

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 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H2/8/01

A Bill

Act 783 of 2001
HOUSE BILL 1359

5 By: Representatives Womack, House
6
7

For An Act To Be Entitled

9 AN ACT TO ABOLISH VARIOUS BOARDS AND COMMISSIONS; AND
10 FOR OTHER PURPOSES.

Subtitle

11 AN ACT TO ABOLISH VARIOUS BOARDS AND
12 COMMISSIONS.
13
14
15
16

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

18
19 SECTION 1. The following are hereby abolished:

20 (1) The Advisory Committee on Accountability;

21 (2) The Crowley's Ridge Trail Commission;

22 (3) The advisory council to the Arkansas Natural Heritage Commission of
23 the Department of Arkansas Heritage;

24 (4) The Advisory Board for Director of the Arkansas High Technology
25 Training Center;

26 (5) The Low-Level Radioactive Waste Advisory Group;

27 (6) The Arkansas Medal of Honor Commission;

28 (7) The Quality Management Board; and

29 (8) The Arkansas Task Force on Timber Land Assessment;
30

31 SECTION 2. Arkansas Code 6-15-804, 6-15-809, 6-46-301, 8-8-204, 13-10-
32 101, 22-3-1601 through 22-3-1603, 22-4-601, 22-4-602, and 25-23-101 through
33 25-23-104 are hereby repealed:

34 ~~6-15-804. Advisory Committee on Accountability.~~

35 ~~(a) To assist the Office of Accountability, there is established the~~
36 ~~Advisory Committee on Accountability to be composed of the following members~~

1 who must be willing to devote adequate time to the work of the committee;

2 ~~(1) The Director of the Department of Education, or his designee,~~
3 who shall act as secretary to the advisory committee;

4 ~~(2) Three (3) members of the business community with knowledge in~~
5 the particular areas of concern;

6 ~~(3) One (1) member of the Senate;~~

7 ~~(4) One (1) member of the House of Representatives;~~

8 ~~(5) One (1) person from a list of three (3) names submitted by~~
9 the Arkansas Association of Educational Administrators;

10 ~~(6) One (1) person from a list of three (3) names submitted by~~
11 the Arkansas Education Association;

12 ~~(7) One (1) parent of a school-aged child; and~~

13 ~~(8) One (1) person from a list of three (3) names submitted by~~
14 the deans of the colleges of education of the institutions of higher learning
15 in the state.

16 ~~(b)(1) The three (3) members from the business community, the parent,~~
17 the Arkansas Education Association representative, the Arkansas Association of
18 Educational Administrators representative, and the representative of the deans
19 shall be appointed by the Governor, subject to confirmation of the Senate.

20 ~~(2) The President Pro Tempore of the Senate shall appoint the~~
21 Senate member to a two-year term.

22 ~~(3) The Speaker of the House of Representatives shall appoint the~~
23 House of Representatives member to a two-year term.

24 ~~(4) All voting members shall serve four-year terms. All terms~~
25 shall expire on April 1. Membership is limited to two (2) terms.

26 ~~(5) The director or designee and the legislative members of the~~
27 committee shall serve as advisory members without voting privileges.

28 ~~(c) Nonstate employee committee members and legislative members of the~~
29 committee shall serve without compensation, but:

30 ~~(1) The legislative members shall be entitled to reimbursement of~~
31 expenses and mileage allowances for attendance at committee meetings at the
32 same rate as is authorized by law for legislators' attendance at meetings of
33 interim committees of the General Assembly; and

34 ~~(2) The nonlegislative members may receive expense reimbursement~~
35 in accordance with § 25-16-901 et seq.

36

1 ~~6-15-809. Findings and recommendations.~~

2 ~~(a) The Advisory Committee on Accountability shall submit prior to~~
 3 ~~January 1 each year a written report containing its findings and~~
 4 ~~recommendations in regard to its specific areas of concern to the House and~~
 5 ~~Senate Interim Committees on Education and the State Board of Education.~~

6 ~~(b) The members of the committee shall receive, under the direction of~~
 7 ~~the Director of the Department of Education, assistance and cooperation of the~~
 8 ~~staff of the Office of Accountability and other related divisions within the~~
 9 ~~Department of Education, the Department of Higher Education, the Department of~~
 10 ~~Information Systems, and all other branches of state government as directed by~~
 11 ~~the respective agency directors.~~

12
 13 ~~6-46-301. Advisory board of directors.~~

14 ~~(a) The Arkansas High Technology Training Center shall be operated as a~~
 15 ~~part of the Department of Workforce Education with the advice and counsel of~~
 16 ~~an eleven member advisory board of directors to be composed of:~~

17 ~~(1) The Director of Department of Education;~~

18 ~~(2) The Director of the Department of Workforce Education;~~

19 ~~(3) The Director of the Department of Higher Education;~~

20 ~~(4) The Director of the Arkansas Economic Development Commission;~~

21 ~~(5) The Chairman of the Aviation and Aerospace Commission;~~

22 ~~(6) The President of the Arkansas Science and Technology~~

23 ~~Authority; and~~

24 ~~(7) Five (5) members appointed by the Governor from the state at~~
 25 ~~large.~~

26 ~~(b)(1) Appointments to the board shall be for three year terms.~~

27 ~~(2) No appointee shall serve more than nine (9) years.~~

28 ~~(c) The board shall annually elect a chairman and such other officers~~
 29 ~~as the board shall determine appropriate.~~

30 ~~8-8-204. Advisory group.~~

31 ~~(a) A "Low Level Radioactive Waste Advisory Group" shall be appointed~~
 32 ~~by the Governor to assist Arkansas' member and alternate member of the Central~~
 33 ~~Interstate Low Level Radioactive Waste Commission.~~

34 ~~(b)(1) The advisory group shall consist of not more than five (5)~~
 35 ~~individuals.~~

36 ~~(2) The composition of the advisory group shall include the~~

1 following:

2 ~~(A) One (1) member representing the Arkansas Department of~~
3 ~~Environmental Quality;~~

4 ~~(B) One (1) member representing the Department of Health;~~

5 ~~(C) One (1) member representing the Arkansas Energy Office;~~

6 ~~(D) One (1) member representing a major generator of low-~~
7 ~~level radioactive waste; and~~

8 ~~(E) One (1) member of the public at large.~~

9 ~~(c) The Low Level Radioactive Waste Advisory Group shall serve two year~~
10 ~~terms.~~

11 ~~(d) The Low Level Radioactive Waste Advisory Group shall meet upon a~~
12 ~~call of the member or alternate member of the Central Interstate Low Level~~
13 ~~Radioactive Waste Commission.~~

14

15 ~~13-10-101. Creation — Functions and duties.~~

16 ~~(a)(1) There is hereby created the Arkansas Medal of Honor Commission~~
17 ~~to be composed of those persons appointed by acting Governor Stanley Russ on~~
18 ~~November 20, 1996, to the Arkansas Medal of Honor Commission created by a~~
19 ~~Governor's proclamation of that date and such other members as shall be~~
20 ~~appointed by the Governor with the advice and consent of the Senate.~~

21 ~~(2) Any vacancies occurring on the commission shall be filled by~~
22 ~~appointment by the Governor with the advice and consent of the Senate.~~

23 ~~(b)(1) The commission shall establish a permanent monument or other~~
24 ~~appropriate memorial to honor Arkansans who have been awarded the~~
25 ~~Congressional Medal of Honor.~~

26 ~~(2) The commission is charged with the duty of soliciting funds~~
27 ~~necessary to accomplish its purposes.~~

28 ~~22-3-1601. Legislative findings~~

29 ~~It is hereby found and determined by the General Assembly that several~~
30 ~~Arkansans have been awarded the prestigious Congressional Medal of Honor and~~
31 ~~that those brave individuals have not received from fellow Arkansans the~~
32 ~~recognition and honor they deserve. It is further found and determined by the~~
33 ~~General Assembly that an appropriate monument should be established and~~
34 ~~maintained on the grounds of the State Capitol as a symbol of recognition,~~
35 ~~honor, and appreciation to all those Arkansans who have been or may be awarded~~
36 ~~the Congressional Medal of Honor.~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

~~22-3-1602. Construction of monument.~~

~~The Secretary of State is authorized to assist and coordinate with the Arkansas Medal of Honor Commission with regard to the construction on the grounds of the State Capitol a monument to honor Arkansans who have been or may be awarded the Congressional Medal of Honor.~~

~~22-3-1603. Design—Location.~~

~~The design of the monument shall be approved by the Arkansas Medal of Honor Commission and the Capitol Arts and Grounds Commission. The location of the monument on the State Capitol grounds shall be approved by the Arkansas Capitol Arts and Grounds Commission and the Arkansas Medal of Honor Commission.~~

~~22-4-601. Members.~~

~~(a) There is established a Crowley's Ridge Trail Commission to consist of fifteen (15) members from the Crowley's Ridge area to be appointed as follows:~~

~~(1) Five (5) members shall be appointed by the Governor;~~

~~(2) Five (5) members shall be appointed by the President Pro Tempore of the Senate; and~~

~~(3) Five (5) members shall be appointed by the Speaker of the House of Representatives.~~

~~(b)(1) The initial members of the commission shall draw lots so that:~~

~~(A) Five (5) serve one year terms;~~

~~(B) Five (5) serve two year terms; and~~

~~(C) Five (5) serve three year terms.~~

~~(2) Successor members shall serve three year terms except that persons appointed to fill vacancies resulting in an unexpired term shall serve for the remainder of that unexpired term.~~

~~(c) Upon recommendation of the commission, made after notice and hearing, the Governor may remove any member of the commission for incompetence, neglect of duty, or malfeasance in office.~~

~~(d) Any vacancy on the commission shall be filled in the same manner the appointment was made under subsection (a) of this section.~~

~~(e)(1) The Governor shall call the first commission meeting and~~

1 ~~designate a member to preside at that meeting.~~

2 ~~(2) The commission shall elect annually from its membership a~~
3 ~~chairperson, vice chairperson, and a secretary.~~

4 ~~(3)(A) The commission shall meet as frequently as it deems~~
5 ~~necessary, at such times and places as the commission designates.~~

6 ~~(B) Additional meetings may be held upon call of the~~
7 ~~chairperson or upon written request of eight (8) members of the commission.~~

8 ~~(f) Eight (8) members of the commission shall constitute a quorum.~~

9 ~~(g) The members of the commission shall serve without compensation.~~

10
11 ~~22-4-602. Powers and duties.~~

12 ~~The Crowley's Ridge Trail Commission shall:~~

13 ~~(1) Investigate the possibility of establishing scenic hiking,~~
14 ~~biking, and walking trails along the length of Crowley's Ridge from Cape~~
15 ~~Girardeau, Missouri, to Helena, Arkansas;~~

16 ~~(2) Study the feasibility of financing the establishment of~~
17 ~~scenic hiking, biking, and walking trails along Crowley's Ridge with resources~~
18 ~~from foundations, other private financial sources, federal or state grants, or~~
19 ~~other funding;~~

20 ~~(3) Develop and coordinate efforts to encourage gifts or~~
21 ~~donations to the commission to be used to support the work of the commission~~
22 ~~and to be used for the establishment of scenic trails along Crowley's Ridge;~~

23 ~~(4) Study the possibility of using volunteers, such as Ameri-~~
24 ~~Corps volunteers, recipients of Transitional Employment Assistance, and others~~
25 ~~to construct the trails; and~~

26 ~~(5) Report its findings to the Department of Parks and Tourism,~~
27 ~~Department, the General Assembly, and the Governor by January 15, 1999.~~

28 ~~25-23-101. Purpose.~~

29 ~~Since it is incumbent upon Arkansas state government to operate in an~~
30 ~~efficient and cost-effective manner, it is the purpose of this chapter to~~
31 ~~establish a framework to encourage, support, and document the activities and~~
32 ~~accomplishments of quality management in state government.~~

33
34 ~~25-23-102. Definitions.~~

35 ~~As used in this chapter, unless the context otherwise requires:~~

36 ~~(1) "Quality Management Board" means the membership of the~~

1 ~~Quality Management Board acting under authority granted in this chapter;~~

2 ~~(2) "Chief Fiscal Officer of the State" means the Director of the~~
3 ~~Department of Finance and Administration;~~

4 ~~(3) "Director" means the executive head of any quality management~~
5 ~~participating agency;~~

6 ~~(4) "Speaker of the House" means the duly elected Speaker of the~~
7 ~~House of Representatives;~~

8 ~~(5) "President Pro Tempore of the Senate" means the duly elected~~
9 ~~President Pro Tempore of the Senate;~~

10 ~~(6) "Quality management participating agency" means any agency,~~
11 ~~authority, department, board, commission, bureau, council, or other agency of~~
12 ~~the State of Arkansas supported by appropriation of state or federal funds~~
13 ~~designated by the Governor as a quality management participating agency;~~

14 ~~(7) "Quality management affected employee" means any employee of~~
15 ~~a quality management participating agency whose:~~

16 ~~(A) Position may be eliminated;~~ or

17 ~~(B) Duties may be changed in such a manner to cause such~~
18 ~~employee to be unable to perform the new duties of such position due to the~~
19 ~~implementation of a quality management project;~~

20 ~~(8) "Quality management project" means a project approved by the~~
21 ~~director of any quality management participating agency and filed with the~~
22 ~~Quality Management Board;~~

23 ~~(9) "Quality management line item" means the expense object code~~
24 ~~from the maintenance and operations appropriation which is used to finance~~
25 ~~training costs;~~

26 ~~(10) "Quality Management State Agency Training Fund" means a fund~~
27 ~~established to receive payments from quality management participating agencies~~
28 ~~to be administered by the Chief Fiscal Officer of the State;~~

29 ~~(11) "Notice of intent" means a document filed with the board~~
30 ~~providing data on a quality management project approved for initiation by the~~
31 ~~director;~~

32 ~~(12) "Quality management training" means training recommended as~~
33 ~~a result of a quality management project completed by a quality management~~
34 ~~participating agency. This training includes, but is not limited to, training~~
35 ~~provided by the Interagency Training Program of the Office of Personnel~~
36 ~~Management of the Department of Finance and Administration.~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

~~25-23-103. Creation—Members—Meetings.~~

~~(a) There is hereby created the Quality Management Board.~~

~~(b) The board shall consist of seven (7) members:~~

~~(1)(A) Four (4) members of the board shall be appointed by the Governor.~~

~~(B) Their successors shall be appointed for terms of three (3) years;~~

~~(2) One (1) member of the board shall be appointed from the recommendation of the Arkansas State Employees' Association;~~

~~(3) One (1) member of the board shall be appointed from the House of Representatives by the Speaker of the House;~~

~~(4) One (1) member of the board shall be appointed from the Senate by the President Pro Tempore of the Senate;~~

~~(5) The Chief Fiscal Officer of the State shall serve as an ex officio member of the board;~~

~~(6) Members of the board shall serve at the pleasure of the Governor; and~~

~~(7) Should a vacancy occur on the board, such vacancy shall be filled in the same manner as the original appointment within thirty (30) days of occurrence.~~

~~(c)(1) Meetings shall be scheduled every sixty (60) days to avoid unnecessary delays in the process.~~

~~(2) Additional meetings may be held at the discretion of the chairperson or upon request of any three (3) members of the board.~~

~~(3) Reasonable notice of all meetings shall be given in the manner prescribed by the laws of this state, and all meetings of the board shall be open to the public.~~

~~(4) A quorum of the board shall consist of three (3) members.~~

~~(d) The board shall elect a chairperson.~~

~~(e) The Chief Fiscal Officer of the State shall provide staffing for the board.~~

~~25-23-104. Functions and mandate.~~

~~The Quality Management Board shall:~~

~~(1) Receive notice of intent from the director of a quality~~

1 management participating agency;

2 ~~(2)(A) Maintain a database of projects, to include those filed,~~
3 ~~activities of projects, status, and results.~~

4 ~~(B) Participating quality management agencies shall provide~~
5 ~~the data in a manner set out by the board;~~

6 ~~(3)(A) Develop procedures which ensure that any quality~~
7 ~~management affected employee will be provided an employment opportunity,~~
8 ~~including retraining if necessary.~~

9 ~~(B) Provided, however, nothing in this chapter shall~~
10 ~~prevent such employee from seeking and accepting nonstate government~~
11 ~~employment. If such employment is secured by such employee, the obligation~~
12 ~~created herein is dissolved;~~

13 ~~(4) Develop processes to provide tracking for quality management~~
14 ~~participating agencies which are funded wholly or in part with federal funds;~~
15 ~~and~~

16 ~~(5) Promulgate rules, regulations, or procedures necessary to~~
17 ~~carry out the duties of the board pursuant to this chapter.~~

18
19 SECTION 3. Section 1 of uncodified Act 1176 of 1993 is repealed:

20 Section 1. ~~(a) There is created the Arkansas Task Force on Timber~~
21 ~~Land Assessment. The Task Force shall be composed of five (5) members. The~~
22 ~~Speaker of the House shall appoint one (1) member of the House of the~~
23 ~~Representatives as a member of the task force. The President Pro Tempore of~~
24 ~~the Senate shall appoint one (1) member of the Senate as a member of the task~~
25 ~~force. The Governor shall appoint three (3) members to be selected as~~
26 ~~follows: one (1) County Assessor, one (1) representative of the timber~~
27 ~~industry, and one (1) superintendent of a public school.~~

28 ~~(b) The task force shall examine the use valuation, for tax purposes,~~
29 ~~of timber land that has additional uses. The task force shall make a report~~
30 ~~of its findings and recommendations to the Governor and the Arkansas General~~
31 ~~Assembly.~~

32 ~~(c) The Assessment Coordination division shall provide staff support~~
33 ~~for the task force.~~

34 ~~(d) The members of the task force shall serve without compensation for~~
35 ~~their services.~~

36

1 SECTION 4. Arkansas Code 25-1-302(a)(10) is repealed:

2 ~~(10) Crowley's Ridge Trail Commission, § 22-4-601;~~

4 SECTION 5. Arkansas Code 25-1-302(a)(35) is repealed:

5 ~~(35) Arkansas Task Force on Timber Land Assessment, Acts 1993, No.~~
6 ~~1176, § 1;~~

8 SECTION 6. Arkansas Code 25-1-105(f)(22) is repealed:

9 ~~(22) Low Level Radioactive Waste Advisory Group, § 8-8-204;~~

11 SECTION 7. Arkansas Code 15-23-307 is repealed.

12 ~~15-23-307. Advisory council.~~

13 ~~(a) An advisory council shall serve to provide technical aid and~~
14 ~~assistance to the Arkansas Natural Heritage Commission of the Department of~~
15 ~~Arkansas Heritage in carrying out its responsibilities with respect to~~
16 ~~Arkansas' natural and scenic rivers.~~

17 ~~(b)(1) The council shall consist of eight (8) members serving two year~~
18 ~~terms.~~

19 ~~(2) Each member shall be appointed by the agency by which he is~~
20 ~~employed.~~

21 ~~(3)(A) One (1) member shall be chosen by the Arkansas Department~~
22 ~~of Environmental Quality.~~

23 ~~(B) One (1) member shall be chosen by the Arkansas State~~
24 ~~Game and Fish Commission;~~

25 ~~(C) One (1) member shall be chosen by the Arkansas Soil and~~
26 ~~Water Conservation Commission;~~

27 ~~(D) One (1) member shall be chosen by the Department of~~
28 ~~Parks and Tourism;~~

29 ~~(E) One (1) member shall be chosen by the Arkansas Natural~~
30 ~~Heritage Commission;~~

31 ~~(F) One (1) member shall be chosen by the United States~~
32 ~~Forest Service;~~

33 ~~(G) One (1) member shall be chosen by the Arkansas~~
34 ~~Geological Commission; and~~

35 ~~(H) One (1) member shall be chosen by the Arkansas Forestry~~
36 ~~Commission.~~

1 ~~(c) The members of the council shall elect their own chairman.~~
2 ~~(d) The members of the council shall receive no compensation but may~~
3 ~~receive expense reimbursement in accordance with § 25-16-901 et seq.~~

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

/s/ Womack

APPROVED: 3/14/2001