

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H3/21/17

A Bill

HOUSE BILL 2163

5 By: Representative Maddox
6

For An Act To Be Entitled

8 *AN ACT TO AMEND THE LAW CONCERNING THE PRAIRIE GROVE*
9 *BATTLEFIELD STATE PARK ADVISORY COMMISSION, THE*
10 *ARKANSAS COMMISSION ON EYE AND VISION CARE OF SCHOOL-*
11 *AGE CHILDREN, THE BOARD OF VISITORS FOR THE*
12 *UNIVERSITY OF ARKANSAS AT MONTICELLO, AND THE BOARD*
13 *OF VISITORS FOR THE UNIVERSITY OF ARKANSAS AT PINE*
14 *BLUFF; TO ABOLISH CERTAIN BOARDS, COMMISSIONS,*
15 *COMMITTEES, OR OTHER SIMILAR ENTITIES; AND FOR OTHER*
16 *PURPOSES.*

Subtitle

17
18
19
20 TO AMEND THE LAW CONCERNING VARIOUS
21 BOARDS, COMMISSIONS, COMMITTEES, AND
22 OTHER SIMILAR ENTITIES; AND TO ABOLISH
23 CERTAIN BOARDS, COMMISSIONS, COMMITTEES,
24 OR OTHER SIMILAR ENTITIES.
25
26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
28

29 *SECTION 1. The introductory language of Arkansas Code § 6-18-1501(b),*
30 *concerning vision screening, is amended to read as follows:*

31 *(b) An eye and vision screening shall include the following tests,*
32 *procedures, equipment, and instruments approved by ~~the Arkansas Commission on~~*
33 *~~Eye and Vision Care of School-Age Children and the department:~~*
34

35 *SECTION 2. Arkansas Code § 6-18-1503(a), concerning forms, is amended*
36 *to read as follows:*



1 (a) Standardized forms for eye and vision screening reports shall be
2 developed by the Department of Education ~~in conjunction with the Arkansas~~
3 ~~Commission on Eye and Vision Care of School Age Children~~ and adopted by the
4 department in ~~regulations~~ rules promulgated under the Arkansas Administrative
5 Procedure Act, § 25-15-201 et seq.

6
7 SECTION 3. Arkansas Code § 6-18-1504 is amended to read as follows:
8 6-18-1504. Training.

9 The Department of Education, ~~in conjunction with the Arkansas~~
10 ~~Commission on Eye and Vision Care of School Age Children,~~ shall adopt
11 ~~regulations~~ rules that establish standards for training school nurses to
12 perform eye and vision screenings.

13
14 SECTION 4. Arkansas Code Title 6, Chapter 18, Subchapter 18, is
15 repealed.

16 ~~Subchapter 18~~

17 ~~—Arkansas Commission on Eye and Vision Care of School Age Children~~

18
19 ~~6-18-1801. Intent.~~

20 ~~(a) The General Assembly recognizes:~~

21 ~~(1) The importance of adequate eye and vision care for school-~~
22 ~~age children as an important component to maximizing their educational~~
23 ~~opportunities and classroom performance; and~~

24 ~~(2) The need for a study to be conducted to evaluate eye and~~
25 ~~vision care in school age children and to develop a strategic statewide plan~~
26 ~~regarding the needs and solutions of eye and vision problems of school-age~~
27 ~~children.~~

28 ~~(b) Therefore, the purposes of this act are to create a commission to~~
29 ~~conduct such a study and to make findings and recommendations to the General~~
30 ~~Assembly and the Governor.~~

31
32 ~~6-18-1802. Arkansas Commission on Eye and Vision Care of School Age~~
33 ~~Children.~~

34 ~~(a)(1) There is established the Arkansas Commission on Eye and Vision~~
35 ~~Care of School Age Children to be composed of seventeen (17) members.~~

36 ~~(2) The following members shall be appointed by the Governor:~~

1 ~~(A) Four (4) optometrists;~~

2 ~~(B) Two (2) ophthalmologists;~~

3 ~~(C) One (1) pediatrician;~~

4 ~~(D) One (1) school nurse who is currently working in a~~
5 ~~public elementary school in this state;~~

6 ~~(E) One (1) person currently working as a principal in a~~
7 ~~public elementary school in this state; and~~

8 ~~(F) One (1) person currently working as a classroom~~
9 ~~teacher in a public elementary school in this state.~~

10 ~~(3) The following members shall be appointed by the Speaker of~~
11 ~~the House of Representatives:~~

12 ~~(A) One (1) family practice physician; and~~

13 ~~(B) One (1) principal of a public elementary school.~~

14 ~~(4) The following members shall be appointed by the President~~
15 ~~Pro Tempore of the Senate:~~

16 ~~(A) One (1) family practice physician; and~~

17 ~~(B) One (1) teacher in a public elementary school.~~

18 ~~(5) The chair of the House Committee on Public Health, Welfare,~~
19 ~~and Labor shall appoint one (1) member who has a child in a public school in~~
20 ~~this state.~~

21 ~~(6) The chair of the Senate Committee on Public Health, Welfare,~~
22 ~~and Labor shall appoint one (1) member who has a child in a public school in~~
23 ~~this state.~~

24 ~~(7) The optometrist serving on the State Board of Health shall~~
25 ~~also be a member of the board and shall serve as a liaison to the Department~~
26 ~~of Health.~~

27 ~~(b)(1) The Governor shall designate one (1) of the optometrist~~
28 ~~appointees to serve as chairperson of the commission.~~

29 ~~(2) The members of the commission shall select from their~~
30 ~~membership a vice chairperson, a secretary, and a treasurer.~~

31 ~~(c) The first meeting shall be held within thirty (30) days of the~~
32 ~~appointment of the members by the Governor, and shall be called by the chair.~~

33 ~~(d)(1) A majority of the membership of the commission shall constitute~~
34 ~~a quorum.~~

35 ~~(2) A majority vote of those members present shall be required~~
36 ~~for any action of the commission.~~

1 ~~(e) Vacancies shall be filled for the unexpired portion of the term in~~
2 ~~the same manner as is provided in this section for initial appointments.~~

3 ~~(f) To the extent that moneys are made available for that purpose, the~~
4 ~~members of the commission may receive expense reimbursement in accordance~~
5 ~~with Arkansas Code § 25-16-902.~~

6
7 ~~6-18-1803. Duties.~~

8 ~~(a) The Arkansas Commission on Eye and Vision Care of School Age~~
9 ~~Children shall:~~

10 ~~(1) Study the eye and vision needs of the school-age children of~~
11 ~~Arkansas;~~

12 ~~(2) Study and evaluate vision screening programs in the schools,~~
13 ~~and their effectiveness;~~

14 ~~(3) Study and evaluate whether children are receiving adequate~~
15 ~~eye and vision care, and correction of vision problems;~~

16 ~~(4) Study the effects of inadequate vision on the performance of~~
17 ~~children in the classroom; and~~

18 ~~(5) Continue to develop a strategic statewide plan to ensure~~
19 ~~adequate eye and vision care of school-age children.~~

20 ~~(b) The commission and the Department of Education shall report their~~
21 ~~findings and updates to the Governor, the Legislative Council, and the House~~
22 ~~Committee on Public Health, Welfare, and Labor and Senate Committee on Public~~
23 ~~Health, Welfare, and Labor two (2) times per year.~~

24 ~~(c)(1)(A) The commission may accept any and all donations, grants of~~
25 ~~money, gifts, appropriations, instruments, equipment, supplies, materials,~~
26 ~~and services, conditional or otherwise, from private sources, from municipal~~
27 ~~and county governments, from the state, and from the federal government.~~

28 ~~(B) The commission may use any of its resources to further~~
29 ~~the commission's purposes and functions.~~

30 ~~(2)(A) There is created on the books of the Treasurer of State,~~
31 ~~Auditor of State, and Chief Fiscal Officer of the State a special revenue~~
32 ~~fund to be known as the "School Age Children Eye and Vision Care Fund".~~

33 ~~(B)(i) All moneys collected under this section shall be~~
34 ~~deposited into the State Treasury to the credit of the fund as special~~
35 ~~revenues.~~

36 ~~(ii) The fund shall also consist of any other~~

1 ~~revenues authorized by law.~~

2 ~~(iii) Within thirty (30) days after the effective~~
3 ~~date of this subchapter, the Arkansas Commission on Eye and Vision Care of~~
4 ~~School Age Children shall transfer all funds currently held to the School Age~~
5 ~~Children Eye and Vision Care Fund.~~

6 ~~(C) The fund shall be used by the commission for the~~
7 ~~purpose of carrying out its responsibilities under this section.~~

8 ~~(D) Any money not used by the commission within a fiscal~~
9 ~~year to carry out its responsibilities under this section shall be carried~~
10 ~~forward into the next fiscal year.~~

11 ~~(d) The commission shall develop criteria for the distribution~~
12 ~~of commission resources to individuals and school districts in need of~~
13 ~~financial or other assistance necessary to satisfy the requirements of~~
14 ~~Arkansas Code §§ 6-18-1501 through 6-18-1506.~~

15 ~~(e)(1) In conjunction with the Department of Education, the commission~~
16 ~~shall develop criteria for passage or failure of a vision screening and~~
17 ~~criteria for referral for a comprehensive eye examination.~~

18 ~~(2) The Department of Education shall adopt the criteria as~~
19 ~~rules promulgated under the Arkansas Administrative Procedure Act, § 25-15-~~
20 ~~201 et seq.~~

21 ~~(f) In conjunction with the Department of Education, the commission~~
22 ~~shall develop standardized forms to be used with regard to conducting and~~
23 ~~reporting the results of eye and vision screenings.~~

24 ~~(g) The commission and the Department of Education shall evaluate and~~
25 ~~approve the vision screening instruments, equipment, and other testing items~~
26 ~~that are used to conduct the eye and vision screenings.~~

27 ~~(h) The commission shall conduct a pilot study to evaluate the pre-~~
28 ~~and post-performance test scores of school children who have been screened~~
29 ~~and referred for vision problems. The study shall encompass rural, urban, and~~
30 ~~Empowerment-Zone school systems.~~

31
32 ~~6-18-1804. Funding.~~

33 ~~(a)(1) The Arkansas Commission on Eye and Vision Care of School Age~~
34 ~~Children's funding shall be from grants, donations, and any other funds that~~
35 ~~may be made available through appropriations by the General Assembly.~~

36 ~~(2) Moneys received by the commission shall be used solely for~~

1 ~~the support of the functions of the commission.~~

2 ~~(b)(1) Grants and donations received by the commission shall be cash~~
3 ~~funds and shall be administered by the Arkansas Department of Health but~~
4 ~~shall be subject to appropriation by the General Assembly.~~

5 ~~(2) Any moneys received from grantors and donors that are not~~
6 ~~expended by the commission shall be returned to the grantors and donors in~~
7 ~~proportion that each bears to the total of all grants and donations received~~
8 ~~by the commission.~~

9
10 SECTION 5. Arkansas Code § 6-64-302 is amended to read as follows:

11 6-64-302. Monticello - Establishment - Board of Visitors.

12 (a) The Board of Trustees of the University of Arkansas is authorized
13 to establish and operate, as a part thereof, a campus to be known as the
14 University of Arkansas at Monticello, consolidating and incorporating therein
15 the state institution formerly known as Arkansas Agricultural and Mechanical
16 College, which, together with its board of trustees, was abolished as a
17 separate institution with responsibility transferred to the control of the
18 Board of Trustees of the University of Arkansas as a part of the University
19 of Arkansas effective July 1, 1971.

20 ~~(b)(1) There is established the Board of Visitors for the University~~
21 ~~of Arkansas at Monticello, which shall consist of twelve (12) members~~
22 ~~appointed by the Governor.~~

23 ~~(2)(A) First, the Governor shall make seven (7) appointments~~
24 ~~from a list of no fewer than twenty (20) names jointly prepared by the~~
25 ~~members of the House of Representatives representing the eighth, ninth,~~
26 ~~tenth, and twelfth house districts and the Senator representing the twenty-~~
27 ~~fourth senate district.~~

28 ~~(B) The seven (7) appointments shall include one (1) each~~
29 ~~from Ashley, Bradley, Chicot, Cleveland, Desha, Drew, and Lincoln counties.~~

30 ~~(3)(A) Second, the Governor shall appoint two (2) members from:~~

31 ~~(i) The Board of Directors of Forest Echoes~~
32 ~~Technical Institute, which after July 1, 2003, shall be known as the~~
33 ~~University of Arkansas at Monticello College of Technology Crossett; and~~

34 ~~(ii) The Board of Directors of Great Rivers~~
35 ~~Technical Institute, which after July 1, 2003, shall be known as the~~
36 ~~University of Arkansas at Monticello College of Technology McGehee.~~

1 ~~(B) The Board of Directors of Forest Echoes Technical~~
2 ~~Institute, which after July 1, 2003, shall be known as the University of~~
3 ~~Arkansas at Monticello College of Technology Crossett, and Great Rivers~~
4 ~~Technical Institute, which after July 1, 2003, shall be known as the~~
5 ~~University of Arkansas at Monticello College of Technology McGehee, shall be~~
6 ~~appointed by the Board of Trustees of the University of Arkansas.~~

7 ~~(4) The remaining member of the board of visitors shall be~~
8 ~~appointed by the Governor.~~

9 ~~(e)(1)(A) Appointments shall be bipartisan and be for terms of three~~
10 ~~(3) years.~~

11 ~~(B) The Governor shall make appointments to the initial~~
12 ~~board of visitors and thereafter as terms expire and vacancies occur for any~~
13 ~~reason, so that at least seven (7) members of the board of visitors will be~~
14 ~~alumni of the University of Arkansas at Monticello.~~

15 ~~(C) After the expiration of the terms of the members~~
16 ~~initially appointed under subsection (b) of this section, the members~~
17 ~~appointed by the Governor in 2006 shall draw lots for staggered terms with~~
18 ~~the terms of four (4) members expiring in 2007, the terms of four (4) members~~
19 ~~expiring in 2008, and the terms of four (4) members expiring in 2009.~~

20 ~~(D) Appointments after 2006 shall be for terms of three~~
21 ~~(3) years.~~

22 ~~(2) Members may serve no more than two (2) consecutive terms but~~
23 ~~shall otherwise be eligible for reappointment to the board of visitors.~~

24 ~~(3) When there is a vacancy in an unexpired term, the appointee~~
25 ~~shall serve for the remaining portion of the term.~~

26 ~~(d) The general purposes of the board of visitors shall be to:~~

27 ~~(1) Perform a liaison function between the University of~~
28 ~~Arkansas at Monticello and the President and the Board of Trustees of the~~
29 ~~University of Arkansas;~~

30 ~~(2) Aid in securing financial support;~~

31 ~~(3) Advise upon and interpret the educational and service needs~~
32 ~~of the State of Arkansas as they relate to the mission and programs of the~~
33 ~~University of Arkansas at Monticello;~~

34 ~~(4) Aid in the continuing development of the University of~~
35 ~~Arkansas at Monticello as a major four-year campus of the University of~~
36 ~~Arkansas; and~~

1 ~~(5) Furnish counsel and guidance by advice and recommendations~~
2 ~~for the University of Arkansas at Monticello.~~

3 ~~(e)(b) The Board of Trustees of the University of Arkansas shall~~
4 ~~maintain and operate the campus at Monticello as a major four-year campus of~~
5 ~~the University of Arkansas, offering at that location the highest possible~~
6 ~~quality of high educational programs, shall provide for the sound growth and~~
7 ~~improvement of the quality of the academic programs, and shall expand its~~
8 ~~mission to include technical education at Forest Echoes Technical Institute,~~
9 ~~which after July 1, 2003, shall be known as the University of Arkansas at~~
10 ~~Monticello College of Technology-Crossett, and Great Rivers Technical~~
11 ~~Institute, which after July 1, 2003, shall be known as the University of~~
12 ~~Arkansas at Monticello College of Technology-McGehee.~~

13
14 SECTION 6. Arkansas Code § 6-64-304 is repealed.

15 ~~6-64-304. Pine Bluff Board of Visitors.~~

16 ~~(a) The Board of Trustees of Arkansas Agricultural, Mechanical, and~~
17 ~~Normal College shall be reconstituted as the Board of Visitors for the~~
18 ~~University of Arkansas at Pine Bluff.~~

19 ~~(b)(1) As terms expire, and where vacancies occur for any reason, the~~
20 ~~Governor, with the advice and consent of the Senate, shall appoint the~~
21 ~~successor.~~

22 ~~(2) The Governor shall endeavor to make appointments to the~~
23 ~~board of visitors so that at least four (4) of the seven (7) members of the~~
24 ~~board will be alumni of Arkansas Agricultural, Mechanical, and Normal College~~
25 ~~or the University of Arkansas at Pine Bluff.~~

26 ~~(3) [Repealed.]~~

27 ~~(c) Appointments shall be for terms of seven (7) years each except~~
28 ~~where there is an unexpired term, which shall be filled for the remaining~~
29 ~~portion of the term.~~

30 ~~(d) The general purpose of the board of visitors shall be to:~~

31 ~~(1) Perform a liaison function between the University of~~
32 ~~Arkansas at Pine Bluff and the President and the Board of Trustees of the~~
33 ~~University of Arkansas;~~

34 ~~(2) Aid in securing financial support;~~

35 ~~(3) Advise upon and interpret the educational and service needs~~
36 ~~of the State of Arkansas as they relate to the mission and programs of the~~

1 ~~University of Arkansas at Pine Bluff;~~

2 ~~(4) Aid in the orderly transition of Arkansas Agricultural,~~
3 ~~Mechanical, and Normal College as it becomes a major campus of the University~~
4 ~~of Arkansas; and~~

5 ~~(5) Furnish counsel and guidance, by advice and recommendations,~~
6 ~~for the University of Arkansas at Pine Bluff.~~

7
8 SECTION 7. Arkansas Code Title 13, Chapter 7, Subchapter 4, is
9 repealed.

10 ~~Subchapter — Prairie Grove Battlefield Commission~~

11
12 ~~13-7-401. Creation — Members.~~

13 ~~(a) There is created a Prairie Grove Battlefield State Park Advisory~~
14 ~~Commission.~~

15 ~~(b)(1) The commission shall be composed of seven (7) qualified~~
16 ~~electors of the State of Arkansas to be appointed by the Governor and shall~~
17 ~~serve in an advisory capacity to the State Parks Division of the Department~~
18 ~~of Parks and Tourism.~~

19 ~~(2) Four (4) members of the commission shall be residents of~~
20 ~~Washington County, Arkansas.~~

21 ~~(3) One (1) member of the commission shall be an historian by~~
22 ~~profession.~~

23 ~~(c) The members of the commission shall be appointed for five-year~~
24 ~~staggered terms of office.~~

25 ~~(d) Vacancies on the commission caused by death, resignation, or any~~
26 ~~other reason shall be filled by appointment by the Governor for the unexpired~~
27 ~~portion of the term.~~

28 ~~(e)(1) The commission shall advise the division in the establishment~~
29 ~~of policies and procedures for the development and operation of the Prairie~~
30 ~~Grove Battlefield State Park.~~

31 ~~(2) However, final authority for all matters relating to the~~
32 ~~development and operation of the park shall rest with the Director of the~~
33 ~~Department of Parks and Tourism.~~

34 ~~(f) Under the supervision of the Superintendent of the Prairie Grove~~
35 ~~Battlefield State Park and with the approval of the director, the commission~~
36 ~~shall develop and coordinate efforts to encourage gifts or donations to the~~

1 ~~park.~~

2
3 ~~13-7-402. Officers—Oaths and compensation of members.~~

4 ~~(a) Before any member of the Prairie Grove Battlefield State Park~~
5 ~~Advisory Commission shall enter upon his or her duties as a member of the~~
6 ~~commission, the member shall take the oath required of elected state~~
7 ~~officials and shall file a copy of the oath in the office of the Secretary of~~
8 ~~State.~~

9 ~~(b)(1) Upon its appointment, the commission shall meet and organize by~~
10 ~~electing one (1) member as chair and one (1) member as secretary and shall~~
11 ~~elect any other officers as the commission deems necessary.~~

12 ~~(2) The officers shall be elected annually.~~

13 ~~(c)(1) Members of the commission shall serve without compensation.~~

14 ~~(2) However, the members may receive expense reimbursement in~~
15 ~~accordance with § 25-16-901 et seq.~~

16
17 SECTION 8. Arkansas Code § 19-5-302(3)(A), concerning the State
18 General Government Fund, is amended to read as follows:

19 (A) The Parks and Tourism Fund Account shall be used for
20 the maintenance, operation, and improvement required by the Department of
21 Parks and Tourism as created by § 25-13-101, or other duties imposed by law
22 upon the Department of Parks and Tourism, the State Parks, Recreation, and
23 Travel Commission, ~~the Prairie Grove Battlefield State Park Advisory~~
24 ~~Commission~~, or upon any state park of Arkansas.

25
26 SECTION 9. Arkansas Code § 19-6-815 is repealed.

27 ~~19-6-815. School Age Children Eye and Vision Care Fund.~~

28 ~~The School Age Children Eye and Vision Care Fund shall consist of those~~
29 ~~special revenues as specified in § 19-6-301(242), and any other revenues as~~
30 ~~may be authorized by law, there to be used by the Arkansas Commission on Eye~~
31 ~~and Vision Care of School Age Children for the purpose of carrying out its~~
32 ~~responsibilities as stated in uncodified Section 1 of Acts 2007, No. 138.~~

33
34 SECTION 10. Arkansas Code § 25-1-302(24), concerning members of
35 specified executive branch boards and commissions not to be members of the
36 General Assembly, is repealed.

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~~(24) Board of Visitors for the University of Arkansas at Pine
Bluff, § 6-64-304;~~

/s/Maddox