

**Hall of the House of Representatives**  
85th General Assembly - Regular Session, 2005  
**Amendment Form**

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**Subtitle of House Bill No. 2586**

"AN ACT TO PLACE THE WIC PROGRAM UNDER THE DEPARTMENT OF HUMAN  
SERVICES."

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**Amendment No. 1 to House Bill No. 2586.**

Amend House Bill No. 2586 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 20-7-111 is amended to read as follows:

20-7-111. Administration of ~~certain federal acts~~ the Special Supplemental Nutrition Program for Women, Infants and Children.

(a) The State of Arkansas ~~does accept the benefits of any acts now passed or hereafter to be passed by the Congress to~~ accepts the benefits of any acts of the Congress of the United States that provide for cooperation with the states in the protection of mothers and infants and promotion of a public health program.

(b)(1) The State Board of Health is designated as the state board for the purpose of carrying into effect the provisions of ~~the federal acts and this section and shall have all necessary authority to cooperate with the federal authorities administering the acts of Congress.~~ The board shall administer any legislation pursuant thereto enacted by the State of Arkansas under the provisions of this section for promotion of a health program the federal Special Supplemental Nutrition Program for Women, Infants and Children, 7 C.F.R. Part 246, as in existence on March 1, 2005.

(2)(A) The Department of Health shall administer the Special Supplemental Nutrition Program for Women, Infants and Children within the State of Arkansas.

(B) Through the board, the department shall promulgate rules to implement the purposes of this section in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.



(C) The department shall cooperate with the federal authorities administering the program.

~~(e) The Director of the Department of Health shall act as executive officer of the board for the purpose of administering the federal acts and this section. The director shall carry into effect such rules and regulations as the federal authorities and the board may adopt thereunder.~~

~~(d)(c)(1)~~ The Treasurer of State is designated and appointed custodian of all moneys received by the state from the appropriation made by the Congress, and he is authorized to receive and provide for the proper custody of the moneys and to make disbursements in the manner provided by law and for the purpose specified in this section.

(2)(A) Before disbursing any funds under this chapter, the Treasurer of State shall review the plans prepared by the department under this chapter for each county office.

(B)(i) At least quarterly, the Treasurer of State shall review the operations of each county office to ensure that each office operates in accordance with the purposes of the Special Supplemental Nutrition Program for Women, Infants and Children.

(ii) The Treasurer of State shall withhold funds from the division in proportion to the regular disbursement to any county office that is not operating in accordance with the purposes of the Special Supplemental Nutrition Program for Women, Infants and Children.

~~(e) The allocation of funds under this section shall be made to the respective counties in consecutive order as they make application and qualify for the funds.~~

~~(f)(d)(1)~~ Any person, firm, or corporation violating any of the provisions of this section upon conviction shall be guilty of a misdemeanor and shall be fined in a sum not to exceed five hundred dollars (\$500) at the discretion of the court.

(2) Each day the violation is committed shall constitute a separate offense.

(e) There is created the Women, Infants, and Children Advisory Board.

(f)(1) The advisory board shall consist of five (5) members appointed as follows:

(A) Three (3) members appointed by the Chair of the House Interim Committee on Public Health, Welfare, and Labor; and

(B) Two (2) members appointed by the Chair of the Senate

Interim Committee on Public Health, Welfare, and Labor.

(2) The chairs shall cooperate to ensure that at least one (1) member is appointed from each of the four (4) congressional districts of the State of Arkansas.

(3) The appointments to the board shall be approved by the Legislative Council.

(4) Members shall serve two-year terms.

(5) Vacancies shall be filled in the same manner as a regular appointment.

(g)(1) Within sixty (60) days of the effective date of this subchapter, the Chair of the House Interim Committee on Public Health, Welfare, and Labor and the Chair of the Senate Interim Committee on Public Health, Welfare, and Labor shall jointly call the first meeting of the advisory board.

(2) At its first meeting, the advisory board shall elect a chair to serve a one-year term.

(3) A majority of the members of the advisory board shall constitute a quorum to transact business.

(4) The advisory board shall meet at least monthly.

(5) Members of the board may receive expense reimbursement and stipends in accordance with § 25-16-902.

(h)(1) Before taking any action with regard to state administration of the Special Supplemental Nutrition Program for Women, Infants and Children, the department shall present to the advisory board any:

(A) Rules the department proposes to promulgate under this subchapter through the state board;

(B) Submissions to any United States Government agency under this subchapter;

(C) Contracts to be let or revised under this subchapter;  
and

(D) Other actions regarding the state administration of the federal Special Supplemental Nutrition Program for Women, Infants and Children.

(2) After reviewing a proposed action with regard to state administration of the Special Supplemental Nutrition Program for Women, Infants and Children, the advisory board shall hold a public hearing on the proposed action.

(i) The Director of the Department of Health and the State Director of the federal Special Supplemental Nutrition Program for Women, Infants and Children shall make monthly reports to the Chair of the House Interim Committee on Public Health, Welfare, and Labor and the Chair of the Senate Interim Committee on Public Health, Welfare, and Labor.”

The Amendment was read \_\_\_\_\_  
By: Representative S. Prater  
SFI/SFI - 04-01-2005 12:19  
SFI315 \_\_\_\_\_  
Chief Clerk