initiative on the issue. A ballot initiative proposed in the last election cycle would have termed more than 60 percent of the current General Assembly. (Farm Bureau was part of a coalition that successfully challenged that ballot issue and removed it from



Non Voting: 9

F. Allen, Blake, K. Ferguson, V. Flowers, L. Johnson, S. Meeks, Richardson, Walker, Mr. Speaker

Present: 0

SENATE VOTE on HB1407 3/13/2019

Yeas: 31

Bledsoe, Bond, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Cooper, J. Dismang, L. Eads, Elliott, J. English, Flippo, S. Flowers, K. Hammer, Hester, Hickey, Hill, K. Ingram, Irvin, B. Johnson, M. Johnson, G. Leding, Maloch, M. Pitsch, Rapert, Rice, B. Sample, G. Stubblefield, J. Sturch, Teague, D. Wallace

Nays: 3

B. Ballinger, B. Davis, T. Garner

Non Voting: 1

J. Hendren

Present: 0

Excused: 0

SB 563

SENATE VOTE 3/20/2019

Yeas: 33

Bledsoe, Bond, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Cooper, B. Davis, J. Dismang, L. Eads, Elliott, J. English, Flippo, S. Flowers, K. Hammer, J. Hendren, Hester, Hickey, Hill, K. Ingram, Irvin, B. Johnson, M. Johnson, G. Leding, Maloch, M. Pitsch, Rapert, Rice, B. Sample, G. Stubblefield, J. Sturch, Teague, D. Wallace,

Nays: 2

B. Ballinger, T. Garner

Non Voting: 0

Present: 0

Excused: 0

HOUSE VOTE 3/28/2019

Yeas: 93

F. Allen, Barker, Bentley, Berry, Blake, Boyd, Bragg, Breaux, Brown, Burch, Capp, Cavanaugh, Christiansen, Cloud, Clowney, Coleman, A. Collins, C. Cooper,

continues

Cozart, Crawford, Dalby, A. Davis, M. Davis, Deffenbaugh, Della Rosa, D. Douglas, Eaves, Eubanks, Evans, D. Ferguson, K. Ferguson, Fielding, C. Fite, L. Fite, V. Flowers, Fortner, D. Garner, Gates, Gazaway, Glover, Godfrey, M. Gray, Hawks, Hillman, G. Hodges, M. Hodges, Holcomb, Hollowell, House, Jean, Jett, L. Johnson, Kelly, Ladyman, Love, Lundstrum, Lynch, Maddox, Magie, J. Mayberry, McCollum, McCullough, McKenzie, McNair, S. Meeks, Miller, Murdock, Nicks, Penzo, Perry, Petty, Pilkington, Richardson, Richey, Richmond, Rushing, Rye, Scott, Slape, B. Smith, S. Smith, Sorvillo, Speaks, Sullivan, Tosh, Vaught, Wardlaw, Warren, Watson, D. Whitaker, Wing, Womack, Wooten

Nays: 1
Dotson

Non Voting: 6
Beck, Gonzales, Lowery, Payton, Walker, Mr. Speaker

Present: 0

- Strengthen Right to Farm law (**SB 408**)
– **SB 408** to require disclosure of the state's right to farm law in real estate transactions is now **Act 515**.

SB 408
SENATE VOTE 3/12/2019

Yeas: 33
B. Ballinger, Bledsoe, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Cooper, B. Davis, J. Dismang, L. Eads, Elliott, J. English, Flippo, S. Flowers, T. Garner, K. Hammer, J. Hendren, Hester, Hill, K. Ingram, Irvin, B. Johnson, M. Johnson, G. Leding, Maloch, M. Pitsch, Rapert, Rice, B. Sample, G. Stubblefield, J. Sturch, Teague, D. Wallace

Nays: 2
Bond, Hickey

Non Voting: 0

Present: 0

Excused: 0

the ballot.) **SJR 15** would limit legislators elected on or after Jan. 1, 2021, to 12 years in the Legislature, with the ability to return after a four-year break. Two-year terms served as a result of apportionment would count in the total. Partial terms served after a special election would not be included. This proposal is virtually identical to Farm Bureau policy: **Government 157:25**: “*We recommend increasing the time of maximum service to at least 12 years in the House of Representatives and in the Senate, and allowing a legislator who has served his maximum time to stand for reelection after a four-year absence.*”

The final ballot referral would reform the ballot initiative process. **HJR 1008** would continue to allow citizen initiatives but would make the process more stringent. It would repeal the 30-day signature cure period, move the filing deadline for initiatives and signatures to Jan. 15 and set a deadline to file legal challenges on April 15, both dates in the General Election year. If voters approve, it will increase the number of counties from which a set number of signatures are required from 15 counties to three-fifths of the counties (45 of 75). **HJR 1008** also would increase the vote majority required by the legislature to make amendment referrals from a simple majority to a three-fifths (60%) majority. It has become increasingly easy for public referrals to get on the ballot if they have big money backers. In recent elections, Arkansans have voted on casinos, medical marijuana, statewide alcohol sales and minimum wage increases.

Revenue Stabilization Act

The state's general revenue budget will increase by \$124.1 million to \$5.75 billion in the fiscal year starting July 1, 2019 under the **Revenue Stabilization Act (RSA)** adopted by the General Assembly. The budget divides projected general revenue into A, B and C categories, with \$5.61 billion going to Category A, \$115.6 million to Category B and \$14.7 million to Category C. Category A is usually fully funded. Categories B and C are funded as revenue collections allow. As always, the bulk of state funding goes to fund certain major categories: education, higher education, corrections, and health. The Department of Human Services got the largest increase with a \$68 million bump. Budget Chairmen

Sen. Larry Teague and Rep. Lane Jean also passed companion bills for spending from the state's “rainy day fund,” including \$10.5 million for corrections facilities, \$30 million for the Quick Action Closing Fund, \$1.8 million for the U of A Division of Agriculture (as mentioned before), \$1.8 million for the Succeed Scholarship, \$500,000 for the State Military Department – Youth Challenge Program, \$10 million for the University of Arkansas for Medical Sciences National Cancer Institute Designation Trust Fund. In Arkansas, expenditures of state dollars require the adoption of an appropriation bill. Appropriation bills represent the authority to spend funds not always actual funds themselves. The **RSA** delegates most actual dollars. So-called “cash agencies or funds” like the commodity promotion and research boards are funded via special revenues. Those appropriations represent close estimates of funds that will be available for the agency.

OTHER

State Plant Board

Rep. David Hillman's **HB 1512**, now **Act 423**, changes the definition of “egregious violations” for the purposes of applying the State Plant Board's maximum fine. The State Plant Board can now fine applicators if they intentionally violate federal label requirements or a state law or rule when using Dicamba or herbicide containing auxin. **Act 423** has an emergency clause so the bill was effective as of March 11, 2019.

Rep. David Hillman's **HB 1854**, now **Act 1056**, updates three of the State Plant Board appointments. The act will allow the Vice President for Agriculture of the University of Arkansas to appoint two non-voting members for expertise. Those two non-voting members previously represented the head of the Entomology Department and head of the Department of Plant Pathology. Those departments have merged so **Act 1056** allows the university to add another member for more technical expertise. The act also replaces the representative (a feed manufacturer) from the Arkansas Feed Manufacturers Association with one member representing the Arkansas Bureau of Standards to be appointed by the Arkansas Oil Marketers Association.

Farm-To-School Program

Rep. Mary Bentley and Sen. Gary Stubblefield passed **HB 1615**, now **Act 506**, establishing a stronger farm-to-school program. The bill creates a full-time coordinator for the program housed at the Department of Agriculture. The coordinator will work to create better connections between schools and farmers so schools can procure food from local farmers. The coordinator will also work to establish more agriculture and nutrition education in schools. Arkansas is the only state that does not have a farm-to-school coordinator. Farm Bureau policy supports the farm-to-school program being administered by the Department of Agriculture. Our policy also includes numerous statements encouraging the education of children about agriculture and nutrition. Rep. Bentley also worked with the Department of Agriculture and the governor to fund the position.

Rep. Rick Beck and Sen. Matt Pitsch updated the state's law on local food procurement for state agencies via **HB 1853**, now **Act 796**.

in the 2017 session. The act allows the Livestock and Poultry Commission to establish permits for aerial depopulation. It also creates exceptions for transportation and release of tracked hogs for certain government researchers. The act expands the citation authority to more law enforcement officers. It creates a Feral Hog Eradication Fund supported by fines collected for feral hog-related violations. The fund will be used for eradication efforts.

Sen. Hammer also passed **SB 459** appropriating \$3 million to the Feral Hog Eradication Fund in the Arkansas Natural Resources Commission for eradication efforts. It will be funded from fines.

Solar Power

Sen. Dave Wallace passed **SB 145**, now **Act 464**, the solar power net metering bill. The legislation will enable third-party financing for those seeking to deploy solar. This financing tool is particularly important for tax exempt entities, such as schools, churches, cities and counties, colleges and universities,



Feral Hogs

Sen. Kim Hammer and Rep. Ken Bragg's **SB 460**, now **Act 991**, amends the state's feral hog law. The act is based on the work of the task force established

state agencies, and non-profit organizations. Additionally, **Act 464** increases the solar array size limit for commercial and industrial net-metering customers from 300 kilowatts to 1,000 kilowatts.

HOUSE VOTE 3/14/2019

Yeas: 86

Barker, Beck, Bentley, Berry, Boyd, Bragg, Breaux, Brown, Burch, Capp, Cavenaugh, Christiansen, Cloud, Clowney, Coleman, C. Cooper, Cozart, Crawford, Dalby, A. Davis, Deffenbaugh, Della Rosa, Dotson, D. Douglas, Eaves, Evans, D. Ferguson, C. Fite, L. Fite, V. Flowers, Fortner, D. Garner, Gates, Gazaway, Glover, Godfrey, Gonzales, M. Gray, Hillman, G. Hodges, M. Hodges, Holcomb, Hollowell, House, Jean, L. Johnson, Kelly, Ladyman, Love, Lowery, Lundstrum, Lynch, Maddox, Magie, J. Mayberry, McCollum, McCullough, McKenzie, McNair, S. Meeks, Miller, Nicks, Payton, Penzo, Perry, Petty, Pilkington, Richardson, Richmond, Rushing, Rye, Scott, Slape, B. Smith, S. Smith, Sorvillo, Speaks, Sullivan, Tosh, Vaught, Wardlaw, Warren, Watson, D. Whitaker, Wing, Womack

Nays: 0

Non Voting: 13

F. Allen, Blake, A. Collins, M. Davis, Eubanks, K. Ferguson, Fielding, Jett, Murdock, Richey, Walker, Wooten, Mr. Speaker

Present: 1

Hawks

• Expand the state's "lemon law" to include motorized farm equipment (**SB 450**)

SB 450

SENATE VOTE 3/14/2019

Yeas: 31

B. Ballinger, Bledsoe, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Cooper, B. Davis, J. Dismang, L. Eads, Elliott, J. English, Flippo, T. Garner, K. Hammer, J. Hendren, Hester, Hickey, Hill, K. Ingram, Irvin, B. Johnson, G. Leding, M. Pitsch, Rapert, Rice, B. Sample, G. Stubblefield, J. Sturch, Teague, D. Wallace

Nays: 1

Bond

Non Voting: 2

S. Flowers, Maloch

Present: 1

M. Johnson

continues

Excused: 0

HOUSE VOTE: 3/26/2019

Yeas: 84

Barker, Bentley, Berry, Blake, Boyd, Bragg, Breaux, Brown, Burch, Capp, Cavanaugh, Christiansen, Cloud, Clowney, Coleman, C. Cooper, Cozart, Crawford, Dalby, M. Davis, Della Rosa, D. Douglas, Eubanks, Evans, D. Ferguson, K. Ferguson, C. Fite, L. Fite, V. Flowers, Fortner, D. Garner, Gates, Gaza-way, Glover, Godfrey, Gonzales, M. Gray Hawks, Hillman, G. Hodges, M. Hodges, Holcomb, Hollowell, House, L. Johnson, Kelly, Ladyman, Love, Lowery, Lundstrum, Lynch, Maddox, J. Mayberry, McCullough, McKenzie, McNair, S. Meeks, Murdock, Nicks, Penzo, Perry, Petty, Pilkington, Richardson, Richey, Richmond, Rushing, Rye, Scott, Slape, B. Smith, S. Smith, Sorvillo, Speaks, Sullivan, Tosh, Vaught, Walker, Wardlaw, Warren, Watson, D. Whitaker, Wing, Wooten

Nays: 3

Dotson, McCollum, Womack

Non Voting: 12

F. Allen, Beck, A. Collins, A. Davis, Def-fenbaugh, Eaves, Jean, Jett, Magie, Miller, Payton, Mr. Speaker

Present: 1

Fielding

- Preserve the structure and purpose of the commodity promotion and research programs (All Research and Promotion Appropriations are now Acts)
- Protection of agriculture sales tax exemp-tions
 - The appointed legislative taskforce reviewed tax exemptions and essentially agreed that all were ap-propriate. The taskforce tweaked the process for the ATV exemption for ag-riculture. **SB 561** includes language concerning that exemption and will require more front end paperwork but keep the exemption. **SB 564** is now **Act 819**.

The measure also adds a “grandfathering” provision to provide market certainty for customers.

Public Safety Act of 2019

HB 1564 sponsored by Rep. Michelle Gray and Sen. Jason Rapert is now **Act 660**, The Arkansas Public Safety Act of 2019. The comprehensive act will transform the state’s 911 system. It will shift the network from the current analog system to an internet protocol (IP)-based network that will allow for interoperability among all Public Safety Answering Points (PSAPs). A new protocol will allow callers to use wireless and IP-based devices to call 911 and transmit text, images, video, and data. These changes

public safety connectivity charge of \$2.25. The public safety connectivity charge will generate \$38 million in new funding to support the transformation of the 911 network (\$18 million); to expand and maintain the state’s broadband infra-structure, assisting in the shift of 911 to Next Generation 911 (\$8 million); and to fund upgrades and maintenance for the Arkansas Wireless Information Network (AWIN), which is the statewide public safety communication system for Arkan-sas’ first responders (\$12 million).

Freedom of Information

SB 231 by Sen. Kim Hammer was reviewed in the Senate State Agencies Committee. The bill expands the state’s



will make the network faster and more accurate. The act will reduce the number of PSAPs in Arkansas. Consolidation of PSAPs will reduce the number of times a caller is transferred and create cost sav-ings and efficiencies. The Arkansas Public Safety Act will repeal three fees: local 911 tariffs, the Arkansas universal service charge, and the emergency telephone service charge but establish a uniform

Freedom-of-Information to include private entities that provide support to public entities. The bill failed for lack of a motion. Farm Bureau opposed how broadly the bill applied the FOI law.

Equine Infectious Anemia

SB 405 by Sen. Stubblefield to roll back the requirement for an equine infec-tious anemia verifier at events passed

the Senate but was stopped in the House Agriculture, Forestry, Economic Development Committee. The bill would have made the current law on verifiers voluntary. Farm Bureau opposed the bill.

Heavy Weight Permit

Rep. Hillman also filed **HB 1855**, now **Act 859**, which clarifies that the state's new heavy weight permit for agriculture includes a truck tractor and semi-trailer-trailer combination.

Grain Grading

HB 1846, now **Act 795**, by Rep. Dan Sullivan and Sen. Blake Johnson requires the Arkansas Department of Agriculture to promulgate rules for a certification program, based on USDA Federal Grain Inspection standards, to ensure grain buyers are training staff in the scale house.

To obtain the federal license the applicant must:

1. Fill out an application
2. Say they know how to grade grain
3. Have elevator sign off

The Arkansas Department of Agriculture will now be able to certify grain grading courses and inspect scale houses to ensure graders are following proper sampling and grading procedures as outlined by the USDA. An elevator would be required to hold a grain sample with excessive damage for two days to give farmers the ability to challenge the grade. The sample of grain would be sent to an official USDA grading agency to grade the disputed sample, and their grade of the sample, whether better or worse, would be the new official grade. For the purposes of this bill, excessive damage is only based on foreign matter and damage. The act does not include moisture and only applies to corn, soybeans and wheat.

Tax Exemptions

Rep. Chris Richey filed **HB 1871** to create a sales tax exemption for agriculture parts and labor but the bill was not heard in committee.

Freshman representative Craig Christiansen filed **HB 1539** to create a sales tax exemption for water purchases by a poultry farm used exclusively in the operation of the farm. The bill was never heard in committee.

SB 261 (Garner) would have created a sales tax exemption for all-terrain

vehicles for use in commercial forestry purchased by persons who are primarily engaged in the commercial production of timber. The bill passed the Senate but was never heard in the House committee.

Waste Districts

Sen. Scott Flipppo filed **SB 599**, now **Act 891**, to require the approval of quorum courts before the issuance of bonds for waste districts. **SB 599** provides more accountability for these types of bonds and possibly prevent another waste district failure like the one experienced in the northern part of the state.

Civil Immunity

Rep. DeAnn Vaught passed **HB 1497**, now **Act 518**, to provide civil immunity for owners of stolen agricultural equipment or off-road vehicles if that equipment is used in a crime and the crime results in damages, injuries or deaths. This act will provide protection for farmers.

Bottle Deposit Bill

HB 1771 by Rep. Vivian Flowers would have created a statewide bottle deposit and recycling program for beverage bottles, but was defeated in the House Public Health Committee. **HB 1771** created a fund for recycling paid for by levying a five cent deposit on bottles at retail and one cent fee to distributors. Consumers would be able to redeem bottles at redemption centers for the five cents. The centers would be funded by the one cent paid by distributors. Farm Bureau policy supports a reduction in litter and a bottle deposit program. In **Littering 171**, we recommend enforcement of litter laws.

2. We support:

- 2.1. *The Keep Arkansas Beautiful Commission.*
- 2.2. *Local and regional recycling centers.*
- 2.3. *A comprehensive statewide recycling bill.*
5. *A minimum deposit of 10 cents should be required on all beverage bottles or cans.*

Nursery Fraud Act of 1919

The Red Tape Reduction Working Group has proposed the elimination or revision of several licenses in Arkansas. Sen. Cooper filed **SB 166** striking the code related to nursery licenses. This is an old section of code dating from 1919,

SB 561

SENATE VOTE: 3/20/2019

Yeas: 32

B. Ballinger, Bledsoe, Bond, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Cooper, B. Davis, J. Dismang, L. Eads, Elliott, J. English, S. Flowers, T. Garner, K. Hammer, J. Hendren, Hester, Hill, K. Ingram, Irvin, B. Johnson, M. Johnson, G. Leding, Maloch, M. Pitsch, Rapert, Rice, B. Sample, G. Stubblefield, J. Sturch, D. Wallace

Nays: 1

Hickey

Non Voting: 2

Flippo, Teague

Present: 0

Excused: 0

HOUSE VOTE: 3/28/2019

Yeas: 77

F. Allen, Barker, Bentley, Berry, Blake, Boyd, Bragg, Breaux, Brown, Burch, Capp, Cavanaugh, Cloud, Clowney, Coleman, A. Collins, C. Cooper, Cozart, Crawford, Dalby, A. Davis, M. Davis, Della Rosa, Dotson, Eubanks, Evans, D. Ferguson, Fielding, C. Fite, L. Fite, Fortner, D. Garner, Gates, Gazaway, Glover, Godfrey, Hillman, G. Hodges, M. Hodges, Holcomb, Hollowell, L. Johnson, Kelly, Ladyman, Love, Lowery, Lundstrum, Maddox, Magie, J. Mayberry, McCollum, McCullough, McKenzie, S. Meeks, Miller, Penzo, Perry, Petty, Pilkington, Richardson, Richmond, Rushing, Rye, Scott, Slape, B. Smith, S. Smith, Sullivan, Tosh, Vaught, Wardlaw, Warren, Watson, D. Whitaker, Wing, Womack, Wooten

Nays: 12

Beck, Christiansen, D. Douglas, V. Flowers, House, Jean, Jett, McNair, Richey, Sorvillo, Speaks, Walker

Non Voting: 11

Deffenbaugh, Eaves, K. Ferguson, Gonzales, M. Gray, Hawks, Lynch, Murdock, Nicks, Payton, Mr. Speaker

Present: 0

continues

but upon hearing from nursery operators Arkansas Farm Bureau and the Arkansas Green Industry Association opposing the bill, the sponsor withdrew the legislation.

Internet Access

Rep. DeAnn Vaught and Sen. Breanne Davis filed **SB 150**, now **Act 198**, to advance internet access in the state. **Act 198** allows cities and county governments to partner with a private provider of broadband internet to provide internet services. **Act 198** allows rural areas to qualify for grant funds and make progress in ongoing efforts connect to broadband internet. Farm Bureau supported this bill.



Driving Under the Influence

Rep. LeAnn Burch filed **HB 1411**, now **Act 654**, to amend the code requiring blood alcohol testing for fatal accidents, accidents when there is reason to believe death may result or accidents when a person sustains serious bodily injury. The law will now apply to accidents occurring on all-terrain vehicles and agriculture equipment.

Animal Care and Welfare Veterinarian Technicians and Technologist Licensure

Rep. DeAnn Vaught and Sen. Bruce Maloch were lead sponsors of **HB 1124**, now **Act 169**, to create licenses for veterinarian technologists and technicians. Both licenses would be governed by the Veterinary Medical Examining Board. A veterinary technologist would be a graduate of a four-year baccalaureate program accredited by the American Veterinary Medical Association. Veterinary technician specialist would be a veterinary technician or veterinary technologist who has completed a formal process of education, training, experience, and testing through a specialty academy approved by the Committee of Veterinary Technician Specialties of the National Association of Veterinary Technicians in America. Technologist and technicians would have a more limited scope of practice than veterinarians and work in practice with a licensed veterinarian.

HB 1146, now **Act 286**, by Rep. Sarah Capp and Sen. Gary Stubblefield requires individuals to obtain an equine massage license from the Medical Veterinary Licensing Board before engaging in the practice of equine massage therapy.

HB 1778 by Rep. Jim Sorvillo would have increased maximum fines for the offense of animal cruelty for cats and dogs to \$2,500. It would have changed the minimum fine on second offense from \$400 to \$1,000. The bill would have applied a felony after a third offense in five years. The bill failed on the House floor. Farm Bureau policy opposes changes to the current law.

HB 1264, now **Act 139**, by Rep. John Payton and Sen. Scott Flipppo removes the requirement that chiropractors only engage in chiropractic care of an animal under the immediate supervision of a licensed veterinarian.

Industrial Hemp

HB 1270, now **Act 140**, by Rep. David Hillman authorizes the State Plant Board to establish fees to administer the industrial hemp research program. **HB 1363**, now **Act 161**, also by Rep. Hillman, appropriates \$30,000 to the Agriculture Department – State Plant Board for the Industrial Hemp Research Program.

Environment

HB 1362, now **Act 177**, by Rep. Lanny Fite and Sen. Bill Sample requires the Arkansas Department of Environmental Quality to implement the collection and disposal, or the collection and recycling of extra-large tires. Transfers \$300,000 to the Used Tire Recycling Fund for those purposes.

HB 1709, now **Act 668**, by Rep. Robin Lundstrum and Sen. Lance Eads amends language relating to user fees for Arkansas Department of Environmental Quality nutrient

water quality trading offset program.

SB 377, now Act 695, by Sen. Missy Irvin and Rep. Michelle Gray distributes \$300,000 of the revenue collected from landfill fees to the Arkansas Unpaved Roads Program Fund; \$150,000 to the scrap metal logbook program.

Rural Development

HB 1443, now Act 830, by Rep. DeAnne Vaught and Sen. Jimmy Hickey increases the number of cities that are considered areas of operation under the **Arkansas Rural Development Act**, by adding the territory of cities with between 5,500 and 9,000 population.

Mineral and Property Rights and Taxes

HB 1559, now Act 538, by Rep. Lane Jean and Sen. Matt Pitsch requires notice to the county assessor when mineral rights are subject to a division order or declaration of interest. Exempts the required electronic format for operators of ten or fewer producing wells. Establishes penalties for noncompliance.

HB 1663, now Act 708, by Rep. Jasen Kelly and Sen. Jane English requires a majority of the landowners in an improvement district with fewer than 1,000 landowners to approve it may issue bonds or approve a transaction that would add to the indebtedness of the district.

SB 282, now Act 451, by Sen. Trent Garner and Rep. Ken Brag reduces the percent of ownership interest in timber property that must give consent before removal and sale of timber when the co-owners or co-heirs are unknown or unlocatable, from 80 percent to 60 percent.

Elections

SB 346, now Act 376, by Sen. Matt Pitsch and Rep. DeAnnVaught requires the State Board of Election Commissioners, rather than the Attorney General, to determine whether a submitted ballot title and popular name are sufficient; amends the signature approval process of the Secretary of State.

SB 445, now Act 545, by Sen. Trent Garner and Rep. Grant Hodges establishes new school board election and primary dates. School board elections in even numbered years shall be held on the primary date or the general election date; in odd numbered years those elections shall be held on the first Tuesday following the first Monday of November or the third Tuesday in May. In the years when the office of governor appears on the ballot, the general primary shall be held on the third Tuesday in June, the preferential primary will be four weeks before the general. In years when the office of President of the United States appears on the ballot, the preferential primary will be the first Tuesday after the first Monday in March, the general primary will follow four weeks later. The party filing period will be one week in duration. In years when the office of governor is on the ballot, it will begin one week prior to the first day in March. For years when the office of President of the United States appears on the ballot, party filing will begin on the first Monday of November.

Daisy and Johnny

SB 75, now Act 581, will send Johnny Cash and Daisy

Bates, or at least their likenesses, to Washington D.C. to represent Arkansas in the U.S. Capitol. Daisy Bates was a civil rights activist, writer and publisher who worked and documented the struggle to end segregation in Arkansas. Johnny Cash sold 90 million records and influenced music across all genres. He is a member of both the Rock and Roll and Country Music Halls of Fame. The new statues will replace those of Uriah Rose, founder of the Rose Law Firm, and former senator and governor James P. Clarke. Both statues probably have spent more than a century in the U.S. Capitol; Rose was added in 1917 and Clarke in 1921. The switch will be years in the making because fundraising for the replacements will need to take place before the work will be commissioned. The current statues will likely return to Arkansas' Capitol or perhaps the Old State House Museum.

Other Acts of Interest

HB 1250, now Act 219, by Rep. Dan Douglas requires a municipal annexation ordinance to be heard at three consecutive regular meetings of the municipal governing body.

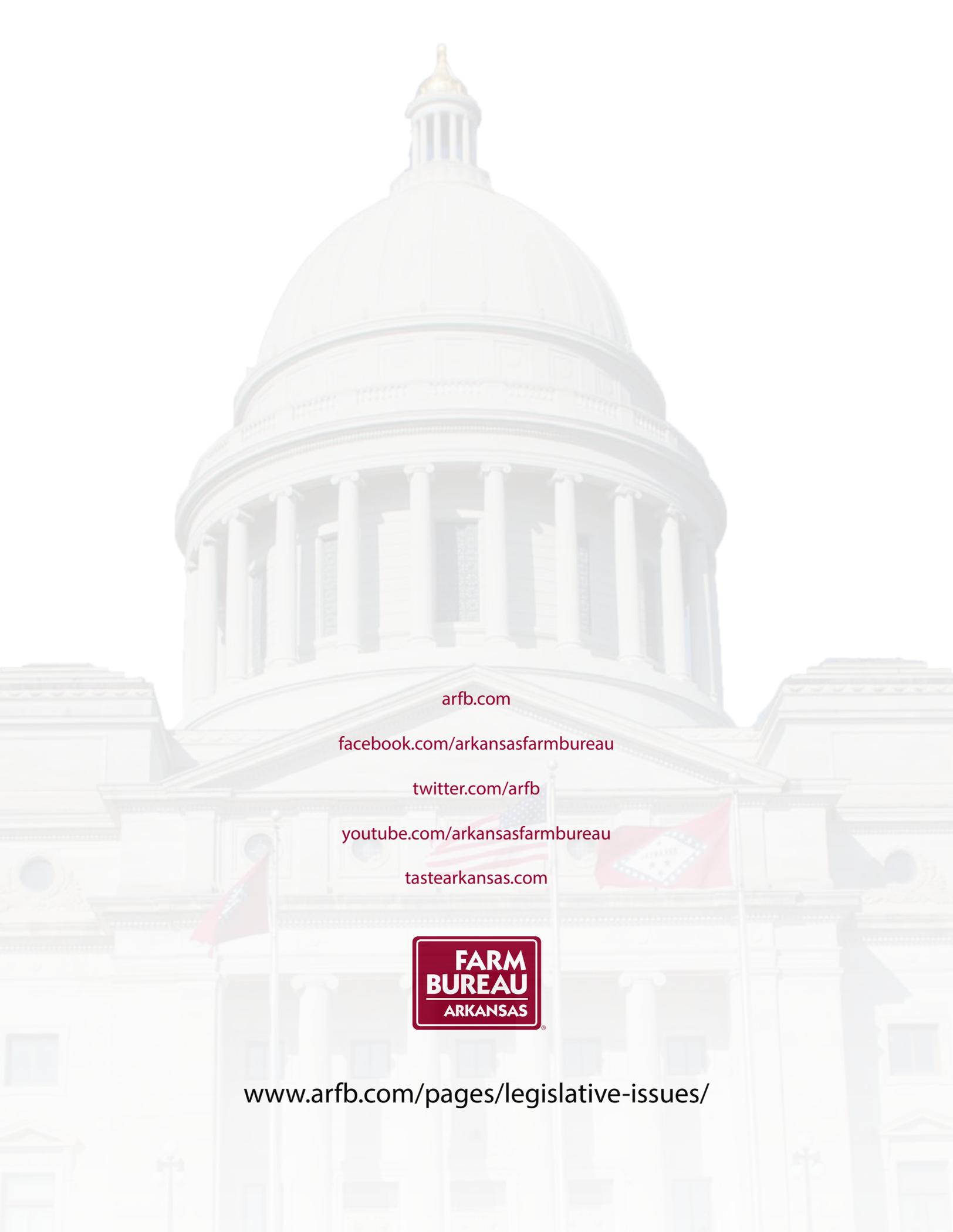
HB 1699, now Act 846, by Rep. Les Eaves authorizes the incidental sale of raw sheeps milk.

HB 1744, now Act 671, by Rep. Sarah Capp and Sen. Blake Johnson authorizes a study of ATV trail expansion, including the use of ATVs in state parks, by the Agriculture, Forestry and Economic Development Committees.

Effective Dates

Unless an Act indicates a different effective date, bills in Arkansas become effective 90 days after Sine Die or official adjournment. For the regular session of the 92nd General Assembly that date is July 24, 2019. Most appropriation bills match the fiscal year and become effective on July 1, 2019. We have noted the different effective dates of several other bills.



The background of the entire page is a faded, light-colored image of the Arkansas State Capitol building. The central focus is the large, white dome with a gold-colored top. Below the dome is a portico with several columns. In front of the building, there are two flagpoles; the one on the right holds the Arkansas state flag, and the one on the left holds the United States flag.

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