

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

SENATE BILL 45

5 By: Senator B. Johnson
6 By: Representative Childers
7

For An Act To Be Entitled

10 AN ACT TO REORGANIZE VARIOUS STATE AGENCIES INTO
11 TEN (10) DEPARTMENTS; AND FOR OTHER PURPOSES.
12

Subtitle

14 AN ACT TO REORGANIZE VARIOUS STATE
15 AGENCIES INTO TEN (10) DEPARTMENTS.
16
17

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

SECTION 1. Legislative purpose.

21 (a) The General Assembly declares that this act is necessary to
22 enhance the delivery of services to the people of Arkansas in an effective
23 and efficient manner; to provide for administrative cost savings in the
24 delivery of these services by combining overlapping functions and eliminating
25 duplications of functions of state government; and to achieve the grouping of
26 state agencies into ten (10) departments primarily according to function in
27 order to facilitate an increase in efficiency and reduction of administrative
28 costs.

29 (b) It is the intent of the General Assembly to provide for an orderly
30 transfer of powers, duties, and functions of the various state agencies to
31 the ten (10) departments with a minimum of disruption of governmental
32 services and functions and with a minimum of expense.

33 (c) This act shall be liberally construed to achieve the purposes
34 stated in this act.
35

36 SECTION 2. (a)(1) For the purposes of this act, when any department,



1 institution, or other agency, or part thereof, is transferred to a principal
 2 department created under section 5 through 14 of this act by a type 1
 3 transfer, the transferred department, institution, or agency, or part
 4 thereof, shall be administered under the direction and supervision of that
 5 principal department, but shall retain exactly the same powers, authorities,
 6 duties, and functions prescribed by law as it had prior to the transfer,
 7 including:

8 (A) Rulemaking, regulation, licensing, and registration;

9 (B) The promulgation of rules, rates, regulations, and
 10 standards; and

11 (C) The rendering of findings, orders, and adjudications.

12 (2) The transferred department, institution, agency, or part
 13 thereof, shall exercise these powers, authorities, duties, and functions
 14 independently of the secretary of the principal agency into which it has been
 15 transferred.

16 (b) Following a type 1 transfer, the members of any statutory board or
 17 commission so transferred, and their successors, shall continue to be
 18 selected in the manner and serve for the terms provided by the state law
 19 applicable to the board or commission as the law may be from time to time
 20 amended.

21 (c) Notwithstanding subsections (a) and (b) of this section, under a
 22 type 1 transfer, all management and administrative functions of any
 23 transferred department, institution, or other agency, or part thereof, shall
 24 be performed under the direction and supervision of the secretary of the
 25 principal department into which it was transferred. These management and
 26 administrative functions shall include, but not be limited to, all budgeting,
 27 fiscal, purchasing, accounting, human resources, payroll, legal, information
 28 systems, maintenance, program support, administrative support, and related
 29 management functions.

30 (d)(1) Notwithstanding subsections (a) and (b) of this section, under
 31 a type 1 transfer, the secretary of the principal department, with the advice
 32 and consent of the Governor, shall appoint the heads of the respective
 33 bureaus, offices or other divisions under that principal department, who
 34 shall serve at the pleasure of the secretary. The transferred department,
 35 institution, agency, or part thereof, shall not have any responsibility or
 36 authority with regard to the selection of those persons.

1 (2) Notwithstanding subsections (a) and (b) of this section,
2 under a type 1 transfer, all other personnel, positions titles,
3 appropriations, funds, assets, materials, data, and information of the
4 transferred department, institution, agency, or part thereof, shall be
5 transferred to the principal department to be used as directed by the
6 secretary for the effective operations of the principal department.

7 (3) Following a type 1 transfer, all personnel of the
8 transferred department, institution, agency, or part thereof, shall be
9 employed and serve at the pleasure of the secretary of the principal
10 department into which they have been transferred.

11 (4) Following a type 1 transfer, the transferred department,
12 institution, agency, or part thereof, shall not employ any personnel other
13 than those deemed by the secretary of the principal department into which
14 they were transferred to be necessary for the effective operations of the
15 department.

16 (e) With regard to any board or commission charged with the management
17 or control of a charitable, penal, or correctional institution, or an
18 institution of higher learning, as provided in Amendment 33 of the Arkansas
19 Constitution, nothing in this act shall be deemed to transfer the powers
20 vested in the board or commission if the transfer would violate the
21 provisions of Amendment 33.

22 (f) Nothing in this act shall be deemed to alter the manner of
23 selection or the length of the term of service for any position where state
24 law provides that the Governor shall appoint or select the person occupying
25 the position. For any person occupying a position on the effective date of
26 this act as a result of a Governor's appointment, nothing in this act shall
27 be deemed to alter that person's continued employment in that position or to
28 alter the length of that person's current term.

29
30 SECTION 3. (a) For the purposes of this act, a type 2 transfer means
31 the transfer of all or part of an existing department, institution, or agency
32 to one (1) of the principal departments established under sections 5 through
33 14 of this act. When all or part of any department, institution, or agency
34 is transferred under a type 2 transfer, its authority, powers, duties, and
35 functions as established by law, including all purchasing, budgeting, fiscal,
36 accounting, human resources, payroll, legal, information systems,

1 maintenance, program support, administrative support, and other management
2 functions, are transferred to the principal department into which it is
3 transferred. Also, all records, personnel, property, unexpended balances of
4 appropriations, allocations, or other funds are transferred to the principal
5 department.

6 (b)(1) When any department, institution, or agency, or part thereof,
7 is transferred by a type 2 transfer to a principal department created by
8 sections 5 through 14 of this act, all powers, duties, and functions,
9 including, but not limited to, rulemaking, regulation, and licensing;
10 promulgation of rules, rates, regulations, and standards; and the rendering
11 of findings, orders, and adjudications are transferred to the secretary of
12 the principal department into which the department, institution, or agency,
13 or part thereof, has been transferred.

14 (2) Following a type 2 transfer, all personnel of the
15 transferred department, institution, agency, or part thereof, shall be
16 employed and serve at the pleasure of the secretary of the principal
17 department into which they have been transferred.

18 (c) Following a type 2 transfer, the members of any statutory board or
19 commission so transferred, and their successors, shall continue to be
20 selected in the manner and serve for the terms provided by the state laws
21 applicable to that board or commission as the laws may from time to time be
22 amended.

23 (d) With regard to any board or commission charged with the management
24 or control of a charitable, penal, or correctional institution or an
25 institution of higher learning, as provided in Amendment 33 of the Arkansas
26 Constitution, nothing in this act shall be deemed to transfer the powers
27 vested in the board or commission if the transfer would violate the
28 provisions of Amendment 33.

29 (e) Nothing in this act shall be deemed to alter the manner of
30 selection or the length of the term of service for any position where state
31 law provides that the Governor shall appoint or select the person occupying
32 the position. For any person occupying a position on the effective date of
33 this act as a result of a Governor's appointment, nothing in this act shall
34 be deemed to alter that person's continued employment in that position or to
35 alter the length of that person's current term.

36

1 SECTION 4. (a)(1) For the purposes of this act, a type 3 transfer
2 means the abolishing of all or part of an existing department, institution,
3 or agency and the transferring of all of its powers, duties, and functions,
4 records, personnel, property, unexpended balances of appropriations,
5 allocations, or other funds to a principal department created under sections
6 5 through 14 of this act.

7 (2) Following a type 3 transfer, all personnel of the
8 transferred department, institution, agency, or part thereof, shall be
9 employed and serve at the pleasure of the secretary of the principal
10 department into which they have been transferred.

11 (b) When any department, institution, or agency, or part thereof, is
12 transferred by a type 3 transfer to a principal department created under
13 sections 5 through 14 of this act, all of its powers, duties, and functions
14 are transferred to the secretary of the principal department into which the
15 department, institution, agency, or part thereof, is transferred.

16
17 SECTION 5. (a) There is created a Department of Agriculture. The
18 executive head of the department shall be the Secretary of the Department of
19 Agriculture. The secretary shall be appointed by the Governor and shall
20 serve at the pleasure of the Governor.

21 (b) The Arkansas Livestock and Poultry Commission, Arkansas Code § 2-
22 33-101, and its functions, powers, and duties are transferred by a type 2
23 transfer to the Department of Agriculture.

24 (c) The Department of Rural Services, Arkansas Code § 15-6-105, and
25 its functions, powers, and duties are transferred by a type 2 transfer to the
26 Department of Agriculture.

27 (d) The Arkansas Rural Development Commission, Arkansas Code § 15-6-
28 104, and its functions, powers, and duties are transferred by a type 1
29 transfer to the Department of Agriculture.

30 (e) The Arkansas Delta Development Commission, Arkansas Code § 15-4-
31 2602, and its functions, powers, and duties are transferred by a type 1
32 transfer to the Department of Agriculture.

33 (f) Except for the State Division of Weights and Measures transferred
34 in section 6 of this act, the State Plant Board, Arkansas Code § 2-16-206,
35 and its functions, powers, and duties are transferred by a type 2 transfer to
36 the Department of Agriculture.

1 (g) The Division of Agriculture Development of the Arkansas
 2 Development Finance Authority, Arkansas Code § 15-5-802, and its functions,
 3 powers, and duties are transferred by a type 2 transfer to the Department of
 4 Agriculture.

5
 6 SECTION 6. (a) There is created a Department of Commerce. The
 7 executive head of the department shall be the Secretary of the Department of
 8 Commerce. The secretary shall be appointed by the Governor and shall serve
 9 at the pleasure of the Governor.

10 (b) The State Division of Weights and Measures, Arkansas Code § 4-18-
 11 311, and its functions, powers, and duties are transferred by a type 2
 12 transfer to the Department of Commerce.

13 (c) Except for the Federal Housing and Urban Development Community
 14 Block Grant program of the Arkansas Department of Economic Development, which
 15 is transferred in section 14 of this act, the Arkansas Department of Economic
 16 Development, Arkansas Code §§ 15-4-205 through 15-4-209, and its functions,
 17 powers, and duties are transferred by a type 2 transfer to the Department of
 18 Commerce.

19 (d) The Arkansas Economic Development Commission, Arkansas Code § 15-
 20 4-201, and its functions, powers, and duties are transferred by a type 1
 21 transfer to the Department of Commerce.

22 (e) The Arkansas Waterways Commission, Arkansas Code § 15-23-201, and
 23 its functions, powers, and duties are transferred by a type 2 transfer to the
 24 Department of Commerce.

25 (f) The State Insurance Department, Arkansas Code § 23-61-101, and its
 26 functions, powers, and duties are transferred by a type 2 transfer to the
 27 Department of Commerce. Any reference to the "State Insurance Department"
 28 shall be deemed to refer to the "Bureau of Insurance Regulation" within the
 29 Department of Commerce.

30 (g) Except for the Division of Agriculture Development transferred in
 31 section 5 of this act, the Arkansas Development Finance Authority, Arkansas
 32 Code § 15-5-201, and its functions, powers, and duties, are transferred by a
 33 type 2 transfer to the Department of Commerce.

34 (h) The Board of Directors of the Arkansas Development Finance
 35 Authority, Arkansas Code § 15-5-203, and its functions, powers, and duties
 36 are transferred by a type 1 transfer to the Department of Commerce.

1 (i) The Arkansas Science and Technology Authority, Arkansas Code § 15-
 2 3-103, and its functions, powers, and duties are transferred by a type 2
 3 transfer to the Department of Commerce.

4 (j) The Board of Directors of the Arkansas Science and Technology
 5 Authority, Arkansas Code § 15-3-104, and its functions, powers, and duties
 6 are transferred by a type 1 transfer to the Department of Commerce.

7 (k) The State Bank Department, Arkansas Code § 23-46-201, and its
 8 functions, powers, and duties are transferred by a type 2 transfer to the
 9 Department of Commerce. Any reference to the "State Bank Department" shall
 10 be deemed to refer to the Department of Commerce.

11 (l) The State Banking Board, Arkansas Code § 23-46-301, and its
 12 functions, powers, and duties are transferred by a type 1 transfer to the
 13 Department of Commerce.

14 (m) The State Securities Department, Arkansas Code § 23-42-201, and
 15 its functions, powers, and duties are transferred by a type 2 transfer to the
 16 Department of Commerce.

17 (n) Except for the Tax Division, which is transferred in section 9 of
 18 this act, the Arkansas Public Service Commission, Arkansas Code § 23-2-101,
 19 and its functions, powers, and duties, are transferred by a type 1 transfer
 20 to the Department of Commerce.

21 (o) The Arkansas Department of Aeronautics, Arkansas Code § 27-115-
 22 101, and its functions, powers, and duties are transferred by a type 2
 23 transfer to the Department of Commerce.

24 (p) The Arkansas Aeronautics Commission, Arkansas Code § 27-115-101,
 25 and its functions, powers, and duties are transferred by a type 1 transfer to
 26 the Department of Commerce.

27
 28 SECTION 7. (a) There is created a Department of Corrections. The
 29 executive head of the department shall be the Secretary of the Department of
 30 Corrections. The secretary shall be appointed by the Governor and shall
 31 serve at the pleasure of the Governor.

32 (b) The Department of Correction, Arkansas Code § 12-27-101, and its
 33 functions, powers, and duties are transferred by a type 2 transfer to the
 34 Department of Corrections.

35 (c) The Department of Community Correction, Arkansas Code § 12-27-125,
 36 and its functions, powers, and duties are transferred by a type 2 transfer to

1 the Department of Corrections.

2 (d) The Division of Youth Services of the Department of Human
 3 Services, Arkansas Code § 9-28-202, and its functions, powers, and duties are
 4 transferred by a type 2 transfer to the Department of Corrections.

5 (e) The Criminal Detention Facilities Review Coordinator, Arkansas
 6 Code § 12-26-103, and its functions, powers, and duties are transferred by a
 7 type 2 transfer to the Department of Corrections.

8 (f) The Post Prison Transfer Board, Arkansas Code § 16-93-201, and its
 9 functions, powers, and duties are transferred by a type 1 transfer to the
 10 Department of Corrections.

11 (g) The Board of Correction and Community Punishment, Arkansas Code §
 12 12-27-104, and its functions, powers, and duties are transferred by a type 1
 13 transfer to the Department of Corrections.

14
 15 SECTION 8. (a) There is created a Department of Education. The
 16 executive head of the department shall be the Secretary of the Department of
 17 Education. The secretary shall be appointed by the Governor and shall serve
 18 at the pleasure of the Governor.

19 (b) The Department of Education, Arkansas Code § 25-6-102, and its
 20 functions, powers, and duties are transferred by a type 2 transfer to the
 21 Department of Education created by this act.

22 (c) The State Board of Education, Arkansas Code § 6-11-101, and its
 23 functions, powers, and duties are transferred by a type 1 transfer to the
 24 Department of Education.

25 (d) The Advisory Council for Education of Children with Disabilities,
 26 Arkansas Code § 6-41-211, and its functions, powers, and duties are
 27 transferred by a type 1 transfer to the Department of Education.

28 (e) The Advisory Council for Education of Gifted and Talented,
 29 Arkansas Code § 6-42-104, and its functions, powers, and duties are
 30 transferred by a type 1 transfer to the Department of Education.

31 (f) The Arkansas School for the Blind, Arkansas Code § 6-43-201, and
 32 its functions, powers, and duties are transferred by a type 2 transfer to the
 33 Department of Education.

34 (g) The Arkansas School for the Deaf, Arkansas Code § 6-43-301, and
 35 its functions, powers, and duties are transferred by a type 2 transfer to the
 36 Department of Education.

1 (h) The Board of Trustees for the Arkansas School for the Blind and
2 the Arkansas School for the Deaf, Arkansas Code § 6-43-101, and its
3 functions, powers, and duties are transferred by a type 1 transfer to the
4 Department of Education.

5 (i) The Arkansas School for Mathematics and Sciences, Arkansas Code §
6 6-42-201, and its functions, powers, and duties are transferred by a type 2
7 transfer to the Department of Education.

8 (j) The Board of Trustees for the Arkansas School for Mathematics and
9 Science, Arkansas Code § 6-42-202, and its functions, powers, and duties are
10 transferred by a type 1 transfer to the Department of Education.

11 (k) The functions, powers, and duties of that part of the Division of
12 Child Care and Early Childhood Education, Arkansas Code § 20-78-205, that
13 relate to early childhood education are transferred by a type 2 transfer to
14 the Department of Education.

15 (l) The Department of Higher Education, Arkansas Code § 25-7-101, and
16 its functions, powers, and duties are transferred by a type 2 transfer to the
17 Department of Education. Any reference to the “Department of Higher
18 Education” shall be deemed to refer to the Department of Education.

19 (m) The Arkansas Higher Education Coordinating Board, Arkansas Code §
20 6-53-203, and its functions, powers, and duties are transferred by a type 1
21 transfer to the Department of Education.

22 (n) The Arkansas Student Loan Authority, Arkansas Code § 6-81-102, and
23 its functions, powers, and duties are transferred by a type 2 transfer to the
24 Department of Education.

25 (o) The State Board of Workforce Education and Career Opportunities,
26 Arkansas Code § 25-30-101, and its functions, powers, and duties are
27 transferred by a type 1 transfer to the Department of Education.

28 (p) Except for the Arkansas Rehabilitation Services transferred in
29 section 13 of this act, the Office of Workforce Training and Adult Education
30 transferred in section 13 of this act, and the Adult Education Section
31 transferred in section 13 of this act, the State Department of Workforce
32 Education, Arkansas Code § 25-30-106, and its functions, powers, and duties
33 are transferred by a type 2 transfer to the Department of Education.

34 (q) Each of the following: Arkansas Valley Technical Institute,
35 Cotton Boll Technical Institute, Crowley’s Ridge Technical Institute, Delta
36 Technical Institute, Foothills Technical Institute, Forest Echoes Technical

1 Institute, Northwest Technical Institute, Quapaw Technical Institute, and
 2 Arkansas State Technical Institute, and their functions, powers, and duties
 3 are transferred by a type 2 transfer to the Department of Education.

4 (r) The local Board of Directors of Arkansas Valley Technical
 5 Institute, Cotton Boll Technical Institute, Crowley's Ridge Technical
 6 Institute, Delta Technical Institute, Foothills Technical Institute, Forest
 7 Echoes Technical Institute, Northwest Technical Institute, Quapaw Technical
 8 Institute, and Arkansas State Technical Institute, Arkansas Code § 6-51-904,
 9 and their functions, powers and duties are transferred by a type 1 transfer
 10 to the Department of Education.

11 (s) The Arkansas Educational Television Commission, Arkansas Code § 6-
 12 3-101, and its functions, powers, and duties are transferred by a type 2
 13 transfer to the Department of Education.

14
 15 SECTION 9. (a) There is created a Department of Finance and
 16 Administration. The executive head of the department shall be the Secretary
 17 of the Department of Finance and Administration. The secretary shall be
 18 appointed by the Governor and shall serve at the pleasure of the Governor.

19 (b) The Department of Finance and Administration, Arkansas Code § 25-
 20 8-101, and its functions, powers, and duties are transferred by a type 2
 21 transfer to the Department of Finance and Administration created by this act.
 22 Any reference to the Department of Finance and Administration shall be deemed
 23 to refer to the Department of Finance and Administration created by this act.

24 (c) The Tax Division of the Arkansas Public Service Commission,
 25 Arkansas Code § 26-24-101(1)(A), and its functions, powers, and duties are
 26 transferred by a type 2 transfer to the Department of Finance and
 27 Administration.

28 (d) The functions, powers, and duties of the State Insurance
 29 Department with respect to the Insurance Premium Tax levied by Arkansas Code
 30 §§ 26-57-603, 26-57-604, and 26-57-605 and the Legal Insurance Premium Tax
 31 levied by Arkansas Code § 23-91-226 are transferred by a type 2 transfer to
 32 the Department of Finance and Administration.

33 (e) The Assessment Coordination Department, Arkansas Code § 25-28-101,
 34 and its functions, powers, and duties are transferred by a type 2 transfer to
 35 the Department of Finance and Administration.

36 (f) The Arkansas State Building Services, Arkansas Code § 22-2-104,

1 and its functions, powers, and duties are transferred by a type 2 transfer to
2 the Department of Finance and Administration. Any reference to the “Arkansas
3 State Building Services” shall be deemed to refer to the Department of
4 Finance and Administration.

5 (g) The State Building Services Council, Arkansas Code § 22-2-106, and
6 its functions, powers, and duties are transferred by a type 1 transfer to the
7 Department of Finance and Administration.

8 (h) The Executive Chief Information Officer, Arkansas Code § 25-33-
9 103, and the functions, powers, and duties are transferred by a type 2
10 transfer to the Department of Finance and Administration.

11 (i) The CIO Council, Arkansas Code § 25-11-105, and its functions,
12 powers, and duties are transferred by a type 1 transfer to the Department of
13 Finance and Administration.

14 (j) The Department of Information Systems, Arkansas Code § 25-4-104,
15 and its functions, powers, and duties are transferred by a type 2 transfer to
16 the Department of Finance and Administration.

17 (k) The Arkansas Racing Commission, Arkansas Code § 23-110-101, and
18 its functions, powers, and duties are transferred by a type 1 transfer to the
19 Department of Finance and Administration.

20
21 SECTION 10. (a) There is created a Department of Health and Human
22 Services. The executive head of the department shall be the Secretary of the
23 Department of Health and Human Services. The secretary shall be appointed by
24 the Governor and shall serve at the pleasure of the Governor.

25 (b) Except for the Division of Engineering and Sanitarian Services
26 transferred in section 14 of this act, the Department of Health, Arkansas
27 Code § 25-9-101, and its functions, powers, and duties, are transferred by a
28 type 2 transfer to the Department of Health and Human Services. Any
29 reference to the “Department of Health” shall be deemed to refer to the
30 Department of Health and Human Services.

31 (c) The State Board of Health, Arkansas Code § 20-7-102, and its
32 functions, powers, and duties are transferred by a type 1 transfer to the
33 Department of Health and Human Services.

34 (d) The Arkansas Minority Health Commission, Arkansas Code § 20-2-102,
35 and its functions, powers, and duties are transferred by a type 2 transfer to
36 the Department of Health and Human Services.

1 (e) Except for the Division of Services for the Blind transferred in
2 section 13 of this act, the Department of Human Services, Arkansas Code § 25-
3 10-101, and its functions, powers, and duties, are transferred by a type 2
4 transfer to the Department of Health and Human Services. Any reference to
5 the “Department of Human Services” shall be deemed to refer to the Department
6 of Health and Human Services.

7 (f) The State Department for Social Security Administration Disability
8 Determination, Arkansas Code § 20-76-301, and its functions, powers, and
9 duties are transferred by a type 2 transfer to the Department of Health and
10 Human Services.

11 (g) The Department of Veterans’ Affairs, Arkansas Code § 20-81-102,
12 and its functions, powers, and duties are transferred by a type 2 transfer to
13 the Department of Health and Human Services.

14 (h) The Arkansas Veterans’ Commission, Arkansas Code § 20-81-104, and
15 its functions, powers, and duties are transferred by a type 1 transfer to the
16 Department of Health and Human Services.

17 (i) The Arkansas Veterans’ Child Welfare Service Office, Arkansas Code
18 § 20-81-101, and its functions, powers, and duties are transferred by a type
19 2 transfer to the Department of Health and Human Services.

20 (j) The Disabled Veterans’ Service Office, Act 376 of 1951, and its
21 functions, powers, and duties are transferred by a type 2 transfer to the
22 Department of Health and Human Services.

23 (k) The Board of Developmental Disabilities Services, Arkansas Code §
24 25-10-104, and its functions, powers, and duties are transferred by a type 1
25 transfer to the Department of Health and Human Services.

26 (l) The Child Welfare Agency Review Board, Arkansas Code § 9-28-403,
27 and its functions, powers, and duties are transferred by a type 1 transfer to
28 the Department of Health and Human Services.

29 (m) The Department of Human Services State Institutional System Board,
30 Arkansas Code § 25-10-402, and its functions, powers, and duties are
31 transferred by a type 1 transfer to the Department of Health and Human
32 Services.

33
34 SECTION 11. (a) There is created a Department of Homeland Security.
35 The executive head of the department shall be the Secretary of the Department
36 of Homeland Security. The secretary shall be appointed by the Governor and

1 shall serve at the pleasure of the Governor.

2 (b) The Arkansas Drug Director of the Office of the Governor, Arkansas
3 Code § 20-64-1001, and its functions, powers, and duties are transferred by a
4 type 2 transfer to the Department of Homeland Security.

5 (c) The Arkansas Tobacco Control Board, Arkansas Code § 26-57-255, and
6 its functions, powers, and duties are transferred by a type 1 transfer to the
7 Department of Homeland Security.

8 (d) The Alcoholic Beverage Control Administration of the Department of
9 Finance and Administration, Arkansas Code § 3-2-202, and its functions,
10 powers, and duties are transferred by a type 2 transfer to the Department of
11 Homeland Security.

12 (e) The Alcoholic Beverage Control Board, Arkansas Code § 3-2-201, and
13 its functions, powers, and duties are transferred by a type 1 transfer to the
14 Department of Homeland Security.

15 (f) The Alcoholic Beverage Control Enforcement Division, Arkansas Code
16 § 3-2-203, and its functions, powers, and duties are transferred by a type 2
17 transfer to the Department of Homeland Security.

18 (g) The Department of Arkansas State Police, Arkansas Code § 12-8-101,
19 and its functions, powers, and duties are transferred by a type 2 transfer to
20 the Department of Homeland Security.

21 (h) The Arkansas State Police Commission, Arkansas Code § 12-8-102,
22 and its functions, powers, and duties are transferred by a type 1 transfer to
23 the Department of Homeland Security.

24 (i) The Arkansas Crime Information Center, Arkansas Code § 12-12-201,
25 and its functions, powers, and duties are transferred by a type 2 transfer to
26 the Department of Homeland Security.

27 (j) The Supervisory Board of the Arkansas Crime Information Center
28 Advisory Board, Arkansas Code § 12-12-202, and its functions, powers, and
29 duties are transferred by a type 1 transfer to the Department of Homeland
30 Security.

31 (k) The State Crime Laboratory, Arkansas Code § 12-12-301, and its
32 functions, powers, and duties are transferred by a type 2 transfer to the
33 Department of Homeland Security.

34 (l) The Crime Laboratory Board, Arkansas Code § 12-12-302, and its
35 functions, powers, and duties are transferred by a type 1 transfer to the
36 Department of Homeland Security.

1 (m) The Arkansas Commission on Law Enforcement Standards and Training,
2 Arkansas Code § 12-9-103, and its functions, powers, and duties are
3 transferred by a type 2 transfer to the Department of Homeland Security.

4 (n) The Arkansas Department of Emergency Management, Arkansas Code §
5 12-75-109, and its functions, powers, and duties are transferred by a type 2
6 transfer to the Department of Homeland Security.

7 (o) The State Military Department, Act 746 of 2001, §§ 1-4 and
8 Arkansas Code § 12-60-101, is transferred to the Department of Homeland
9 Security for administrative purposes. However, the Adjutant General of the
10 State and the Arkansas National Guard shall continue to report directly to
11 the Governor.

12 (p) The Law Enforcement Block Grants Division, the Violent Offender
13 Incarceration Grants Division, and the Drug Law Enforcement Grants Division
14 of the Department of Finance and Administration, and the functions, powers,
15 and duties of each are transferred by a type 2 transfer to the Department of
16 Homeland Security.

17
18 SECTION 12. (a) There is created a Department of the Interior. The
19 executive head of the department shall be the Secretary of the Department of
20 the Interior. The secretary shall be appointed by the Governor and shall
21 serve at the pleasure of the Governor.

22 (b) The Department of Parks and Tourism, Arkansas Code § 25-13-101,
23 and its functions, powers, and duties are transferred by a type 2 transfer to
24 the Department of the Interior. Any reference to the "Department of Parks
25 and Tourism" shall be deemed to refer to the Department of the Interior.

26 (c) The Department of Arkansas Heritage, Arkansas Code § 25-3-102, and
27 its functions, powers, and duties are transferred by a type 2 transfer to the
28 Department of the Interior.

29 (d) The State Parks, Recreation, and Travel Commission, Arkansas Code
30 § 15-11-201, and its functions, powers, and duties are transferred by a type
31 1 transfer to the Department of the Interior.

32 (e) The Plantation Agriculture Museum Advisory Commission created by
33 House Resolution 1003 of 1987 and its functions, powers, and duties are
34 transferred by a type 2 transfer to the Department of the Interior.

35 (f) The Prairie Grove Battlefield Commission, Arkansas Code § 13-7-
36 401, and its functions, powers and duties are transferred by a type 2

1 transfer to the Department of the Interior. Following the transfer, the
2 functions, powers and duties of the Commission shall be transferred by a type
3 2 transfer to the State Parks, Recreation and Travel Commission. The Prairie
4 Grove Battlefield Commission itself will be retained as an advisory
5 commission for the Prairie Grove Battlefield State Park.

6 (g) The Arkansas Post Museum Advisory Committee, Arkansas Code § 13-5-
7 603, and its functions, powers, and duties are transferred by a type 2
8 transfer to the Department of the Interior.

9 (h) The Arkansas Museum of Natural Resources Advisory Committee,
10 Arkansas Code § 13-5-404, and its functions, powers, and duties are
11 transferred by a type 2 transfer to the Department of the Interior.

12 (i) The Historic Arkansas Museum Commission, Arkansas Code § 13-7-302,
13 and its functions, powers, and duties are transferred by a type 2 transfer to
14 the Department of Interior. Following the transfer, the functions, powers
15 and duties of the Commission shall be transferred by a type 2 transfer to the
16 State Parks, Recreation and Travel Commission. The Historic Arkansas Museum
17 Commission itself will be retained as an advisory commission for the Historic
18 Arkansas Museum.

19 (j) The Delta Cultural Center Policy Advisory Board, Arkansas Code §
20 13-5-704, and its functions, powers, and duties are transferred by a type 2
21 transfer to the Department of the Interior.

22 (k) The Arkansas Natural Heritage Commission, Arkansas Code § 15-20-
23 304, and its functions, powers, and duties are transferred by a type 1
24 transfer to the Department of the Interior.

25 (l) The Mosaic Templars of America Center for African-American Culture
26 and Business Enterprise, Arkansas Code § 13-5-902, and its functions, powers,
27 and duties are transferred by a type 2 transfer to the Department of the
28 Interior.

29 (m) The Old State House Commission, Arkansas Code § 13-7-205, and its
30 functions, powers and duties are transferred by a type 2 transfer to the
31 Department of the Interior. Following the transfer, the functions, powers
32 and duties of the Commission shall be transferred by a type 2 transfer to the
33 State Parks, Recreation and Travel Commission. The Old State House
34 Commission will be retained as an advisory commission for the Old State
35 House.

36 (n) The Mississippi River Parkway Commission, Arkansas Code § 27-69-

1 201, and its functions, powers, and duties are transferred by a type 1
2 transfer to the Department of the Interior.

3 (o) The Arkansas Entertainers Hall of Fame Board, Arkansas Code § 13-
4 9-101, and its functions, powers, and duties are transferred by a type 2
5 transfer to the Department of the Interior.

6 (p) The Arkansas History Commission, Arkansas Code § 13-3-101, and its
7 functions, powers, and duties are transferred by a type 1 transfer to the
8 Department of the Interior.

9 (q) The Arkansas Black History Advisory Commission, Arkansas Code §
10 13-3-201, and its functions, powers, and duties are transferred by a type 2
11 transfer to the Department of the Interior.

12 (r) The Arkansas State Library, Arkansas Code § 13-2-203, and its
13 functions, powers, and duties are transferred by a type 2 transfer to the
14 Department of the Interior.

15 (s) The State Library Board, Arkansas Code § 13-2-205, and its
16 functions, powers, and duties are transferred by a type 1 transfer to the
17 Department of the Interior.

18 (t) The State Historic Preservation Officer, Arkansas Code § 13-7-107,
19 and its functions, powers, and duties are transferred by a type 2 transfer to
20 the Department of the Interior.

21 (u) The State Review Committee for Historic Preservation, Arkansas
22 Code § 13-7-108, and its functions, powers, and duties are transferred by a
23 type 2 transfer to the Department of the Interior.

24 (v) The Main Street Arkansas Advisory Board, Arkansas Code § 15-12-
25 103, and its functions, powers, and duties are transferred by a type 2
26 transfer to the Department of the Interior.

27 (w) The Advisory Council of the Office of Arkansas State Arts and
28 Humanities, Arkansas Code § 13-8-101, and its functions, powers, and duties
29 are transferred by a type 2 transfer to the Department of the Interior.

30 (x) The Keep Arkansas Beautiful Commission, Arkansas Code § 15-11-601,
31 and its functions, powers, and duties are transferred by a type 2 transfer to
32 the Department of the Interior.

33 (y) The Natural and Cultural Resources Council, Arkansas Code § 15-12-
34 101, and its functions, powers, and duties are transferred by a type 1
35 transfer to the Department of the Interior.

36 (z) The Martin Luther King, Jr. Commission, Arkansas Code § 25-24-101,

1 and its functions, powers, and duties are transferred by a type 1 transfer to
 2 the Department of the Interior.

3 (aa) The Arkansas Museum Review Panel, Arkansas Code § 13-5-207, and
 4 its functions, powers, and duties are transferred by a type 2 transfer to the
 5 Department of the Interior.

6 (bb) The Arkansas Scenic Resources Preservation Coordinating
 7 Committee, Arkansas Code § 15-20-707, and its functions, powers, and duties
 8 are transferred by a type 3 transfer to the Department of the Interior.

9 (cc) The Arkansas Natural and Cultural Heritage Advisory Committee,
 10 Arkansas Code § 25-3-104, and its functions, powers, and duties are
 11 transferred by a type 3 transfer to the Department of the Interior.

12
 13 SECTION 13. (a) There is created a Department of Labor, Employment,
 14 and Workforce. The executive head of the department shall be the Secretary
 15 of the Department of Labor, Employment, and Workforce. The secretary shall
 16 be appointed by the Governor and shall serve at the pleasure of the Governor.

17 (b) The Arkansas Workforce Investment Board, Arkansas Code § 15-4-
 18 2204, and its functions, powers, and duties are transferred by a type 2
 19 transfer to the Department of Labor, Employment and Workforce.

20 (c) The Arkansas Workforce Investment Board Executive Committee,
 21 Arkansas Code § 15-4-2205, and its functions, powers, and duties are
 22 transferred by a type 3 transfer to the Department of Labor, Employment and
 23 Workforce.

24 (d) The Arkansas Employment Security Department, Arkansas Code § 11-
 25 10-301, and its functions, powers, and duties are transferred by a type 2
 26 transfer to the Department of Labor, Employment, and Workforce.

27 (e) The Board of Review, Arkansas Code § 11-10-523, and its functions,
 28 powers, and duties are transferred by a type 1 transfer to the Department of
 29 Labor, Employment, and Workforce.

30 (f) The State Employment Security Advisory Council, Arkansas Code §
 31 11-10-305, and its functions, powers, and duties are transferred by a type 1
 32 transfer to the Department of Labor, Employment, and Workforce.

33 (g) The Arkansas Transitional Employment Board, Arkansas Code § 20-76-
 34 105, and its functions, powers, and duties are transferred by a type 2
 35 transfer to the Department of Labor, Employment, and Workforce.

36 (h) The Arkansas Transitional Employment Board Agency Advisory

1 Council, Arkansas Code § 20-76-105(g), and its functions, powers, and duties
2 are transferred by a type 3 transfer to the Department of Labor, Employment,
3 and Workforce.

4 (i) The Department of Labor, Arkansas Code § 11-2-106, and its
5 functions, powers, and duties are transferred by a type 2 transfer to the
6 Department of Labor, Employment, and Workforce. Any reference to the
7 “Department of Labor” shall be deemed to refer to the Department of Labor,
8 Employment, and Workforce.

9 (j) The Boiler Advisory Board, Arkansas Code § 20-23-201, and its
10 functions, powers, and duties are transferred by a type 1 transfer to the
11 Department of Labor, Employment, and Workforce.

12 (k) The Board of Electrical Examiners, Arkansas Code § 17-28-201, and
13 its functions, powers, and duties are transferred by a type 1 transfer to the
14 Department of Labor, Employment, and Workforce.

15 (l) The Elevator Safety Board, Arkansas Code § 20-24-105, and its
16 functions, powers, and duties are transferred by a type 1 transfer to the
17 Department of Labor, Employment, and Workforce.

18 (m) The Arkansas Employment Agency Advisory Council, Arkansas Code §
19 11-11-205, and its functions, powers, and duties are transferred by a type 1
20 transfer to the Department of Labor, Employment, and Workforce.

21 (n) The Workers’ Compensation Commission, Arkansas Code § 11-9-201,
22 and its functions, powers, and duties are transferred by a type 1 transfer to
23 the Department of Labor, Employment, and Workforce.

24 (o) The Arkansas Rehabilitation Services of the Department of
25 Workforce Education, Arkansas Code § 6-52-101, and its functions, powers, and
26 duties are transferred by a type 2 transfer to the Department of Labor,
27 Employment, and Workforce.

28 (p) The Office of Workforce Training of the Department of Workforce
29 Education, and its functions, powers, and duties are transferred by a type 2
30 transfer to the Department of Labor, Employment, and Workforce.

31 (q) The Adult Education Section of the Department of Workforce
32 Education, and its functions, powers, and duties are transferred by a type 2
33 transfer to the Department of Labor, Employment, and Workforce.

34 (r) The State Rehabilitation Council, and its functions, powers, and
35 duties are transferred by a type 2 transfer to the Department of Labor,
36 Employment, and Workforce.

1 (s) The State Independent Living Council, and its functions, powers,
 2 and duties are transferred by a type 2 transfer to the Department of Labor,
 3 Employment, and Workforce.

4 (t) The Governor's Commission on People with Disabilities, Arkansas
 5 Code § 20-14-202, and its functions, powers, and duties are transferred by a
 6 type 2 transfer to the Department of Labor, Employment, and Workforce.

7 (u) The Arkansas Spinal Cord Commission, Arkansas Code § 20-8-202, and
 8 its functions, powers, and duties are transferred by a type 2 transfer to the
 9 Department of Labor, Employment, and Workforce.

10 (v) The Division of Services for the Blind of the Department of Human
 11 Services, Arkansas Code § 25-10-102, and its functions, powers, and duties
 12 are transferred by a type 2 transfer to the Department of Labor, Employment,
 13 and Workforce.

14 (w) The Board of the Division of State Services for the Blind,
 15 Arkansas Code § 25-10-205, and its functions, powers, and duties are
 16 transferred by a type 1 transfer to the Department of Labor, Employment, and
 17 Workforce.

18
 19 SECTION 14. (a) There is created a Department of Natural Resources.
 20 The executive head of the department shall be the Secretary of the Department
 21 of Natural Resources. The secretary shall be appointed by the Governor and
 22 shall serve at the pleasure of the Governor.

23 (b) The Arkansas Department of Environmental Quality, Arkansas Code §
 24 25-14-101, and its functions, powers, and duties are transferred by a type 2
 25 transfer to the Department of Natural Resources.

26 (c) The Arkansas Pollution Control and Ecology Commission, Arkansas
 27 Code § 8-4-104, and its functions, powers, and duties are transferred by a
 28 type 1 transfer to the Department of Natural Resources.

29 (d) The Oil and Gas Commission, Arkansas Code § 15-71-101, and its
 30 functions, powers, and duties are transferred by a type 2 transfer to the
 31 Department of Natural Resources.

32 (e) The Liquefied Petroleum Gas Board, Arkansas Code § 15-75-201, and
 33 its functions, powers, and duties are transferred by a type 2 transfer to the
 34 Department of Natural Resources.

35 (f) The Arkansas Soil and Water Conservation Commission, Arkansas Code
 36 § 15-20-201, and its functions, powers, and duties are transferred by a type

1 2 transfer to the Department of Natural Resources.

2 (g) The Water Well Construction Commission, Arkansas Code § 17-50-101,
3 and its functions, powers, and duties are transferred by a type 2 transfer to
4 the Department of Natural Resources.

5 (h) The Arkansas Forestry Commission, Arkansas Code § 15-31-101, and
6 its functions, powers, and duties are transferred by a type 2 transfer to the
7 Department of Natural Resources.

8 (i) The Arkansas Geological Commission, Arkansas Code § 15-55-201, and
9 its functions, powers, and duties are transferred by a type 2 transfer to the
10 Department of Natural Resources.

11 (j) The Division of Engineering and the Division of Sanitarian
12 Services of the Department of Health, Arkansas Code § 25-9-101, and its
13 functions, powers, and duties are transferred by a type 2 transfer to the
14 Department of Natural Resources.

15 (k) The Federal Housing and Urban Development Community Block Grant
16 program of the Arkansas Department of Economic Development, Arkansas Code §§
17 15-4-205 through 15-4-209, its functions, powers, and duties are transferred
18 by a type 2 transfer to the Department of Natural Resources.

19
20 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
21 General Assembly that there is an urgent need for additional funding for
22 public education, prisons, health care, and other essential government
23 services; that every effort must be made to use current resources as
24 efficiently and effectively as possible to provide the maximum possible
25 funding for these essential government services; that there are significant
26 opportunities for savings in the cost of operating state government by
27 combining offices and eliminating duplicate functions; that this act is
28 designed to reorganize the executive branch of Arkansas state government and
29 consolidate governmental operations into ten (10) principal departments
30 responsible for providing services to the citizens of this state; that the
31 reorganization will result in more efficient use of current state resources
32 through the elimination of duplicate administrative functions; that the
33 consolidation will reduce the administrative costs of operating state
34 government and allow additional current resources to be used to fund public
35 education, prisons, health care, and other essential government services.
36 Therefore, an emergency is declared to exist and this act being necessary for

1 the preservation of the public peace, health and safety shall become
2 effective on:

3 (1) The date of its approval by the Governor;

4 (2) If the bill is neither approved nor vetoed by the Governor, the
5 expiration of the period of time during which the Governor may veto the bill;
6 or

7 (3) If the bill is vetoed by the Governor and the veto is overridden,
8 the date the last house overrides the veto.

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