

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: S3/14/11
A Bill

SENATE BILL 257

5 By: Senators Madison, D. Johnson
6 By: Representatives Williams, J. Edwards
7

For An Act To Be Entitled

9 AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 25 OF THE
10 ARKANSAS CODE OF 1987 CONCERNING STATE GOVERNMENT;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

15 AN ACT TO MAKE VARIOUS CORRECTIONS TO
16 TITLE 25 OF THE ARKANSAS CODE OF 1987
17 CONCERNING STATE GOVERNMENT.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 25-15-104(a)(1) and (2), concerning
23 subpoena power, are amended to add language to read as follows:

24 (a)(1) The following boards and commissions shall have the power to
25 issue subpoenas and bring before the board or commission as a witness any
26 person in this state:

27 (A) Auctioneer's Licensing Board, § 17-17-201 et seq.;

28 (B) State Athletic Commission, § 17-22-201 et seq.;

29 (C) ~~State Board of Cosmetology~~ State Board of Health and
30 the Department of Health, § 17-26-201 et seq.;

31 (D) Arkansas Board of Examiners in Counseling, § 17-27-201
32 et seq.;

33 (E) State Board of Embalmers and Funeral Directors, § 17-
34 29-201 et seq.;

35 ~~(F) Arkansas State Board of Landscape Architects, § 17-36-~~
36 ~~201 et seq.;~~



1 ~~(G)~~(F) Committee of Plumbing Examiners of the State Board
2 of Health, § 17-38-202;

3 ~~(H)~~(G) Arkansas Social Work Licensing Board, § 17-103-201
4 et seq.;

5 ~~(I)~~(H) HVACR Licensing Board, § 17-33-201 et seq.;

6 ~~(J)~~(I) Liquefied Petroleum Gas Board, § 15-75-201 et seq.;

7 ~~(K)~~(J) Judicial Discipline and Disability Commission,
8 Arkansas Constitution, Amendment 66, and § 16-10-401 et seq.;

9 ~~(L)~~(K) Veterinary Medical Examining Board, § 17-101-201 et
10 seq.;

11 ~~(M)~~(L) Arkansas Board of Dispensing Opticians, § 17-89-201
12 et seq.;

13 ~~(N)~~(M) State Board of Election Commissioners, § 7-4-101 et
14 seq.; and

15 ~~(O)~~(N) State Board of Health, § 20-7-101 et seq.

16 (2) These boards and commissions shall provide by regulation
17 ~~provide~~ for the issuance of a subpoena upon the request of any party to a
18 proceeding pending before the board or commission or at the request of the
19 board or commission.

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21 SECTION 2. Arkansas Code § 25-15-104(b)(2), concerning subpoenas, is
22 amended to add and delete language to be read as follows:

23 (2) In the event a witness ~~shall have~~ has been served with
24 subpoenas under this section and fails to provide testimony in obedience to
25 the subpoena, the board or commission may apply to the circuit court of the
26 county wherein the board or commission is having its meeting for an order
27 causing the arrest of the witness and directing that the witness be brought
28 before the court.

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30 SECTION 3. Arkansas Code § 25-18-214(b), concerning the liability of
31 clerks keeping bound volumes of records, is amended to add and delete
32 language to be read as follows:

33 (b) ~~No~~ The volume shall not be loaned or removed except that the clerk
34 ~~may~~, upon approval of the Director of the Department of Finance and
35 Administration, may remove or otherwise dispose of bound volumes if the
36 official reports are available in electronic or other readily accessible

1 medium in each county in the State of Arkansas for the general use of the
2 courts, county officials, and attorneys.

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4 SECTION 4. Arkansas Code § 25-20-506(a)(13), concerning consolidated
5 wastewater systems, is amended to add and delete language to be read as
6 follows:

7 (13) Exercise such other powers, privileges, and authorities as
8 the participating public agencies have delegated to the public body by ~~their~~
9 the public agency interlocal agreement, subject to any restrictions imposed
10 thereon by the interlocal agreement or applicable law; and

11
12 SECTION 5. Arkansas Code § 25-20-510(k)(3), concerning improvement of
13 consolidated wastewater systems, is amended to be properly subdivided to read
14 as follows:

15 (3) It shall be ~~plainly~~ stated plainly on the face of each bond
16 that:

17 (i) ~~It~~ It is issued under this subchapter, ~~that it~~ ;

18 (ii) It does not constitute an indebtedness of the
19 State of Arkansas or the participating public agencies within any
20 constitutional provisions or limitations, ; and ~~that it~~

21 (iii) It is not backed by the full faith and credit
22 of the State of Arkansas or the participating public agencies.

23
24 SECTION 6. Arkansas Code § 25-30-101(e) and (f), concerning the
25 Department of Career Education, are amended to add and delete language to
26 read as follows:

27 (e) ~~No~~ A person may not serve as a member of the State Board of Career
28 Education unless he or she is a qualified elector of this state.

29 (f) ~~No~~ A candidate for or holder of a public office in the state,
30 Director of the Department of Education or Director of the Department of
31 Higher Education, employee of a public school district, employee of a
32 postsecondary or higher education institution, or member of any board of
33 directors or board of trustees of any postsecondary or higher education
34 institution in this state shall not serve as a member of the State Board of
35 Career Education.

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1 SECTION 7. DO NOT CODIFY. The enactment and adoption of this act
2 shall not repeal, expressly or impliedly, the acts passed at the regular
3 session of the Eighty-Eighth General Assembly. All such acts shall have the
4 full force and effect and, so far as those acts intentionally vary from or
5 conflict with any provision contained in this act, those acts shall have the
6 effect of subsequent acts and as amending or repealing the appropriate parts
7 of the Arkansas Code of 1987.

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9 /s/Madison
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