

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 45

"TO RESTRUCTURE VARIOUS STATE AGENCIES INTO TEN (10) DEPARTMENTS."

Amendment No. 4 to Senate Bill No. 45.

Amend Senate Bill No. 45 as engrossed, H2/25/03:

Page 1, line 29 after "(10)" and before "departments" insert "provisional"

AND

Page 1, line 32, after "for" and before "an" insert "a study of"

AND

Page 1, line 34, after "(10)" and before "departments" insert "provisional"

AND

Page 2, delete lines 3 through 6 and substitute the following:
"or entity, or any part thereof, as designated for transfer in section 4 through 13 of this act, has been designated solely for the purposes of grouping the entities to accomplish the efficiency study."

AND

Page 2, delete line 13 and substitute the following:
"stated in this act."

SECTION 2. (a)(1) Within thirty (30) days after the effective date of this act, the Governor shall announce the names of each of the ten (10) provisional department secretaries created in sections 4 through 13 of this act.

(2) The department secretaries created in this act shall be named on a provisional basis and shall not be made permanent positions.

(3) The former state government positions held by the department provisional secretary chosen by the Governor shall not be filled, but shall remain open.

(b) The ten (10) provisional department secretaries shall immediately undertake and implement an efficiency study designed to achieve a minimum



eight percent (8%) savings in current budgeted administrative costs for the entities to be transferred under this act.

(c) Within thirty (30) days of the effective date of this act, each entity designated for transfer under this act, shall identify and report to the ten (10) provisional department secretaries and the Joint Interim Committee on State Agencies and Governmental Affairs, the total administrative costs for the entity in real dollar amounts.

(d)(1) If House Bill 1742 of 2003 that requires the House and Senate Committees on State Agencies and Governmental Affairs to conduct a study of the feasibility and desirability to reorganize state government, and House Bill 1741 of 2003 concerning the appropriation for the proposed study in House Bill 1723 of 2003, become acts, and funding is available for the appropriation, the ten (10) provisional secretaries shall:

(A) Comply with the terms and conditions in the act resulting from House Bill 1742, including the timelines specified in the act; and

(B) Work in conjunction and in the full cooperation with the efficiency study provided for in the act resulting from House Bill 1742 of 2003.

(2) The provisional secretaries shall utilize the results of the analysis from the efficiency study to develop a detailed plan to further reorganize the department and eliminate duplication of effort and unnecessary duplication of equipment and facilities.

(3) The efficiency study conducted by the ten (10) department secretaries shall complete their analysis of the reorganization of state government and prepare a final report for delivery to the Governor no later than October 31, 2003.

(4) The provisional secretaries' plan for reorganization shall include:

- (A) Estimated costs of reorganization;
- (B) Projected savings from reorganization in real dollar amounts;
- (C) Projected improvements in service;
- (D) Anticipated effects on cost sharing and management of federal grants;
- (E) Provisions for efficient citizen input in to department decisions;
- (F) Planned mechanism for appeals of department actions;
- (G) Methods of assuring accountability for results;
- (H) Proposed timetable for implementation;
- (I) Proposed legislation required to implement reorganization; and
- (J) Required changes to the Arkansas Administrative Statewide Information System, estimated costs, and a timeline for the required changes to be accomplished.

(5) If House Bill 1742 of 2003 and House Bill 1741 of 2003 do not become acts or if funding is not made available, this act shall expire on May 1, 2003.

(f) The Governor, in conjunction with the ten (10) provisional secretaries, shall provide the plans for reorganization to the Legislative Council and the Joint Interim Committee on State Agencies and Governmental Affairs no later than November 15, 2003.

(g) The Governor is requested to call a special session to consider the proposed legislation if the cost of the session is outweighed by the reorganization savings multiplied by a factor of one and one half (1.5).

(h)(1) No permanent or temporary structural changes to any state agency or to the Arkansas Administrative Statewide Information System shall be made under this act.

(2) The entities designated for transfer in this act, specifically in sections 4 through 13, shall not actually be transferred to the ten (10) departments under this act, but the groupings shall only be used for purposes of the efficiency study performed by the ten (10) provisional department secretaries.

(i) Unless otherwise provided, this act shall expire on January 1, 2004."

AND

Page 2, delete lines 15 through 36

AND

Page 3, delete lines 1 through 36

AND

Page 4, delete lines 1 through 36

AND

Page 5, delete lines 1 through 36

AND

Page 6, delete lines 1 through 36

AND

Page 7, delete lines 1 through 36

AND

Page 8, delete lines 1 through 5

AND

Page 8, delete line 7 through 10 and substitute the following:

"SECTION 4. (a)(1) For purposes of the efficiency study there is created a Department of Agriculture.

(2) The executive head of the department shall be the provisional Secretary of the Department of Agriculture.

(3) The provisional secretary shall be appointed by the Governor as provided in this act."

AND

Page 8, line 12, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 8, line 15, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 8, line 18, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 8, line 21, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 8, line 24, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 8, line 28, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 8, delete line 31 through 26 and substitute the following:

“SECTION 5. (a)(1) For purposes of the efficiency study there is created a Department of Commerce.

(2) The executive head of the department shall be the provisional Secretary of the Department of Commerce.

(3) The provisional secretary shall be appointed by the Governor as provided in this act.”

AND

Page 9, delete line 1 and substitute the following:

“is designated for transfer in section 13 of this act, the Arkansas Department of Economic”

AND

Page 9, line 3, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 9, line 6, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 9, line 9, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 9, line 12, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 9, line 15, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 9, line 19, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 9, line 21, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 9, line 24, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 9, line 27, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 9, line 31, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 9, line 34, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 9, line 36, after “transferred” and before “by” insert “, for purposes

of the efficiency study,”

AND

Page 10, line 3, after “transferred” insert “, for purposes of the efficiency study,”

AND

Page 10, line 7, after “transferred” and before “by” insert “, for purposes of the efficiency study,”

AND

Page 10, delete line 9 through 12 and substitute the following:

“SECTION 6. (a)(1) For purposes of the efficiency study there is created a Department of Corrections.

(2) The executive head of the department shall be the provisional Secretary of the Department of Corrections.

(3) The provisional secretary shall be appointed by the Governor as provided in this act.”

AND

Page 10, line 17, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 10, line 21, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 10, line 23, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 10, line 26, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 10, delete line 29 through 32 and substitute the following:

“SECTION 7. (a)(1) For purposes of the efficiency study there is created a Department of Education.

(2) The executive head of the department shall be the provisional Secretary of the Department of Education.

(3) The provisional secretary shall be appointed by the Governor as provided in this act.”

AND

Page 10, line 34, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 1, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 5, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 8, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 10, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 13, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 17, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 20, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 11, line 24, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 28, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 30, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 11, line 33, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 12, line 1, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 12, delete lines 2 through 4 and substitute the following:

“(o) Except for the Arkansas Rehabilitation Services designated for transfer in section 12 of this act, the Office of Workforce Training designated for transfer in section 12 of this act, the State Department of Workforce Education, Arkansas”

AND

Page 12, line 6, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 12, line 12, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 12, line 19, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 12, line 22, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 12, delete lines 25 through 28 and substitute the following:

“SECTION 8. (a)(1) For purposes of the efficiency study there is created a Department of Finance and Administration.

(2) The executive head of the department shall be the provisional Secretary of the Department of Finance and Administration.

(3) The provisional secretary shall be appointed by the Governor as provided in this act.”

AND

Page 12, line 30, after “transferred” and before “by” insert “, for purposes

of the efficiency study”

AND

Page 12, delete lines 32 through 34 and substitute the following:
“this act.”

AND

Page 13, line 1, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 13, line 6, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 13, line 9, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 13, line 12, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 13, line 13 delete “Any reference to”

AND

Page 13, delete lines 14 through 15

AND

Page 13, line 17, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 13, line 20, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 13, line 23, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 13, line 26, after “transferred” and before “by” insert “, for purposes

of the efficiency study”

Page 13, line 29, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 13, line 32, after “transferred” and before “by” insert “, for purposes of the efficiency study”

Page 14, line 1, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 14, line 4, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 14, delete line 7 through 10 and substitute the following:

“SECTION 9. (a)(1) For purposes of the efficiency study there is created a Department of Health and Human Services.

(2) The executive head of the department shall be the provisional Secretary of the Department of Health and Human Services.

(3) The provisional secretary shall be appointed by the Governor as provided in this act.”

AND

Page 14, line 13 delete “transferred in section 14” and substitute “designated to be transferred in section 13”

AND

Page 14, line 15, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 14, delete lines 16 through 17 and substitute the following:
“and Human Services.”

AND

Page 14, line 19, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 14, line 22, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 14, line 24, delete “transferred in” and substitute “designated for transfer in”

AND

Page 14, line 24, delete “section 13” and substitute “section 12”

AND

Page 14, line 26, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 14, line 27 delete “Any”

AND

Page 14, lines 28 through 29

AND

Page 14, line 32, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 14, line 35, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 15, line 2, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 15, line 6, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 15, line 9, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 15, line 12, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 15, line 15, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 15, line 19, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 15, delete line 22 through 25 and substitute the following:

“SECTION 10. (a)(1) For purposes of the efficiency study there is created a Department of Homeland Security.

(2) The executive head of the department shall be the provisional Secretary of the Department of Homeland Security.

(3) The provisional secretary shall be appointed by the Governor as provided in this act.”

AND

Page 15, line 28, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 15, line 30, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 15, line 33, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 15, line 36, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 16, line 3, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 16, line 6, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 16, line 10, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 16, line 12, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 16, line 15, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 16, line 19, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 16, line 21, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 16, line 24, delete “transferred” and substitute “is designated for transfer”

AND

Page 16, line 31, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 16, delete lines 34 through 36 and substitute the following:

“SECTION 11. (a)(1) For purposes of the efficiency study there is created a Department of Interior.

(2) The executive head of the department shall be the provisional Secretary of the Department of Interior.

(3) The provisional Secretary shall be appointed by the Governor as provided in this act.”

AND

Page 17, delete line 1

AND

Page 17, line 3, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 17, line 8, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 17, line 12, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 17, line 15, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 17, line 18, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 17, line 21, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 17, line 25, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 17, line 27, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 17, line 30, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 17, line 33, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 1, after “transferred” and before “by” insert “, for purposes

of the efficiency study”

AND

Page 18, line 4, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 7, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 10, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 13, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 16, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 18, line 19, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 22, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 25, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 29, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 31, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 18, line 35, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 19, line 2, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 19, line 5, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 19, line 8, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 19, line 11, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 19, line 15, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 19, line 19, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 19, delete line 21 through 24 and substitute the following:

“SECTION 12. (a)(1) For purposes of the efficiency study there is created a Department of Labor, Employment, and Workforce.

(2) The executive head of the department shall be the provisional Secretary of the Department of Labor, Employment and Workforce.

(3) The provisional secretary shall be appointed by the Governor as provided in this act.”

AND

Page 19, line 26, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 19, line 30, after “transferred” and before “by” insert “, for purposes

of the efficiency study”

AND

Page 19, line 33, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 19, line 36, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 20, line 3, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 20, line 6, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 20, line 10, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 20, line 13, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 20, line 18, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 20, line 21, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 20, line 24, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 20, line 27, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 20, line 30, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 20, line 34, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 21, line 1, after “transferred” insert “, for purposes of the efficiency study”

AND

Page 21, line 4, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 21, line 7, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 21, line 11, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 21, line 14, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 21, line 18, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 21, line 22, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 21, delete line 25 through 28 and substitute the following:

“SECTION 13. (a)(1) For purposes of the efficiency study there is created a Department of Natural Resources.

 (2) The executive head of the department shall be the provisional Secretary of the Department of Resources.

 (3) The provisional secretary shall be appointed by the Governor as provided in this act.”

AND

Page 21, line 31, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 21, line 35, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 22, line 3, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 22, line 5, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 22, line 8, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 22, line 11, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 22, line 17, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 22, line 22, after “transferred” and before “by” insert “, for purposes of the efficiency study”

AND

Page 22, line 24 delete “SECTION 15.” and substitute “SECTION 14.”

Page 22, line 32 delete “reorganize” and substitute “study the reorganization of”

AND

Page 22, line 33 delete “merge” and substitute “the merger of”

AND

Page 22, line 34 delete "state; that the restructuring" and substitute "state. Therefore an"

And

Page 22, line 35 through 36.

And

Page 23, delete lines 1 through 3."

The Amendment was read _____

By: Representatives Thomason, Sullivan, Mahony

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Chief Clerk