

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

SENATE BILL 138

4  
5 By: Senator Scott  
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## For An Act To Be Entitled

9 "AN ACT TO CREATE THE DEPARTMENT OF JUVENILE SERVICES  
10 AND TRANSFER THE DIVISION OF YOUTH SERVICES OF THE  
11 DEPARTMENT OF HUMAN SERVICES AND THE DIVISION OF  
12 CHILDREN AND FAMILY SERVICES OF THE DEPARTMENT OF  
13 HUMAN SERVICES TO THE DEPARTMENT OF JUVENILE SERVICES;  
14 AND FOR OTHER PURPOSES. "

## Subtitle

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17 "TO CREATE THE DEPARTMENT OF JUVENILE  
18 SERVICES AND TRANSFER THE DIVISION OF  
19 YOUTH SERVICES AND THE DIVISION OF  
20 CHILDREN AND FAMILY SERVICES OF THE  
21 DEPARTMENT OF HUMAN SERVICES TO THE  
22 DEPARTMENT OF JUVENILE SERVICES. "

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

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27 SECTION 1. Creation - Director - Organization - Personnel.

28 (a) Effective July 1, 1999 there is created the Department of Juvenile  
29 Services. The Department of Juvenile Services shall consist of:

30 (1) The Division of Youth Services;

31 (2) The Division of Children and Family Services;

32 (3) The Office of Child Support Enforcement;

33 (4) The Division of Childcare and Early Childhood Education; and

34 (5) Other divisions which may be necessary to fulfill its

35 purposes.

36 (b) The executive head of the Department shall be the Director of

1 Juvenile Services. The Director shall be appointed by the Governor, subject  
 2 to confirmation by the Senate, and shall serve at the pleasure of the  
 3 Governor.

4 (c) Upon the effective date of the transfer of the divisions, the  
 5 Director of the Department of Juvenile Services may appoint the heads of the  
 6 respective divisions. All personnel of the Department of Juvenile Services  
 7 shall be employed by and shall serve at the pleasure of the Director of the  
 8 Department of Juvenile Services. However, nothing in this section shall be so  
 9 construed as to reduce any right which an employee of the Department of  
 10 Juvenile Services shall have under any civil service or merit system.

11 (1) The head of the Division of Youth Services of the Department  
 12 of Juvenile Services shall serve as a Deputy Director of the Department of  
 13 Juvenile Services.

14 (2) The head of the Division of Children and Family Services of  
 15 the Department of Juvenile Services shall serve as a Deputy Director of the  
 16 Department of Juvenile Services.

17 (3) The head of the Office of Child Support Enforcement of the  
 18 Department of Juvenile Services shall serve as a Deputy Director of the  
 19 Department of Juvenile Services.

20 (4) The head of the Division of Childcare and Early Childhood  
 21 Education of the Department of Juvenile Services shall serve as a Deputy  
 22 Director of the Department of Juvenile Services.

23 (d) Each division of the Department of Juvenile Services shall be under  
 24 the direction, control and supervision of the Director of the Department. The  
 25 Director may delegate his functions, powers and duties to the various  
 26 divisions of the Department of Juvenile Services as he shall deem desirable  
 27 and necessary for the effective and efficient operation of the Department.

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 29 SECTION 2. Transfer.

30 (a) Effective January 1, 2000, the Division of Youth Services of the  
 31 Department of Human Services is transferred by a Type 2 transfer as provided  
 32 in Ark. Code Ann. § 25-2-105 to the Department of Juvenile Services.

33 (b) Effective January 1, 2000, the Division of Children and Family  
 34 Services of the Department of Human Services is transferred by a Type 2  
 35 transfer as provided in Ark. Code Ann. § 25-2-105 to the Department of  
 36 Juvenile Services.

1       (c) Effective January 1, 2000, the Office of Child Support Enforcement  
2 of the Revenue Division of the Department of Finance and Administration is  
3 transferred by a Type 2 transfer as provided in Ark. Code Ann. § 25-2-105 to  
4 the Department of Juvenile Services.

5       (d) Effective January 1, 2000, the Division of Childcare and Early  
6 Childhood Education of the Department of Human Services is transferred by a  
7 Type 2 transfer as provided in Ark. Code Ann. § 25-2-105 to the Department of  
8 Juvenile Services.

9       (e) For purposes of this Act, the Department of Juvenile Services shall  
10 be considered a principal department established by Act 38 of 1971.

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12       SECTION 3. Other Authority.

13       All other statutory authority, powers, duties, functions, records,  
14 property and funds administered or provided by other support divisions within  
15 the Department of Human Services and the Department of Finance and  
16 Administration shall be transferred by a Type 2 transfer as provided in Ark.  
17 Code Ann. § 25-2-105 to the Department of Juvenile Services on July 1, 1999.

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19       SECTION 4. The Department of Human Services, the Department of Finance  
20 and Administration and the Department of Information Services shall grant  
21 access to and provide information as determined by the Department of Juvenile  
22 Services necessary to successfully accomplish its mission.

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24       SECTION 5. Administrative Procedure Act. The Department of Juvenile  
25 Services shall be subject to the Administrative Procedure Act.

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27       SECTION 6. All provisions of this Act of a general and permanent nature  
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
29 Revision Commission shall incorporate the same in the Code.

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31       SECTION 7. If any provision of this Act or the application thereof to  
32 any person or circumstance is held invalid, such invalidity shall not affect  
33 other provisions or applications of the Act which can be given effect without  
34 the invalid provision or application, and to this end the provisions of this  
35 Act are declared to be severable.

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1 SECTION 8. All laws and parts of laws in conflict with this Act are  
2 hereby repealed.

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4 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
5 Eighty-Second General Assembly meeting in Regular Session, that the provisions  
6 of this Act are of critical importance to preserve the efficient operation of  
7 programs that deliver services to the citizens of the State of Arkansas.  
8 Therefore, an emergency is hereby declared to exist, and this Act being  
9 necessary for the immediate preservation of the public peace, health, and  
10 safety shall become effective on the date of its approval by the Governor. If  
11 the bill is neither approved nor vetoed by the Governor, it shall become  
12 effective on the expiration of the period of time during which the Governor  
13 may veto the bill. If the bill is vetoed by the Governor and the veto is  
14 overridden, it shall become effective on the date the last house overrides the

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