

1 **State of Arkansas**

2 **78th General Assembly**

3 **Regular Session, 1991**

# **A Bill**

**HOUSE BILL 1106**

4 **By: Representatives Flanagin, Barclay, Dietz, Allen, Argue, Arnold, Baker,**  
5 **Beatty, Blair, Brown, Calhoun, Carter, Davis, Dawson, Easley, Fairchild,**  
6 **Forgey, Gibson, Gilbert, Goodwin, Henry, Hogue, Holland, Horn, Hunton,**  
7 **Hutchinson, Jones, Jordan, King, McCoy, McGee, McGinnis, McJunkin,**  
8 **McKissack, O. Miller, Mills, Mitchell, Mitchum, Moreland, Mullenix,**  
9 **Murphy, Northcutt, Parkerson, Pollan, Porter, Pryor, Purdom, Jim Roberts,**  
10 **Jacqueline Roberts, Rorie, Sanson, Schexnayder, Smith, Steele, Stephens,**  
11 **Stewart, Teague, Thicksten, Thurman, Townsend, Tullis, Wagner, Walker,**  
12 **Watts, Willems, J. Wilson, M. Wilson, B. Wood, K. Wood, Wooldridge and Wyrick.**

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## **For An Act To Be Entitled**

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

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27 SECTION 1. For the purposes of this act, the following terms shall have  
28 the respective meanings as herein set forth, unless the context hereof clearly  
29 indicates otherwise.

30 (a) "State agency" shall mean any officer, office, board, commission,  
31 department, council, bureau, institution or other agency of the state of  
32 Arkansas.

33 (b) "Joint interim committee of the General Assembly" shall mean and  
34 include the joint interim committees of the General Assembly as established by  
35 Arkansas Code 10-3-203(3)(A) and 10-3-701.

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SECTION 2. All powers, functions and duties heretofore vested in or exercised by the Performance Evaluation and Expenditure Review Subcommittee of the Legislative Council or by the Legislative Council after receiving recommendations of the Performance Evaluation and Expenditure Review Subcommittee, are hereby vested in and shall hereafter be exercised by the respective appropriate joint interim committees of the General Assembly.

SECTION 3. (a) All matters required to be submitted by the various state agencies to the Performance Evaluation and Expenditure Review Subcommittee of the Legislative Council or required to be submitted to the Legislative Council and which have in the past been referred to the Performance Evaluation and Expenditure Review Subcommittee for review shall hereafter be submitted to the respective joint interim committees of the General Assembly. Such matters shall be submitted to the appropriate joint interim committees as provided herein at the same time and in the same manner as such matters were heretofore submitted to the Legislative Council or the subcommittee of the Council.

For purposes of this act, the Joint Interim Committee listed below shall have jurisdiction of matters submitted by the respective state agencies pursuant this act:

- PUBLIC HEALTH, WELFARE AND LABOR.
- Department of Labor
- Employment Security Division and boards
- Department of Human Services and Boards
  - except for the Division of Aging and Adult Services
  - except Long Term Care of the Economic and Medical Services
- Child Care Facility Review Board
- Spinal Cord Commission
- Commission on Community Based Rehabilitation
- Disability Determination - Social Security Administration
- Psychology Examiners Board
- Podiatry Board
- Veterinary Medical Examining Board
- Dental Examiners
- Chiropractic Examiners

- 1 *Optometry Board*
- 2 *Inhalation Therapy Examination Board*
- 3 *Coal Mine Examiners Board*
- 4 *State Medical Board*
- 5 *Speech Pathology and Audiology*
- 6 *Social Work Registration Board*
- 7 *Nursing Board*
- 8 *Cosmetology Board*
- 9 *Barber Examiners Board*
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- 11 *PUBLIC TRANSPORTATION.*
- 12 *Arkansas Highway and Transportation Department*
- 13 *Waterways Commission*
- 14 *Motor Vehicle Commission*
- 15 *Aeronautics Department*
- 16 *Mobile Home Commission*
- 17 *Contractors Licensing Board*
- 18 *Manufactured Home Commission*
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- 20 *REVENUE AND TAXATION.*
- 21 *Racing Commission and Racing Division of Department of Finance and*
- 22 *Administration*
- 23 *Revenue Services Division of Department of Finance and Administration*
- 24 *Tax Division-Public Service Commission*
- 25 *Assessment Coordination-Public Service Commission*
- 26 *Revenue Department Building Commission*
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- 28 *STATE AGENCIES AND GOVERNMENTAL AFFAIRS.*
- 29 *Alcoholic Beverage Control Department and Board*
- 30 *Department of Finance and Administration-Management Services*
- 31 *Department of Arkansas Heritage and Boards*
- 32 *Department of Computer Services*
- 33 *State Building Services*
- 34 *State Capitol Grounds Commission*
- 35 *Capitol Zoning-District Commission*

- 1 *Governor's Mansion Commission*
- 2 *Public Accountancy Board*
- 3 *Professional Engineers and Land Surveyors*
- 4 *Architects*
- 5 *Abstractors Board of Examiners*
- 6 *Real Estate Commission*
- 7 *Athletic Commission*
- 8 *Election Commissioners Board*
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- 10 *JUDICIARY.*
- 11 *Department of Correction and Board of Correction*
- 12 *Judicial Department*
- 13 *Justice Building Commission*
- 14 *Prosecutor Coordinator Commission*
- 15 *Claims Commission*
- 16 *Commission on Law Enforcement Standards*
- 17 *State Police Department*
- 18 *Arkansas Crime Commission*
- 19 *Police Commission*
- 20 *Private Investigators and Private Security Agencies*
- 21 *Department of Veterans Affairs*
- 22 *State Military Department*
- 23 *Adjutant General*
- 24 *Air National Guard*
- 25 *Veteran's Child Welfare Service Office*
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- 27 *EDUCATION.*
- 28 *Boards and Department of Education*
- 29 *Board and Department of Vocational-Technical Education*
- 30 *Student Loan Authority*
- 31 *Student Loan Guarantee Program*
- 32 *State Board of Higher Education*
- 33 *Department of Higher Education*
- 34 *all vocational-technical schools*
- 35 *all community colleges*

- 1 *all institutions of higher education*
- 2 *Post-Secondary Education Planning Commission*
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- 4 *INSURANCE AND COMMERCE.*
- 5 *Public Service Commission - Utilities Division*
- 6 *Savings and Loan Association Board*
- 7 *State Bank Department and Board*
- 8 *State Insurance Department*
- 9 *State Securities Department*
- 10 *Savings and Loan Board*
- 11 *Burial Association Board*
- 12 *State Employees Insurance Advisory Committee*
- 13 *Board of Finance*
- 14 *Collection Agencies*
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- 16 *AGRICULTURE AND ECONOMIC DEVELOPMENT.*
- 17 *Soil and Water Resources Commission*
- 18 *Livestock and Poultry Commission*
- 19 *State Plant Board*
- 20 *Bureau of Standards*
- 21 *Department of Parks and Tourism and Board*
- 22 *Forestry Commission*
- 23 *Geology Commission*
- 24 *Oil and Gas Commission*
- 25 *Board of Registration for Foresters*
- 26 *Department of Arkansas Industrial Development and Commission*
- 27 *Game and Fish Commission*
- 28 *Soybean Promotion Board*
- 29 *Professional Soil Classifiers*
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- 31 *AGING AND LEGISLATIVE AFFAIRS.*
- 32 *Division of Aging and Adult Services of the Department of Human Services*
- 33 *Long Term Care of the Division of Economic & Medical Services of the*
- 34 *Department of Human Services*
- 35 *Department of Health and Boards*

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- 1 *Health Services Agency*
- 2 *Pharmacy Board*
- 3 *Hearing Aid Dispensers Board*
- 4 *Board of Physical Therapy*
- 5 *Therapy Technology Board*
- 6 *Embalmers and Funeral Directors*
- 7 *Radiation Control Agency*
- 8 *Cemetery Board*
- 9 *Consumers Advisory Board*

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11 *CITY COUNTY AND LOCAL GOVERNMENT.*

- 12 *Department of Pollution Control and Ecology and Boards*
- 13 *Liquified Petroleum Gas Board*
- 14 *Board of Sanitarians*
- 15 *Wastewater Plant Operator's Licensing Committee*
- 16 *Water Well Construction*
- 17 *Civil Air Patrol*
- 18 *Office of Emergency Services*
- 19 *Rural Medical Practice Student Loan*
- 20 *War Memorial Stadium Commission*

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22 *JOINT PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.*

- 23 *Highway Retirement System*
- 24 *Teacher Retirement System*
- 25 *State Police Retirement System*
- 26 *Judicial Retirement System*
- 27 *Quasi-Judicial Retirement System*
- 28 *Public Employees Retirement System*

29 *All matters required to be submitted by any state agency, which agency*  
30 *is not listed above, shall be submitted to the Joint Interim Committee on*  
31 *State Agencies and Governmental Affairs for its review until such time as the*  
32 *Legislative Council determines the appropriate joint interim committee to*  
33 *review matters submitted by that agency. Provided, the Legislative Council*  
34 *shall not refer such matters to the Legislative Council or to a subcommittee*  
35 *of the Council for review.*

1 (b) At the next regular or special meeting of a joint interim  
2 committee, all such matters referred to the committee subsequent to the last  
3 meeting of the committee or designated subcommittee thereof, shall be placed  
4 on the agenda for the meeting of such joint interim committee, together with  
5 any staff report and comments in regard thereto.

6 (c) Notice that such item is being placed on the meeting agenda of said  
7 joint interim committee may be furnished to the various state agencies  
8 involved upon direction of the co-chairmen of the joint interim committee in  
9 order that the respective agencies may be represented at such joint interim  
10 committee meeting to explain the matter, and to answer questions in regard  
11 thereto if raised by the committee.

12 (d) Upon conclusion of the committee's consideration of any matter,  
13 the committee or designated subcommittee thereof shall notify the state agency  
14 that it has completed its review.

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16 SECTION 4. Whenever the General Assembly is meeting in regular or  
17 special session, the House of Representatives and Senate standing committees  
18 may meet jointly at a time agreed upon by both chairmen to review matters  
19 referred to the committee since convening of the session or pending at the  
20 time the session was convened.

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22 SECTION 5. *The respective joint interim committees of the General*  
23 *Assembly are hereby authorized to adopt appropriate procedures and practices*  
24 *including utilization of subcommittees to enable the respective committees to*  
25 *carry out their responsibilities under the provisions of this act.*

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27 SECTION 6. All provisions of this act of a general and permanent nature  
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
29 Revision Commission shall incorporate the same in the Code.

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31 SECTION 7. If any provision of this act or the application thereof to  
32 any person or circumstance is held invalid, such invalidity shall not affect  
33 other provisions or applications of the act which can be given effect without  
34 the invalid provision or application, and to this end the provisions of this  
35 act are declared to be severable.

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SECTION 8. All laws and parts of laws in conflict with this act are hereby repealed.

*/s/ Pat Flanagan et al*