

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 *As Engrossed: S2/3/03 S2/5/03 H2/25/03 H4/11/03*

2 84th General Assembly

# A Bill

3 Regular Session, 2003

SENATE BILL 45

4

5 By: Senators B. Johnson, *Altes, Baker, Faris, Glover, Gullett, Holt, Horn, Trusty, Whitaker, Womack*

6 By: Representatives Childers, *Agee, Anderson, Berry, Biggs, Bledsoe, Bolin, Borhauer, Bright, Clemons,*

7 *Creekmore, Dees, Gipson, Green, Haak, Hardwick, Harris, Hutchinson, Jacobs, Kenney, Key, King,*

8 *Lamoureux, Lewellen, Martin, Matayo, Mathis, Medley, Moore, Nichols, Pace, Parks, Penix, Petrus,*

9 *Pritchard, Rosenbaum, Scroggin, C. Taylor, Thomas, Walters, Wood*

10

11

12

## For An Act To Be Entitled

13

*AN ACT TO RESTRUCTURE VARIOUS STATE AGENCIES INTO*

14

*TEN (10) DEPARTMENTS; AND FOR OTHER PURPOSES.*

15

16

## Subtitle

17

*TO RESTRUCTURE VARIOUS STATE AGENCIES*

18

*INTO TEN (10) DEPARTMENTS.*

19

20

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

22

23 *SECTION 1. Legislative purpose.*

24 *(a) The General Assembly declares that this act is necessary to*

25 *enhance the delivery of services to the people of Arkansas in an effective*

26 *and efficient manner; to provide for administrative cost savings in the*

27 *delivery of these services by combining overlapping functions and eliminating*

28 *duplications of functions of state government; and to achieve the grouping of*

29 *state agencies into ten (10) provisional departments primarily according to*

30 *function in order to facilitate an increase in efficiency and reduction of*

31 *administrative costs.*

32 *(b) It is the intent of the General Assembly to provide for a study of*

33 *an orderly transfer of powers, authorities, duties and functions of the*

34 *various state agencies to the ten (10) provisional departments with a minimum*

35 *of disruption of governmental services and functions and with a minimum of*

36 *expense.*



1 (c) For the purposes of this act, each Authority, Board, Center,  
2 Committee, Commission, Coordinator, Council, Department, Division, Institute,  
3 Laboratory, Library, Office, Officer, Panel, School, Section, or other agency  
4 or entity, or any part thereof, as designated for transfer in section 4  
5 through 13 of this act, has been designated solely for the purposes of  
6 grouping the entities to accomplish the efficiency study.

7 (d) For the purposes of this act, the Departments of Agriculture,  
8 Commerce, Interior, Health and Human Services, Corrections, Education,  
9 Finance and Administration, Labor, Employment and Workforce, Natural  
10 Resources, and Homeland Security shall hereinafter be referred to as  
11 “principal departments.”

12 (e) This act shall be liberally construed to achieve the purposes  
13 stated in this act.

14  
15 SECTION 2. (a)(1) Within thirty (30) days after the effective date of  
16 this act, the Governor shall announce the names of each of the ten (10)  
17 provisional department secretaries created in sections 4 through 13 of this  
18 act.

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

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

24 (b) The ten (10) provisional department secretaries shall immediately  
25 undertake and implement an efficiency study designed to achieve a minimum  
26 eight percent (8%) savings in current budgeted administrative costs for the  
27 entities to be transferred under this act.

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

33 (d)(1) If House Bill 1742 of 2003 that requires the House and Senate  
34 Committees on State Agencies and Governmental Affairs to conduct a study of  
35 the feasibility and desirability to reorganize state government, and House  
36 Bill 1741 of 2003 concerning the appropriation for the proposed study in

1 House Bill 1723 of 2003, become acts, and funding is available for the  
2 appropriation, the ten (10) provisional secretaries shall:

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

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

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

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

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

19 (A) Estimated costs of reorganization;

20 (B) Projected savings from reorganization in real dollar  
21 amounts;

22 (C) Projected improvements in service;

23 (D) Anticipated effects on cost sharing and management of  
24 federal grants;

25 (E) Provisions for efficient citizen input in to  
26 department decisions;

27 (F) Planned mechanism for appeals of department actions;

28 (G) Methods of assuring accountability for results;

29 (H) Proposed timetable for implementation;

30 (I) Proposed legislation required to implement  
31 reorganization; and

32 (J) Required changes to the Arkansas Administrative  
33 Statewide Information System, estimated costs, and a timeline for the  
34 required changes to be accomplished.

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

1 May 1, 2003.

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

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

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

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

17 (i) Unless otherwise provided, this act shall expire on January 1,  
18 2004.

19  
20 SECTION 4. (a)(1) For purposes of the efficiency study there is  
21 created a Department of Agriculture.

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

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

26 (b) The Arkansas Livestock and Poultry Commission, Arkansas Code § 2-  
27 33-101, and its powers, authorities, duties, and functions are transferred,  
28 for purposes of the efficiency study by a type 1 transfer to the Department  
29 of Agriculture.

30 (c)(1) The Department of Rural Services, Arkansas Code § 15-6-105, and  
31 its powers, authorities, duties, and functions are transferred, for purposes  
32 of the efficiency study by a type 2 transfer to the Department of  
33 Agriculture.

34 (2) In addition to the other duties of the Department of Rural  
35 Services, the Department of Agriculture through the Department of Rural  
36 Services shall be responsible for agriculture promotion, marketing, and

1 technology transfer.

2 (d) The Arkansas Rural Development Commission, Arkansas Code § 15-6-  
3 104, and powers, authorities, duties, and functions are transferred, for  
4 purposes of the efficiency study by a type 1 transfer to the Department of  
5 Agriculture.

6 (e) The Arkansas Delta Development Commission, Arkansas Code § 15-4-  
7 2602, and its powers, authorities, duties, and functions are transferred, for  
8 purposes of the efficiency study by a type 1 transfer to the Department of  
9 Agriculture.

10 (f) The State Plant Board, Arkansas Code § 2-16-206, and its powers,  
11 authorities, duties, and functions are transferred, for purposes of the  
12 efficiency study by a type 1 transfer to the Department of Agriculture.

13 (g) The Division of Agriculture Development of the Arkansas  
14 Development Finance Authority, Arkansas Code § 15-5-802, and its powers,  
15 authorities, duties, and functions are transferred by, for purposes of the  
16 efficiency study a type 2 transfer to the Department of Agriculture.

17 (h)(1) Notwithstanding any other section of this act to the contrary:

18 (A) The director of the Department of Rural Services shall  
19 continue to be appointed under Arkansas Code § 15-6-105; and

20 (B) The executive director of the Arkansas Delta  
21 Development Commission shall continue to be appointed under Arkansas Code §  
22 15-4-2604.

23 (2) Notwithstanding any other section of this act to the  
24 contrary, moneys collected or to be collected by a transferred entity shall  
25 be used by the programs of the transferred entity for the purposes for which  
26 the moneys are collected.

27 (3) This section only applies to the specific entities  
28 transferred under subsections (a) through (g) of this section and does not  
29 apply to promotion boards.

30 (i) The creation of the Department of Agriculture under this act shall  
31 not be construed to broaden the scope of the state's regulatory powers over  
32 agriculture.

33  
34 SECTION 5. (a)(1) For purposes of the efficiency study there is  
35 created a Department of Commerce.

36 (2) The executive head of the department shall be the

1 provisional Secretary of the Department of Commerce.

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

4 (b) Except for the Federal Housing and Urban Development Community  
5 Block Grant program of the Arkansas Department of Economic Development, which  
6 is designated for transfer in section 13 of this act, the Arkansas Department  
7 of Economic Development, Arkansas Code §§ 15-4-205 through 15-4-209, and its  
8 powers, authorities, duties, and functions are transferred, for purposes of  
9 the efficiency study by a type 2 transfer to the Department of Commerce.

10 (c) The Arkansas Economic Development Commission, Arkansas Code § 15-  
11 4-201, and its powers, authorities, duties, and functions are transferred,  
12 for purposes of the efficiency study by a type 1 transfer to the Department  
13 of Commerce.

14 (d) The Arkansas Waterways Commission, Arkansas Code § 15-23-201, and  
15 its powers, authorities, duties, and functions are transferred, for purposes  
16 of the efficiency study by a type 2 transfer to the Department of Commerce.

17 (e) The State Insurance Department, Arkansas Code § 23-61-101, and its  
18 powers, authorities, duties, and functions are transferred, for purposes of  
19 the efficiency study by a type 1 transfer to the Department of Commerce.

20 (f) The Arkansas Science and Technology Authority, Arkansas Code § 15-  
21 3-103, and its powers, authorities, duties, and functions are transferred,  
22 for purposes of the efficiency study by a type 2 transfer to the Department  
23 of Commerce.

24 (g) The Board of Directors of the Arkansas Science and Technology  
25 Authority, Arkansas Code § 15-3-104, and its powers, authorities, duties, and  
26 functions are transferred, for purposes of the efficiency study by a type 1  
27 transfer to the Department of Commerce.

28 (h) The State Bank Department, Arkansas Code § 23-46-201, and its  
29 powers, authorities, duties, and functions are transferred, for purposes of  
30 the efficiency study by a type 1 transfer to the Department of Commerce.

31 (i) The State Banking Board, Arkansas Code § 23-46-301, and its  
32 powers, authorities, duties, and functions are transferred, for purposes of  
33 the efficiency study by a type 1 transfer to the Department of Commerce.

34 (j) The State Securities Department, Arkansas Code § 23-42-201, and  
35 its powers, authorities, duties, and functions are transferred, for purposes  
36 of the efficiency study by a type 1 transfer to the Department of Commerce.

1       (k) Except for the Tax Division, which is transferred in section 9 of  
2 this act, the Arkansas Public Service Commission, Arkansas Code § 23-2-101,  
3 and its powers, authorities, duties, and functions are transferred, for  
4 purposes of the efficiency study by a type 1 transfer to the Department of  
5 Commerce.

6       (l) The Arkansas Department of Aeronautics, Arkansas Code § 27-115-  
7 101, and its powers, authorities, duties, and functions are transferred, for  
8 purposes of the efficiency study, by a type 1 transfer to the Department of  
9 Commerce.

10       (m) The Arkansas Aeronautics Commission, Arkansas Code § 27-115-101,  
11 and its powers, authorities, duties, and functions are transferred, for  
12 purposes of the efficiency study, by a type 1 transfer to the Department of  
13 Commerce.

14       (n) The Arkansas Department of Environmental Quality, Arkansas Code §  
15 25-14-101, and its powers, authorities, duties, and functions are  
16 transferred, for purposes of the efficiency study, by a type 2 transfer to  
17 the Department of Commerce.

18       (o) The Arkansas Pollution Control and Ecology Commission, Arkansas  
19 Code § 8-4-104, and its powers, authorities, duties, and functions are  
20 transferred, for purposes of the efficiency study, by a type 1 transfer to  
21 the Department of Commerce.

22  
23       SECTION 6. (a)(1) For purposes of the efficiency study there is  
24 created a Department of Corrections.

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

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

29       (b) The Department of Correction, Arkansas Code § 12-27-  
30 101, and its powers, authorities, duties, and functions are transferred by a  
31 type 1 transfer to the Department of Corrections.

32       (c) The Department of Community Correction, Arkansas Code § 12-27-125,  
33 and its powers, authorities, duties, and functions are transferred, for  
34 purposes of the efficiency study by a type 1 transfer to the Department of  
35 Corrections.

36       (d) The Criminal Detention Facilities Review Coordinator, Arkansas

1 Code § 12-26-103, and the powers, authorities, duties, and functions are  
2 transferred, for purposes of the efficiency study by a type 2 transfer to the  
3 Department of Corrections.

4 (e) The Post Prison Transfer Board, Arkansas Code § 16-93-201, and its  
5 powers, authorities, duties, and functions are transferred, for purposes of  
6 the efficiency study by a type 1 transfer to the Department of Corrections.

7 (f) The Board of Correction and Community Punishment, Arkansas Code §  
8 12-27-104, and its powers, authorities, duties, and functions are  
9 transferred, for purposes of the efficiency study by a type 1 transfer to the  
10 Department of Corrections.

11  
12 SECTION 7. (a)(1) For purposes of the efficiency study there is  
13 created a Department of Education.

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

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

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

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

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

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

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

36 (g) The Arkansas School for the Deaf, Arkansas Code § 6-43-301, and



1 its powers, authorities, duties, and functions are transferred, for purposes  
2 of the efficiency study by a type 2 transfer to the Department of Education.

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

7 (i) The Arkansas School for Mathematics and Sciences, Arkansas Code §  
8 6-42-201, and its powers, authorities, duties, and functions are transferred,  
9 for purposes of the efficiency study by a type 2 transfer to the Department  
10 of Education.

11 (j) The Board of Trustees for the Arkansas School for Mathematics and  
12 Science, Arkansas Code § 6-42-202, and its powers, authorities, duties, and  
13 functions are transferred, for purposes of the efficiency study by a type 1  
14 transfer to the Department of Education.

15 (k) The Division of Child Care and Early Childhood Education, Arkansas  
16 Code § 20-78-205, and its powers, authorities, duties and functions are  
17 transferred, for purposes of the efficiency study by a type 2 transfer to the  
18 Department of Education.

19 (l) The Department of Higher Education, Arkansas Code § 25-7-101, and  
20 its powers, authorities, duties, and functions are transferred, for purposes  
21 of the efficiency study by a type 1 transfer to the Department of Education.

22 (m) The Arkansas Higher Education Coordinating Board, Arkansas Code §  
23 6-53-203, and its powers, authorities, duties, and functions are transferred,  
24 for purposes of the efficiency study by a type 1 transfer to the Department  
25 of Education.

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

30 (o) Except for the Arkansas Rehabilitation Services designated for  
31 transfer in section 12 of this act, the Office of Workforce Training  
32 designated for transfer in section 12 of this act, the State Department of  
33 Workforce Education, Arkansas Code § 25-30-106, and its powers, authorities,  
34 duties, and functions are transferred, for purposes of the efficiency study  
35 by a type 2 transfer to the Department of Education.

36 (p) Each of the following: Arkansas Valley Technical Institute,

1 Cotton Boll Technical Institute, Crowley's Ridge Technical Institute,  
2 Foothills Technical Institute, Forest Echoes Technical Institute, Great  
3 Rivers Technical Institute, Northwest Technical Institute, Riverside  
4 Technical Institute, and Quapaw Technical Institute, Arkansas Code § 6-51-  
5 904, and their powers, authorities, duties, and functions are transferred,  
6 for purposes of the efficiency study by a type 2 transfer to the Department  
7 of Education.

8 (q) The local Board of Directors of Arkansas Valley Technical  
9 Institute, Cotton Boll Technical Institute, Crowley's Ridge Technical  
10 Institute, Foothills Technical Institute, Forest Echoes Technical Institute,  
11 Great Rivers Technical Institute, Northwest Technical Institute, Riverside  
12 Technical Institute, and Quapaw Technical Institute, Arkansas Code § 6-51-  
13 904, and their powers, authorities, duties, and functions are transferred,  
14 for purposes of the efficiency study by a type 1 transfer to the Department  
15 of Education.

16 (r) The Arkansas Educational Television Commission, Arkansas Code § 6-  
17 3-101, and its powers, authorities, duties, and functions are transferred,  
18 for purposes of the efficiency study by a type 1 transfer to the Department  
19 of Education.

20  
21 SECTION 8. (a)(1) For purposes of the efficiency study there is  
22 created a Department of Finance and Administration.

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

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

27 (b) The Department of Finance and Administration, Arkansas  
28 Code § 25-8-101, and its powers, authorities, duties, and functions are  
29 transferred, for purposes of the efficiency study by a type 2 transfer to the  
30 Department of Finance and Administration created by this act.

31 (c) The Tax Division of the Arkansas Public Service Commission,  
32 Arkansas Code § 26-24-101(1)(A), and its powers, authorities, duties, and  
33 functions are transferred, for purposes of the efficiency study by a type 2  
34 transfer to the Department of Finance and Administration.

35 (d) The powers, authorities, duties, and functions of the State  
36 Insurance Department with respect to the Insurance Premium Tax levied by

1 Arkansas Code §§ 26-57-603, 26-57-604, and 26-57-605 and the Legal Insurance  
2 Premium Tax levied by Arkansas Code § 23-91-226 are transferred, for purposes  
3 of the efficiency study by a type 2 transfer to the Department of Finance and  
4 Administration.

5 (e) The Assessment Coordination Department, Arkansas Code § 25-28-101,  
6 and its powers, authorities, duties, and functions are transferred, for  
7 purposes of the efficiency study by a type 2 transfer to the Department of  
8 Finance and Administration.

9 (f) The Arkansas State Building Services, Arkansas Code § 22-2-104,  
10 and its powers, authorities, duties, and functions are transferred, for  
11 purposes of the efficiency study by a type 2 transfer to the Department of  
12 Finance and Administration.

13 (g) The State Building Services Council, Arkansas Code § 22-2-106, and  
14 its powers, authorities, duties, and functions are transferred, for purposes  
15 of the efficiency study by a type 1 transfer to the Department of Finance and  
16 Administration.

17 (h) The Executive Chief Information Officer, Arkansas Code § 25-33-  
18 103, and the powers, authorities, duties, and functions are transferred, for  
19 purposes of the efficiency study by a type 2 transfer to the Department of  
20 Finance and Administration.

21 (i) The CIO Council, Arkansas Code § 25-33-105, and its powers,  
22 authorities, duties, and functions are transferred, for purposes of the  
23 efficiency study by a type 1 transfer to the Department of Finance and  
24 Administration.

25 (j) The Department of Information Systems, Arkansas Code § 25-4-104,  
26 and its powers, authorities, duties, and functions are transferred, for  
27 purposes of the efficiency study by a type 2 transfer to the Department of  
28 Finance and Administration.

29 (k) The Arkansas Racing Commission, Arkansas Code § 23-110-101, and  
30 its powers, authorities, duties, and functions are transferred, for purposes  
31 of the efficiency study by a type 1 transfer to the Department of Finance and  
32 Administration.

33 (l) The Federal Surplus Property Program, Arkansas Code § 19-11-601,  
34 and its powers, authorities, duties and functions are transferred, for  
35 purposes of the efficiency study by a type 2 transfer to the Department of

1 Finance and Administration.

2 (m) The Alcoholic Beverage Control Administration of the Department of  
3 Finance and Administration, Arkansas Code § 3-2-202, and its functions,  
4 powers, and duties are transferred, for purposes of the efficiency study by a  
5 type 2 transfer to the Department of Finance and Administration.

6 (n) The Alcoholic Beverage Control Board, Arkansas Code § 3-2-201, and  
7 its functions, powers, and duties are transferred, for purposes of the  
8 efficiency study by a type 1 transfer to the Department of Finance and  
9 Administration.

10  
11 SECTION 9. (a)(1) For purposes of the efficiency study there is  
12 created a Department of Health and Human Services.

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

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

17 (b) Except for the Division of Engineering, the On-Site  
18 Sewage Disposal Program, the Marine Sanitation Program, and the Protective  
19 Health Codes Program designated to be transferred in section 13 of this act,  
20 the Department of Health, Arkansas Code § 25-9-101, and its powers,  
21 authorities, duties, and functions, are transferred, for purposes of the  
22 efficiency study by a type 2 transfer to the Department of Health and Human  
23 Services.

24 (c) The State Board of Health, Arkansas Code § 20-7-102, and its  
25 powers, authorities, duties, and functions are transferred, for purposes of  
26 the efficiency study by a type 1 transfer to the Department of Health and  
27 Human Services.

28 (d) The Arkansas Minority Health Commission, Arkansas Code § 20-2-102,  
29 and its powers, authorities, duties, and functions are transferred, for  
30 purposes of the efficiency study by a type 1 transfer to the Department of  
31 Health and Human Services.

32 (e) Except for the Division of Services for the Blind designated for  
33 transfer in section 12 of this act, the Department of Human Services,  
34 Arkansas Code § 25-10-101, and its powers, authorities, duties, and functions  
35 are transferred, for purposes of the efficiency study by a type 2 transfer to  
36 the Department of Health and Human Services.

1       (f) The State Department for Social Security Administration Disability  
2 Determination, Arkansas Code § 20-76-301, and its powers, authorities,  
3 duties, and functions are transferred, for purposes of the efficiency study  
4 by a type 1 transfer to the Department of Health and Human Services.

5       (g) The Department of Veterans' Affairs, Arkansas Code § 20-81-102,  
6 and its powers, authorities, duties, and functions are transferred, for  
7 purposes of the efficiency study by a type 1 transfer to the Department of  
8 Health and Human Services.

9       (h) The Arkansas Veterans' Commission, Arkansas Code § 20-81-104, and  
10 its powers, authorities, duties, and functions are transferred, for purposes  
11 of the efficiency study by a type 1 transfer to the Department of Health and  
12 Human Services.

13       (i) The Arkansas Veterans' Child Welfare Service Office, Arkansas Code  
14 § 20-81-101, and its powers, authorities, duties, and functions are  
15 transferred, for purposes of the efficiency study by a type 1 transfer to the  
16 Department of Health and Human Services.

17       (j) The Disabled Veterans' Service Office, Act 376 of 1951, and its  
18 powers, authorities, duties, and functions are transferred, for purposes of  
19 the efficiency study by a type 1 transfer to the Department of Health and  
20 Human Services.

21       (k) The Board of Developmental Disabilities Services, Arkansas Code §  
22 25-10-104, and its powers, authorities, duties, and functions are  
23 transferred, for purposes of the efficiency study by a type 1 transfer to the  
24 Department of Health and Human Services.

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

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

33  
34       SECTION 10. (a)(1) For purposes of the efficiency study there is  
35 created a Department of Homeland Security.

36       (2) The executive head of the department shall be the

1 provisional Secretary of the Department of Homeland Security.

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

4 (b) The Arkansas Drug Director of the Office of the  
5 Governor, Arkansas Code § 20-64-1001, and powers, authorities, duties, and  
6 functions are transferred, for purposes of the efficiency study by a type 2  
7 transfer to the Department of Homeland Security.

8 (c) The Arkansas Tobacco Control Board, Arkansas Code § 26-57-255, and  
9 its powers, authorities, duties, and functions are transferred, for purposes  
10 of the efficiency study by a type 1 transfer to the Department of Homeland  
11 Security.

12 (d) The Alcoholic Beverage Control Enforcement Division, Arkansas Code  
13 § 3-2-203, and its powers, authorities, duties, and functions are  
14 transferred, for purposes of the efficiency study by a type 2 transfer to the  
15 Department of Homeland Security.

16 (e) The Department of Arkansas State Police, Arkansas Code § 12-8-101,  
17 and its powers, authorities, duties, and functions are transferred, for  
18 purposes of the efficiency study by a type 2 transfer to the Department of  
19 Homeland Security.

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

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

28 (h) The Supervisory Board of the Arkansas Crime Information Center,  
29 Arkansas Code § 12-12-202, and its powers, authorities, duties, and functions  
30 are transferred, for purposes of the efficiency study by a type 1 transfer to  
31 the Department of Homeland Security.

32 (i) The State Crime Laboratory, Arkansas Code § 12-12-301, and its  
33 powers, authorities, duties, and functions are transferred, for purposes of  
34 the efficiency study by a type 2 transfer to the Department of Homeland  
35 Security.

36 (j) The Crime Laboratory Board, Arkansas Code § 12-12-302, and its

1 powers, authorities, duties, and functions are transferred, for purposes of  
2 the efficiency study by a type 1 transfer to the Department of Homeland  
3 Security.

4 (k) The Arkansas Commission on Law Enforcement Standards and Training,  
5 Arkansas Code § 12-9-103, and its powers, authorities, duties, and functions  
6 are transferred, for purposes of the efficiency study by a type 2 transfer to  
7 the Department of Homeland Security.

8 (l) The Arkansas Department of Emergency Management, Arkansas Code §  
9 12-75-109, and its powers, authorities, duties, and functions are  
10 transferred, for purposes of the efficiency study by a type 2 transfer to the  
11 Department of Homeland Security.

12 (m) The State Military Department, Act 45 of 1981, §§ 1-4 and Arkansas  
13 Code § 12-60-101, is is designated for transfer to the Department of Homeland  
14 Security for administrative purposes. However, the Adjutant General of the  
15 State and the Arkansas National Guard shall continue to report directly to  
16 the Governor.

17 (n) The Victim of Crime Justice Assistance Grants Division, the Law  
18 Enforcement Block Grants Division, the Violent Offender Incarceration Grants  
19 Division, and the Drug Law Enforcement Grants Division of the Department of  
20 Finance and Administration, and the powers, authorities, duties, and  
21 functions of each are transferred, for purposes of the efficiency study by a  
22 type 2 transfer to the Department of Homeland Security.

23  
24 SECTION 11. (a)(1) For purposes of the efficiency study there is  
25 created a Department of Interior.

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

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

30 (b) The Department of Parks and Tourism, Arkansas Code § 25-13-101,  
31 and its powers, authorities, duties, and functions are transferred, for  
32 purposes of the efficiency study by a type 2 transfer to the Department of  
33 the Interior. Any reference to the "Department of Parks and Tourism" shall  
34 be deemed to refer to the Department of the Interior.

35 (c) The Department of Arkansas Heritage, Arkansas Code § 25-3-102, and  
36 its powers, authorities, duties, and functions are transferred, for purposes

1 of the efficiency study by a type 2 transfer to the Department of the  
2 Interior.

3 (d) The State Parks, Recreation, and Travel Commission, Arkansas Code  
4 § 15-11-201, and its powers, authorities, duties, and functions are  
5 transferred, for purposes of the efficiency study by a type 1 transfer to the  
6 Department of the Interior.

7 (e) The Plantation Agriculture Museum Advisory Commission created by  
8 House Resolution 1003 of 1987 and its powers, authorities, duties, and  
9 functions are transferred, for purposes of the efficiency study by a type 2  
10 transfer to the Department of the Interior.

11 (f) The Prairie Grove Battlefield Commission, Arkansas Code § 13-7-  
12 401, and its powers, authorities, duties, and functions are transferred, for  
13 purposes of the efficiency study by a type 2 transfer to the Department of  
14 the Interior.

15 (g) The Arkansas Post Museum Advisory Committee, Arkansas Code § 13-5-  
16 603, and its powers, authorities, duties, and functions are transferred, for  
17 purposes of the efficiency study by a type 2 transfer to the Department of  
18 the Interior.

19 (h) The Arkansas Museum of Natural Resources Advisory Committee,  
20 Arkansas Code § 13-5-404, and its powers, authorities, duties, and functions  
21 are transferred, for purposes of the efficiency study by a type 2 transfer to  
22 the Department of the Interior.

23 (i) The Historic Arkansas Museum Commission, Arkansas Code § 13-7-302,  
24 and its powers, authorities, duties, and functions are transferred, for  
25 purposes of the efficiency study by a type 2 transfer to the Department of  
26 the Interior.

27 (j) The Delta Cultural Center Policy Advisory Board, Arkansas Code §  
28 13-5-704, and its powers, authorities, duties, and functions are transferred,  
29 for purposes of the efficiency study by a type 2 transfer to the Department  
30 of the Interior.

31 (k) The Arkansas Natural Heritage Commission, Arkansas Code § 15-20-  
32 304, and its powers, authorities, duties, and functions are transferred, for  
33 purposes of the efficiency study by a type 1 transfer to the Department of  
34 the Interior.

35 (l) The Mosaic Templars of America Center for African-American Culture  
36 and Business Enterprise, Arkansas Code § 13-5-902, and its powers,



1 authorities, duties, and functions are transferred, for purposes of the  
2 efficiency study by a type 2 transfer to the Department of the Interior.

3 (m) The Old State House Commission, Arkansas Code § 13-7-205, and its  
4 powers, authorities, duties, and functions are transferred, for purposes of  
5 the efficiency study by a type 2 transfer to the Department of the Interior.

6 (n) The Mississippi River Parkway Commission, Arkansas Code § 27-69-  
7 201, and its powers, authorities, duties, and functions are transferred, for  
8 purposes of the efficiency study by a type 1 transfer to the Department of  
9 the Interior.

10 (o) The Arkansas Entertainers Hall of Fame Board, Arkansas Code § 13-  
11 9-101, and its powers, authorities, duties, and functions are transferred,  
12 for purposes of the efficiency study by a type 2 transfer to the Department  
13 of the Interior.

14 (p) The Arkansas History Commission, Arkansas Code § 13-3-101, and its  
15 powers, authorities, duties, and functions are transferred, for purposes of  
16 the efficiency study by a type 1 transfer to the Department of the Interior.

17 (q) The Arkansas Black History Advisory Commission, Arkansas Code §  
18 13-3-201, and its powers, authorities, duties, and functions are transferred,  
19 for purposes of the efficiency study by a type 2 transfer to the Department  
20 of the Interior.

21 (r) The Arkansas State Library, Arkansas Code § 13-2-203, and its  
22 powers, authorities, duties, and functions are transferred, for purposes of  
23 the efficiency study by a type 2 transfer to the Department of the Interior.

24 (s) The State Library Board, Arkansas Code § 13-2-205, and its powers,  
25 authorities, duties, and functions are transferred, for purposes of the  
26 efficiency study by a type 1 transfer to the Department of the Interior.

27 (t) The State Historic Preservation Officer, Arkansas Code § 13-7-107,  
28 and its powers, authorities, duties, and functions are transferred, for  
29 purposes of the efficiency study by a type 1 transfer to the Department of  
30 the Interior.

31 (u) The State Review Committee for Historic Preservation, Arkansas  
32 Code § 13-7-108, and its powers, authorities, duties, and functions are  
33 transferred, for purposes of the efficiency study by a type 2 transfer to the  
34 Department of the Interior.

35 (v) The Main Street Arkansas Advisory Board, Arkansas Code § 15-12-  
36 103, and its powers, authorities, duties, and functions are transferred, for

1 purposes of the efficiency study by a type 2 transfer to the Department of  
2 the Interior.

3 (w) The Advisory Council of the Office of Arkansas State Arts and  
4 Humanities, Arkansas Code § 13-8-101, and its powers, authorities, duties,  
5 and functions are transferred, for purposes of the efficiency study by a type  
6 2 transfer to the Department of the Interior.

7 (x) The Keep Arkansas Beautiful Commission, Arkansas Code § 15-11-601,  
8 and its powers, authorities, duties, and functions are transferred, for  
9 purposes of the efficiency study by a type 2 transfer to the Department of  
10 the Interior.

11 (y) The Natural and Cultural Resources Council, Arkansas Code § 15-12-  
12 101, and its powers, authorities, duties, and functions are transferred, for  
13 purposes of the efficiency study by a type 1 transfer to the Department of  
14 the Interior.

15 (z) The Martin Luther King, Jr. Commission, Arkansas Code § 25-24-101,  
16 and its powers, authorities, duties, and functions are transferred, for  
17 purposes of the efficiency study by a type 1 transfer to the Department of  
18 the Interior.

19 (aa) The Arkansas Museum Review Panel, Arkansas Code § 13-5-207, and  
20 its powers, authorities, duties, and functions are transferred, for purposes  
21 of the efficiency study by a type 3 transfer to the Department of the  
22 Interior.

23 (bb) The Arkansas Scenic Resources Preservation Coordinating  
24 Committee, Arkansas Code § 15-20-707, and its powers, authorities, duties,  
25 and functions are transferred, for purposes of the efficiency study by a type  
26 3 transfer to the Department of the Interior.

27 (cc) The Arkansas Natural and Cultural Heritage Advisory Committee,  
28 Arkansas Code § 25-3-104, and its powers, authorities, duties, and functions  
29 are transferred, for purposes of the efficiency study by a type 3 transfer to  
30 the Department of the Interior.

31  
32 SECTION 12. (a)(1) For purposes of the efficiency study there is  
33 created a Department of Labor, Employment, and Workforce.

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

36 (3) The provisional secretary shall be appointed by the Governor

1 as provided in this act.

2 (b) The Arkansas Workforce Investment Board, Arkansas Code § 15-4-  
3 2204, and its powers, authorities, duties, and functions are transferred, for  
4 purposes of the efficiency study by a type 1 transfer to the Department of  
5 Labor, Employment and Workforce.

6 (c) The Arkansas Workforce Investment Board Executive Committee,  
7 Arkansas Code § 15-4-2205, and its powers, authorities, duties, and functions  
8 are transferred, for purposes of the efficiency study by a type 2 transfer to  
9 the Department of Labor, Employment and Workforce.

10 (d) The Arkansas Employment Security Department, Arkansas Code § 11-  
11 10-301, and its powers, authorities, duties, and functions are transferred,  
12 for purposes of the efficiency study by a type 2 transfer to the Department  
13 of Labor, Employment, and Workforce.

14 (e) The Board of Review, Arkansas Code § 11-10-523, and its powers,  
15 authorities, duties, and functions are transferred, for purposes of the  
16 efficiency study by a type 1 transfer to the Department of Labor, Employment,  
17 and Workforce.

18 (f) The State Employment Security Advisory Council, Arkansas Code §  
19 11-10-305, and its powers, authorities, duties, and functions are  
20 transferred, for purposes of the efficiency study by a type 1 transfer to the  
21 Department of Labor, Employment, and Workforce.

22 (g) The Arkansas Transitional Employment Board, Arkansas Code § 20-76-  
23 105, and its powers, authorities, duties, and functions are transferred, for  
24 purposes of the efficiency study by a type 2 transfer to the Department of  
25 Labor, Employment, and Workforce.

26 (h) The Arkansas Transitional Employment Board Agency Advisory  
27 Council, Arkansas Code § 20-76-105(g), and its powers, authorities, duties,  
28 and functions are transferred, for purposes of the efficiency study by a type  
29 3 transfer to the Department of Labor, Employment, and Workforce.

30 (i) The Department of Labor, Arkansas Code § 11-2-106, and its powers,  
31 authorities, duties, and functions are transferred, for purposes of the  
32 efficiency study by a type 2 transfer to the Department of Labor, Employment,  
33 and Workforce. Any reference to the "Department of Labor" shall be deemed to  
34 refer to the Department of Labor, Employment, and Workforce.

35 (j) The Boiler Advisory Board, Arkansas Code § 20-23-201, and its  
36 powers, authorities, duties, and functions are transferred, for purposes of

1 the efficiency study by a type 1 transfer to the Department of Labor,  
2 Employment, and Workforce.

3 (k) The Board of Electrical Examiners, Arkansas Code § 17-28-201, and  
4 its powers, authorities, duties, and functions are transferred, for purposes  
5 of the efficiency study by a type 1 transfer to the Department of Labor,  
6 Employment, and Workforce.

7 (l) The Elevator Safety Board, Arkansas Code § 20-24-105, and its  
8 powers, authorities, duties, and functions are transferred, for purposes of  
9 the efficiency study by a type 1 transfer to the Department of Labor,  
10 Employment, and Workforce.

11 (m) The Arkansas Employment Agency Advisory Council, Arkansas Code §  
12 11-11-205, and its powers, authorities, duties, and functions are  
13 transferred, for purposes of the efficiency study by a type 1 transfer to the  
14 Department of Labor, Employment, and Workforce.

15 (n) The Workers' Compensation Commission, Arkansas Code § 11-9-201,  
16 and its powers, authorities, duties, and functions are transferred, for  
17 purposes of the efficiency study by a type 1 transfer to the Department of  
18 Labor, Employment, and Workforce.

19 (o) The Arkansas Rehabilitation Services of the Department of  
20 Workforce Education, Arkansas Code § 6-52-101, and its powers, authorities,  
21 duties, and functions are transferred, for purposes of the efficiency study  
22 by a type 2 transfer to the Department of Labor, Employment, and Workforce.

23 (p) The Office of Workforce Training of the Department of Workforce  
24 Education, and its powers, authorities, duties, and functions are  
25 transferred, for purposes of the efficiency study by a type 2 transfer to the  
26 Department of Labor, Employment, and Workforce.

27 (q) The State Rehabilitation Council, and its powers, authorities,  
28 duties, and functions are transferred, for purposes of the efficiency study  
29 by a type 2 transfer to the Department of Labor, Employment, and Workforce.

30 (r) The State Independent Living Council, and its powers, authorities,  
31 duties, and functions are transferred, for purposes of the efficiency study  
32 by a type 2 transfer to the Department of Labor, Employment, and Workforce.

33 (s) The Governor's Commission on People with Disabilities, Arkansas  
34 Code § 20-14-202, and its powers, authorities, duties, and functions are  
35 transferred, for purposes of the efficiency study by a type 2 transfer to the  
36 Department of Labor, Employment, and Workforce.

1       (t) The Arkansas Spinal Cord Commission, Arkansas Code § 20-8-202, and  
2 its powers, authorities, duties, and functions are transferred, for purposes  
3 of the efficiency study by a type 2 transfer to the Department of Labor,  
4 Employment, and Workforce.

5       (u) The Division of Services for the Blind of the Department of Human  
6 Services, Arkansas Code § 25-10-102, and its powers, authorities, duties, and  
7 functions are transferred, for purposes of the efficiency study by a type 2  
8 transfer to the Department of Labor, Employment, and Workforce.

9       (v) The Board of the Division of State Services for the Blind,  
10 Arkansas Code § 25-10-205, and its powers, authorities, duties, and functions  
11 are transferred, for purposes of the efficiency study by a type 1 transfer to  
12 the Department of Labor, Employment, and Workforce.

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

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

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

20       (b) The Oil and Gas Commission, Arkansas Code § 15-71-101, and its  
21 powers, authorities, duties, and functions are transferred, for purposes of  
22 the efficiency study by a type 1 transfer to the Department of Natural  
23 Resources.

24       (c) The Director of Production and Conservation and the staff of the  
25 Oil and Gas Commission, Arkansas Code § 15-71-105, and their powers,  
26 authorities, duties and functions are transferred, for purposes of the  
27 efficiency study by a type 2 transfer to the Department of Natural Resources.

28       (d) The Arkansas Soil and Water Conservation Commission, Arkansas Code  
29 § 15-20-201, and its powers, authorities, duties, and functions are  
30 transferred, for purposes of the efficiency study by a type 1 transfer to the  
31 Department of Natural Resources.

32       (e) The Water Well Construction Commission, Arkansas Code § 17-50-101,  
33 and its powers, authorities, duties, and functions are transferred, for  
34 purposes of the efficiency study by a type 1 transfer to the Department of  
35 Natural Resources.

36       (f) The Arkansas Forestry Commission, Arkansas Code § 15-31-101, and

1 its powers, authorities, duties, and functions are transferred, for purposes  
2 of the efficiency study by a type 1 transfer to the Department of Natural  
3 Resources.

4 (g) The Arkansas Geological Commission, Arkansas Code § 15-55-201, and  
5 its powers, authorities, duties, and functions are transferred, for purposes  
6 of the efficiency study by a type 2 transfer to the Department of Natural  
7 Resources.

8 (j) The Division of Engineering, the HVACR Program of the Department  
9 of Health, the On-Site Sewage Disposal Program, the Marine Sanitation  
10 Program, and the Protective Health Codes Program of the Department of Health,  
11 Arkansas Code § 25-9-101, and their powers, authorities, duties, and  
12 functions are transferred, for purposes of the efficiency study by a type 2  
13 transfer to the Department of Natural Resources.

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

19  
20 SECTION 14. 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 study the reorganization of the executive branch of Arkansas  
29 state government and the merger of governmental operations into ten (10)  
30 principal departments responsible for providing services to the citizens of  
31 this state. Therefore an emergency is declared to exist and this act being  
32 necessary for the preservation of the public peace, health and safety shall  
33 become effective on:

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

35 (2) If the bill is neither approved nor vetoed by the Governor, the  
36 expiration of the period of time during which the Governor may veto the bill;

1 or

2 (3) If the bill is vetoed by the Governor and the veto is overridden.

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*/s/ B. Johnson, et al*

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