

1 State of Arkansas  
2 88th General Assembly  
3 Fiscal Session, 2012

HCR 1007

4  
5 By: Representative D. Hutchinson

6  
7 **HOUSE CONCURRENT RESOLUTION**

8 TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION  
9 BILL CONCERNING ACTIONS BY STATE AGENCIES DUE TO A  
10 SHORTAGE OR REDUCTION OF FUNDS; AND FOR OTHER  
11 PURPOSES.

12  
13  
14 **Subtitle**

15 TO AUTHORIZE THE INTRODUCTION OF A  
16 NONAPPROPRIATION BILL CONCERNING ACTIONS  
17 BY STATE AGENCIES DUE TO A SHORTAGE OR  
18 REDUCTION OF FUNDS.

19  
20  
21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL  
22 ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

23  
24 THAT Representative Hutchinson is authorized to introduce a bill which,  
25 as introduced, will read substantially as follows:

26  
27 "For An Act To Be Entitled  
28 AN ACT CONCERNING ACTIONS BY STATE AGENCIES DUE TO A SHORTAGE OR REDUCTION OF  
29 FUNDS; AND FOR OTHER PURPOSES.

30  
31  
32 Subtitle

33 AN ACT CONCERNING ACTIONS BY STATE AGENCIES DUE TO A SHORTAGE OR REDUCTION OF  
34 FUNDS.



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

2  
3 SECTION 1. Arkansas Code Title 25, Chapter 16 is amended to add an  
4 additional subchapter to read as follows:

5 SUBCHAPTER 12 – STATE AGENCY ACTIONS DUE TO A SHORTAGE OR REDUCTION OF  
6 FUNDS

7  
8 25-16-1201. Employment decisions by state agencies due to a shortage  
9 or reduction of funds.

10 (a) As used in this section:

11 (1) "Public safety function" includes without limitation service  
12 as a firefighter; and

13 (2) "State agency" means:

14 (A) The Arkansas Agriculture Department, including without  
15 limitation the Arkansas Forestry Commission;

16 (B) The Arkansas Department of Environmental Quality;

17 (C) The Arkansas Public Defender Commission;

18 (D) The Arkansas Public Service Commission;

19 (E) The Arkansas State Highway and Transportation  
20 Department;

21 (F) The Department of Arkansas Heritage;

22 (G) The Department of Career Education, including without  
23 limitation Arkansas Rehabilitation Services;

24 (H) The Department of Community Correction;

25 (I) The Department of Correction;

26 (J) The Department of Education;

27 (K) The Department of Finance and Administration;

28 (L) The Department of Health;

29 (M) The Department of Human Services;

30 (N) The Department of Information Systems;

31 (O) The Department of Parks and Tourism;

32 (P) The Department of Workforce Services;

33 (Q) The State Crime Laboratory;

34 (R) The State Department for Social Security  
35 Administration Disability Determination;

36 (S) The State Insurance Department;

1                   (T) A state-supported institution of higher education; and

2                   (U) The Workers' Compensation Commission.

3           (b) If a state agency elects to terminate employees or eliminate  
4 employment positions due to a shortage or reduction of funds available to the  
5 state agency:

6                   (1) At least one-half (1/2) of the terminated employees shall be  
7 from management positions that do not interact with the public or provide a  
8 public safety function as a primary function of the employment; and

9                   (2) At least one-half (1/2) of the eliminated employment  
10 positions shall be management positions for which interaction with the public  
11 or the provision of a public safety function is not a primary function of the  
12 employment.

13           (c) This section does not prohibit a state agency from terminating an  
14 employee or eliminating an employment position for reasons other than a  
15 shortage or reduction of funds available to the state agency.

16  
17           25-16-1202. Funding decisions by the Department of Human Services in  
18 response to a shortage or reduction of funds available.

19           The Department of Human Services shall not eliminate or reduce funding  
20 for foster care services or juvenile detention services solely on the basis  
21 of a shortage or reduction of funds available to the state agency."

22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36