

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Representative Flanagin

HOUSE BILL 1367

"AN ACT TO PROVIDE THAT ALL POWERS, FUNCTIONS AND DUTIES HERETOFORE VESTED IN OR EXERCISED BY THE CHARITABLE, PENAL AND CORRECTIONAL INSTITUTIONS SUBCOMMITTEE OF THE LEGISLATIVE COUNCIL SHALL HEREAFTER BE VESTED IN AND EXERCISED BY THE APPROPRIATE SUBJECT MATTER JOINT INTERIM COMMITTEES OF THE GENERAL ASSEMBLY; AND FOR OTHER PURPOSES."

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

SECTION 1. For the purposes of this Act, the following terms shall have the respective meanings as herein set forth, unless the context hereof clearly indicates otherwise.

(a) "State agency" shall mean any officer, office, board, commission, department, council, bureau, institution or other agency of the State of Arkansas having authority by law to promulgate administrative rules and regulations.

(b) "Joint Interim Committee of the General Assembly" shall mean and include the Joint Interim Committees of the General Assembly as established by Subsection III of Section 2 of Act 90 of 1973, as amended, and Act 289 of 1975, as amended.

SECTION 2. All powers, functions and duties heretofore vested in or exercised by the Charitable, Penal and Correctional Institutions Subcommittee of the Legislative Council are hereby vested in and shall hereafter be exercised by the respective subject matter Joint Interim Committees of the General Assembly. The respective Joint Interim Committees shall have jurisdiction of all such matters relating to the various State agencies and programs as listed below:

(a) Public Health, Welfare and Labor. Department of Labor and

Employment Security Division and Boards, Liquified Petroleum Gas Board, Department of Health and Boards, Spinal Cord Commission, Department of Pollution Control and Ecology and Boards, Statewide Health Coordinating Council, Child Care Facility Review Board, Department of Human Services and Boards except Office on Aging, Commission on Community Based Rehabilitation, Disability Determination - Social Security Administration, Board of Sanitarians, Psychology Examiners Board, Podiatry Board, Wastewater Plant Operator's Licensing Committee, State Health Planning and Development, Veterinary Medical Examining Board, Embalmers and Funeral Directors, Dental Examiners, Chiropractic Examiners, Pharmacy Board, Optometry Board, Inhalation Therapy Examination Board, Hearing Aid Dispensers Board, Coal Mine Examiners Board, Cemetery Board, State Medical Board, Board of Physical Therapy, Therapy Technology Board, Radiation Control Agency, Speech Pathology and Audiology, Cosmetology Board, Social Work Registration Board, Barber Examiners Board, Nursing Board, Rural Medical Practice Student Loan, Water Well Construction.

(b) Joint Public Retirement and Social Security Programs. Highway Retirement System, Teacher Retirement System, State Police Retirement System, Judicial Retirement System, Quasi-Judicial Retirement System, Public Employees Retirement System.

(c) Public Transportation. Transportation Commission, Arkansas Highway Department, Waterways Commission, Motor Vehicle Commission.

(d) Revenue and Taxation. Racing Commission and Racing Division of Department of Finance and Administration, Revenue Services Division of Department of Finance and Administration, Tax Division-Public Service Commission, Assessment Coordination-Public Service Commission.

(e) State Agencies and Governmental Affairs. Alcoholic Beverage Control Department and Board, Department of Veteran Affairs, State Building Services, War Memorial Stadium Commission, State Capitol Grounds Commission, Capitol Zoning-District Commission, Claims Commission, Governor's Mansion Commission, Commission on Law Enforcement Standards, Department of Finance and Administration-Management Services, Arkansas Crime Commission, Board of Finance, Department of Computer Services, State Police Department, State Military Department, Private Investigators and Private Security Agencies, Aeronautics Department, Public Accountancy Board, Revenue Department Building Commission, Soybean Promotion Board, Adjutant General, Civil Air Patrol, Office of Emergency Services, Veteran's Child Welfare Service Office, Air

National Guard, Professional Engineers and Land Surveyors, Police Commission, Professional Soil Classifiers, Contractors Licensing Board, Collection Agencies, Consumer Advisory Board, Architects, Abstractors Board of Examiners, Real Estate Commission, Athletic Commission, Election Commissioners Board, Mobile Home Commission.

(f) Judiciary. Department of Correction and Boards, Judicial Department, Justice Building Commission, Prosecutor Coordinator Commission.

(g) Education. Boards and Department of Education, Board and Department of Vocational-Technical Education, Student Loan Authority, Student Loan Guarantee Program, State Board of Higher Education, Department of Higher Education, All Vocational-Technical Schools, All Community Colleges, All Institutions of Higher Education, Post-Secondary Education Planning Commission.

(h) Insurance and Commerce. Public Service Commission - Utilities Division, Savings and Loan Association Board, State Bank Department and Board, State Insurance Department, State Securities Department, Savings and Loan Board, Burial Association Board, State Employees Insurance Advisory Committee.

(i) Agriculture and Economic Development. Soil and Water Resources Commission, Livestock and Poultry Commission, State Plant Board, Bureau of Standards, Department of Parks and Tourism and Board, Department of Natural and Cultural Heritage and Boards, Forestry Commission, Geology Commission, Oil and Gas Commission, Board of Registration for Foresters, Department of Arkansas Industrial Development and Commission, Game and Fish Commission.

(j) Aging and Legislative Affairs. Office on Aging - Department of Human Services.

The responsibility for reviewing matters involving any state agency or board which is not listed above shall be delegated to the Joint Interim Committee on State Agencies and Governmental Affairs in order to determine the germane joint interim committee to refer such regulations.

SECTION 3. (a) All matters required to be submitted by the various State agencies to the Charitable, Penal and Correctional Institutions Subcommittee of the Legislative Council or required to be submitted to the Legislative Council and which have in the past been referred to the Review and Advice Subcommittee for recommendations shall hereafter be submitted to the

Bureau of Legislative Research for referral to the appropriate Joint Interim Committees as provided herein. State agencies shall file such matters with the Bureau of Legislative Research at the same time and in the same manner as such matters were heretofore filed with the Legislative Council or the subcommittee of the Council.

(b) At the next regular or special meeting of a Joint Interim Committee, all proposed administrative rules and regulations filed with the Bureau of Legislative Research for referral to said Committee received subsequent to the last meeting of the Committee or designated subcommittee thereof, shall be placed on the agenda for the meeting of such Joint Interim Committee, together with staff report and comments in regard to each such proposed rule or regulation, for review and consideration by such Joint Interim Committee.

(c) Notice that such item is being placed on the meeting agenda of said Joint Interim Committee may be furnished to the various State agencies involved upon direction of the Co-chairmen of the Joint Interim Committee who shall be represented at such Joint Interim Committee meeting to explain the proposed rule or regulation, and to answer questions in regard thereto if raised by the Committee.

(d) Upon conclusion of the Committee's consideration of a proposed rule or regulation, the Committee or designated subcommittee thereof shall notify the state agency of its advice, if any, in regard to such rule or regulation.

SECTION 4. Whenever the General Assembly is meeting in regular or special session the House of Representatives and Senate standing committees may meet jointly at a time agreed upon by both Chairmen to review matters filed pursuant to this Act since convening of the session or pending at the time the session was convened.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

