

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013

# A Bill

HOUSE BILL 2082

4 By: Representative Lea

5  
6 Filed with: House Select Committee on Rules  
7 pursuant to A.C.A. §10-3-217.  
8

## For An Act To Be Entitled

9  
10 AN ACT TO ALTER THE DATES OF THE REGULAR SESSION AND  
11 FISCAL SESSION SO THAT REGULAR SESSIONS OCCUR IN  
12 EVEN-NUMBERED YEARS AND FISCAL SESSIONS OCCUR IN ODD-  
13 NUMBERED YEARS AS AUTHORIZED BY ARTICLE 5, SECTION 5,  
14 OF THE ARKANSAS CONSTITUTION; TO AMEND PROVISIONS OF  
15 ARKANSAS LAW RESULTING FROM INITIATED ACT 4 OF 1948  
16 AND INITIATED ACT 1 OF 1956; AND FOR OTHER PURPOSES.  
17  
18

## Subtitle

19  
20 ALTERING THE REGULAR SESSION AND FISCAL  
21 SESSION SO THAT REGULAR SESSIONS OCCUR IN  
22 EVEN-NUMBERED YEARS AND FISCAL SESSIONS  
23 OCCUR IN ODD-NUMBERED YEARS AS AUTHORIZED  
24 BY ARTICLE 5, SECTION 5, OF THE ARKANSAS  
25 CONSTITUTION.  
26  
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
29

30 SECTION 1. Arkansas Code § 10-2-101 is amended to read as follows:  
31 10-2-101. Time for meeting.

32 (a)~~(1)~~ The General Assembly shall meet in regular session at 12:00  
33 noon on the second Monday in January in each ~~odd-numbered~~ even-numbered year.

34 ~~(2)(A) However, in any odd-numbered year following the election~~  
35 ~~of a nonincumbent governor, the General Assembly upon convening at 12:00 noon~~  
36 ~~on the second Monday in January may remain in session only for such time not~~

1 ~~to exceed two (2) days as is necessary to open and publish the votes for~~  
2 ~~various constitutional offices, to swear in the state constitutional officers~~  
3 ~~and members of the General Assembly, to organize and select officers, and to~~  
4 ~~otherwise prepare for the regular session.~~

5 ~~(B) The General Assembly may then stand in recess for a~~  
6 ~~period not to exceed thirty (30) days.~~

7 (b)(1) The General Assembly shall meet in a fiscal session at 12:00  
8 noon on the second Monday in February of each ~~even-numbered~~ odd-numbered year  
9 ~~to;~~

10 (A) To consider appropriation bills; and

11 (B) In an odd-numbered year following the election of a  
12 governor, to:

13 (i) Open and publish the votes for various  
14 constitutional offices;

15 (ii) Swear in the state constitutional officers and  
16 members of the General Assembly; and

17 (iii) Organize and select officers.

18 (2) A bill other than an appropriation bill may be considered in  
19 a fiscal session if two-thirds (2/3) of the members of each house of the  
20 General Assembly approve consideration of the nonappropriation bill.

21  
22 SECTION 2. Arkansas Code § 6-20-2305(b)(4)(E)(i), concerning reports  
23 on the impact of national school lunch student categorical funding, is  
24 amended to read as follows:

25 (E)(i) The Department of Education shall provide a report  
26 on the impact of national school lunch student categorical funding provided  
27 under this subdivision (b)(4) on closing the achievement gap to the House  
28 Committee on Education and the Senate Committee on Education by May 31 each  
29 ~~even-numbered year~~ odd-numbered year, beginning in 2010.

30  
31 SECTION 3. Arkansas Code § 6-21-112(f)(16), concerning the duties of  
32 the Division of Public School Academic Facilities and Transportation, is  
33 amended to read as follows:

34 (16) Report by October 1 of each ~~even-numbered~~ odd-numbered year  
35 to the Governor, the House Committee on Education, the Senate Committee on

1 Education, and the Academic Facilities Oversight Committee on the state  
2 academic facilities master plan;

3  
4 SECTION 4. Arkansas Code § 6-60-703(b)(2), concerning the  
5 Comprehensive Arkansas Higher Education Annual Report Act, is amended to read  
6 as follows:

- 7 (2) Biennially, each ~~even-numbered~~ odd-numbered year:
- 8 (A) Changes to Productivity Enhancement for  
9 Undergraduate Higher Education Program plans, § 6-61-1311;
  - 10 (B) Uniform reporting standards, § 6-61-222;
  - 11 (C) Changes to affirmative action program plans, §  
12 6-63-103; and
  - 13 (D) Economic development goals and educational  
14 efforts, § 6-61-207; and

15  
16 SECTION 5. Arkansas Code § 6-61-222(b)(3), concerning uniform  
17 reporting standards established by the Arkansas Higher Education Coordinating  
18 Board, is amended to read as follows:

- 19 (3) The board shall review the institutional reports and submit  
20 them to the House Interim Committee on Education and the Senate Interim  
21 Committee on Education by January 15 of each ~~odd-numbered~~ even-numbered year.

22  
23 SECTION 6. Arkansas Code § 6-61-1311(4), concerning the duties of the  
24 Arkansas Higher Education Coordinating Board, is amended to read as follows:

- 25 (4) Report on the status of the program, including  
26 recommendations for any changes to the program, to the Legislative Council,  
27 the House Interim Committee on Education, and the Senate Interim Committee on  
28 Education no later than December 1 of each ~~even-numbered~~ odd-numbered year,  
29 ~~beginning on December 1, 2008.~~

30  
31 SECTION 7. Arkansas Code § 6-81-719 is amended to read as follows:  
32 6-81-719. Tracking loan contract compliance.

33 The College of Medicine of the University of Arkansas for Medical  
34 Sciences shall track graduates who were recipients of rural medical practice  
35 loans for the length of their contractual obligations and shall report to the  
36 Legislative Council by October 1 of each ~~even-numbered~~ odd-numbered year

1 regarding the compliance of those graduates with the terms of their  
2 contracts.

3  
4 SECTION 8. Arkansas Code § 11-9-519(g)(2), concerning the impairment  
5 rating guide used in the assessment of anatomical impairment, is amended to  
6 read as follows:

7 (2) The impairment rating guide adopted by the commission shall  
8 be subject to review by the General Assembly before April 1 of every ~~odd-~~  
9 ~~numbered~~ even-numbered year ~~beginning with the regular session of 1999.~~

10

11 SECTION 9. Arkansas Code § 11-9-521(h)(2), concerning the impairment  
12 rating guide to be used in the assessment of anatomical impairment, is  
13 amended to read as follows:

14 (2) The impairment rating guide adopted by the commission shall  
15 be subject to review by the General Assembly before April 1 of every ~~odd-~~  
16 ~~numbered~~ even-numbered year ~~beginning with the regular session of 1999.~~

17

18 SECTION 10. Arkansas Code § 11-9-522(g)(2), concerning the impairment  
19 guide used in the assessment of anatomical impairment, is amended to read as  
20 follows:

21 (2) The impairment rating guide adopted by the commission shall  
22 be subject to review by the General Assembly before April 1 of every ~~odd-~~  
23 ~~numbered~~ even-numbered year ~~beginning with the regular session of 1999.~~

24

25 SECTION 11. Arkansas Code § 14-272-104 is amended to read as follows:  
26 14-272-104. Biennial reports.

27 The Rural Fire Departments Study Committee on or before September 1 of  
28 each ~~even-numbered~~ odd-numbered year shall submit a biennial report and its  
29 recommendations for any proposed legislation to the:

- 30 (1) House Committee on Insurance and Commerce;  
31 (2) Senate Committee on Insurance and Commerce;  
32 (3) House Committee on City, County, and Local Affairs;  
33 (4) Senate Committee on City, County, and Local Affairs; and  
34 (5) House Committee on Agriculture, Forestry, and Economic  
35 Development.

36

1 SECTION 12. Arkansas Code § 15-3-206 is amended to read as follows:  
2 15-3-206. Reporting.

3 The Arkansas Science and Technology Authority shall present to the  
4 Governor's office and the General Assembly a report on the investment from  
5 the Arkansas Research Matching Fund by April 1 of each ~~even-numbered~~ odd-  
6 numbered year.

7  
8 SECTION 13. Arkansas Code § 15-41-209(e)(1), concerning fines, fees,  
9 and costs of the Arkansas State Game and Fish Commission, is amended to read  
10 as follows:

11 (e)(1) The commission shall file a written report no later than  
12 October 1 of each ~~even-numbered~~ odd-numbered year with the Legislative  
13 Council and the Joint Budget Committee indicating the amount of fines  
14 deposited into the fund during the prior two (2) fiscal years and the amount  
15 of those funds transferred to the department under subsection (d) of this  
16 section.

17  
18 SECTION 14. Arkansas Code § 16-10-501(c), concerning the development  
19 of criteria for new judgeships or redistricting, is amended to read as  
20 follows:

21 (c) The council shall meet on or before November 1 of each ~~even-~~  
22 ~~numbered~~ odd-numbered year to finalize criteria for establishing additional  
23 judgeships or redistricting during the next regular session of the General  
24 Assembly.

25  
26 SECTION 15. The introductory language of Arkansas Code § 19-4-304(a),  
27 concerning regular and fiscal session preparations, is amended to read as  
28 follows:

29 (a) Immediately after July 1 of each ~~even-numbered~~ odd-numbered  
30 calendar year, or earlier if determined necessary, the Director of the  
31 Department of Finance and Administration shall:

32  
33 SECTION 16. Arkansas Code § 19-5-106(f)(3), concerning reports on the  
34 status of inactive funds, is amended to read as follows:

35 (3) The Chief Fiscal Officer of the State shall report to the  
36 Legislative Council and the Joint Budget Committee, during the month of

1 November of each ~~even-numbered~~ odd-numbered year, the status of all inactive  
2 funds, along with his or her recommendation as to the disposition of such  
3 funds and balances maintained in them.

4  
5 SECTION 17. Arkansas Code § 20-47-505(b)(6), concerning the duties of  
6 the Child and Adolescent Service System Program Coordinating Council, is  
7 amended to read as follows:

8 (6) Submit a statewide plan and budget recommendations to the  
9 ~~directors~~ commissioner and the director on or before March 15 of each ~~even-~~  
10 ~~numbered~~ odd-numbered year thereafter preceding the legislative session;

11  
12 SECTION 18. Arkansas Code § 20-47-506(f)(3), concerning the duties of  
13 the Regional Child and Adolescent Service System Program Coordinating Council  
14 planning teams, is amended to read as follows:

15 (3) Submit a regional plan and guidelines for interagency  
16 service delivery teams to the coordinating council on or before February 15  
17 of each ~~even-numbered~~ odd-numbered year preceding the legislative session;

18  
19 SECTION 19. Arkansas Code § 20-64-911(c)(2)(B), concerning the  
20 findings and recommendations of the Task Force on Substance Abuse Treatment  
21 Services, is amended to read as follows:

22 (B) The report shall be submitted no later than October 1  
23 of each ~~even-numbered~~ odd-numbered year.

24  
25 SECTION 20. Arkansas Code § 24-11-209(h)(2), concerning the report of  
26 the Arkansas Fire and Police Pension Review Board, is amended to read as  
27 follows:

28 (2) The report shall be due by December 31 of each ~~even-numbered~~  
29 odd-numbered year.

30  
31 SECTION 21. Arkansas Code § 25-1-106 is amended to read as follows:  
32 25-1-106. Evaluation of necessity of various commissions and boards.

33 (a) Any part-time state board or commission that has not convened a  
34 meeting or has convened without a quorum for two (2) consecutive, regularly  
35 scheduled meeting dates within a two-year period shall vote to elect a new  
36 chair and vice chair.

1 (b)(1) If a part-time state board or commission has not convened a  
2 regularly scheduled meeting or has convened without a quorum for four (4)  
3 consecutive, regularly scheduled meeting dates within a two-year period, the  
4 Joint Performance Review Committee shall reevaluate the purpose, need, and  
5 effectiveness of the board or commission.

6 (2) The Joint Performance Review Committee shall report its  
7 findings and any recommendations concerning the existence of the board or  
8 commission to the Legislative Council no later than December 1 of each ~~even-~~  
9 ~~numbered~~ odd-numbered year and shall draft legislation to implement the  
10 recommendations.

11 (c) No later than August 1 of each ~~even-numbered~~ odd-numbered year,  
12 each part-time board and commission shall provide the committee with a list  
13 of the regularly scheduled meeting dates for the board or commission for the  
14 previous two (2) fiscal years, including the attendance record of each member  
15 and the number of meetings that were convened.

16  
17 SECTION 22. Arkansas Code § 25-4-120 is amended to read as follows:

18 25-4-120. Revisions to budget, purchasing, and personnel process.

19 (a)(1) Prior to June 30 of each ~~even-numbered~~ odd-numbered year, the  
20 Legislative Council shall conduct a review of the state budget, purchasing,  
21 and personnel process used by state agencies regarding information  
22 technology.

23 (2) The Legislative Council shall prepare recommendations for  
24 changes in the information technology budget process for utilization in the  
25 development of state agency budgets for the next biennial budget cycle.

26 (b) All agencies of the executive branch shall cooperate fully with  
27 the Legislative Council to accomplish the purposes of this section.

28 (c) The Department of Information Systems shall make recommendations  
29 regarding revisions to the state budget, purchasing, and personnel process  
30 related to information technology to the Legislative Council by March 1 of  
31 each ~~even-numbered~~ odd-numbered year.

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33  
34 Referred by the Arkansas House of Representatives

35 Prepared by: MBM/VJF

36