

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

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

As Engrossed: S3/22/99

A Bill

SENATE BILL 838

4
5 By: Senator Mahony
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For An Act To Be Entitled

9 "AN ACT TO AUTHORIZE THE ARKANSAS CODE REVISION
10 COMMISSION TO MAKE CERTAIN NAME CHANGES AFFECTING THE
11 DEPARTMENT OF EDUCATION, THE STATE BOARD OF EDUCATION,
12 THE DEPARTMENT OF WORKFORCE EDUCATION, THE STATE BOARD
13 OF WORKFORCE EDUCATION AND CAREER OPPORTUNITIES, AND
14 THE ARKANSAS HIGHER EDUCATION COORDINATING BOARD; AND
15 FOR OTHER PURPOSES. "

Subtitle

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18 "AN ACT TO AUTHORIZE THE ARKANSAS CODE
19 REVISION COMMISSION TO MAKE CERTAIN NAME
20 CHANGES. "

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

24
25 SECTION 1. (a) The Arkansas Code Revision Commission is authorized to
26 correct "State Department of Education", "Arkansas Department of Education",
27 "Arkansas State Department of Education", "Education Department", "Arkansas
28 Education Department", "State Education Department", or "Arkansas State
29 Education Department" to "Department of Education" throughout the Arkansas
30 Code Annotated.

31 (b)(1) The commission is authorized to correct "Department of Education,
32 General Division", "Arkansas Department of Education, General Division",
33 "State Department of Education, General Division", "Arkansas State Department
34 of Education, General Division", "General Division, Department of Education",
35 "General Division, Arkansas Department of Education", "General Division, State
36 Department of Education", "General Division, Arkansas State Department of

1 Education", "General Division of the Department of Education", "General
 2 Division of the Arkansas Department of Education", "General Division of the
 3 State Department of Education", or "General Division of the Arkansas State
 4 Department of Education" to "Department of Education" throughout the Code.

5 (2) The commission is authorized to correct "division" to
 6 "department" throughout the Code where the reference is to the former General
 7 Education Division of the Department of Education.

8 (c)(1)(A) The commission is authorized to correct "Education
 9 Director", "Director of Education", "Director of General Education", "Director
 10 of the General Education Division", "Director of the General Educational
 11 Division", "Director of Education, General Division", "Director of the State
 12 Department of Education", "Director of the Arkansas Department of Education",
 13 "Director of the Arkansas State Department of Education", "Director of the
 14 Education Department", "Director of the State Education Department", "Director
 15 of the Arkansas Education Department", or "Director of the Arkansas State
 16 Education Department", to "Director of the Department of Education" throughout
 17 the Code.

18 (B) The commission is authorized to correct "director of the
 19 division" or "division director" to "Director of the Department of Education"
 20 throughout the Code where the reference is to the director of the former
 21 General Education Division of the Department of Education.

22 (2)(A)(i) The commission is authorized to correct "Vocational
 23 Education Director", "Director of the Division of Vocational Education",
 24 "Director of the Division of Vocational and Technical Education", "Director of
 25 the Division of Vocational-Technical Education", "Director of the Division of
 26 Vocational/Technical Education", "Director of the Vocational Division",
 27 "Director of the Vocational Education Division", "Director of the Vocational
 28 Educational Division", "Director of the Vo-Tech Division", "Director of the
 29 Vo-Tech Education Division", "Director of the Vo-Tech Educational Division",
 30 "Director of the Vo/Tech Division", "Director of the Vo/Tech Education
 31 Division", "Director of the Vo/Tech Educational Division", "Director of the
 32 Vocational Technical Division", "Director of the Vocational Technical
 33 Education Division", "Director of the Vocational Technical Educational
 34 Division", "Director of the Vocational-Technical Division", "Director of the
 35 Vocational-Technical Education Division", "Director of the Vocational-
 36 Technical Educational Division", "Director of the Vocational/Technical

1 Education Division”, “Director of the Vocational/Technical Educational
 2 Division”, “Director of the Vocational and Technical Division”, “Director of
 3 the Vocational and Technical Education Division”, “Director of the Vocational
 4 and Technical Educational Division”, “Director of Vocational Education”, or
 5 “Director of Vocational and Technical Education” to “Director of the
 6 Department of Workforce Education” throughout the Code.

7 (ii) The commission is authorized to correct
 8 “director of the division” or “division director” to “Director of the
 9 Department of Workforce Education” throughout the Code where the reference is
 10 to the director of the former Vocational and Technical Education Division of
 11 the Department of Education.

12 (B) If the phrase to be corrected as set forth in
 13 subdivision (c)(2)(A) of this section is preceded or followed by “Department
 14 of Education”, “State Department of Education”, “Arkansas Department of
 15 Education”, “Arkansas State Department of Education”, “Education Department”,
 16 “Arkansas Education Department”, “State Education Department”, or “Arkansas
 17 State Education Department”, the commission is authorized to delete the
 18 preceding or following phrase and any punctuation or the word “of” setting off
 19 the phrase to be deleted from the phrase to be corrected throughout the Code.

20 (d) The commission is authorized to correct “Board of Higher Education”,
 21 “State Board of Higher Education”, “Arkansas Board of Higher Education”,
 22 “Arkansas State Board of Higher Education”, “Higher Education Board”,
 23 “Arkansas Higher Education Board”, “State Higher Education Board”, or
 24 “Arkansas State Higher Education Board” to “Arkansas Higher Education
 25 Coordinating Board” throughout the Code.

26 (e)(1)(A) The commission is authorized to correct “Division of
 27 Vocational Education”, “Division of Vocational and Technical Education”,
 28 “Division of Vocational -Technical Education”, “Division of
 29 Vocational/Technical Education”, “Vocational Division”,
 30 “Vocational Education Division”, “Vocational Educational Division”, “Vo-Tech
 31 Division”, “Vo-Tech Education Division”, “Vo-Tech Educational Division”,
 32 “Vo/Tech Division”, “Vo/Tech Education Division”, “Vo/Tech Educational
 33 Division”, “Vocational Technical Division”, “Vocational Technical Education
 34 Division”, “Vocational Technical Educational Division”, “Vocational -Technical
 35 Division”, “Vocational -Technical Education Division”, “Vocational -Technical
 36 Educational Division”, “Vocational/Technical Education Division”,

1 "Vocational /Technical Educational Division", "Vocational and Technical
 2 Division", "Vocational and Technical Education Division", or "Vocational and
 3 Technical Educational Division" to "Department of Workforce Education"
 4 throughout the Code.

5 (B) The commission is authorized to correct "division" to "department"
 6 throughout the Code where the reference is to the former Vocational and
 7 Technical Education Division of the Department of Education.

8 (2) If the phrase to be corrected as set forth in subdivision
 9 (e)(1) of this section is preceded or followed by "Department of Education",
 10 "State Department of Education", "Arkansas Department of Education",
 11 "Arkansas State Department of Education", "Education Department", "Arkansas
 12 Education Department", "State Education Department", or "Arkansas State
 13 Education Department", the commission is authorized to delete the preceding or
 14 following phrase and any punctuation or the word "of" setting off the phrase
 15 to be deleted from the phrase to be corrected throughout the Code.

16 (f) The commission is authorized to correct any of the following to
 17 "State Board of Workforce Education and Career Opportunities" throughout the
 18 Code:

19 (1) "Board of Vocational Education", "State Board of Vocational
 20 Education", "Arkansas Board of Vocational Education", "Arkansas State Board of
 21 Vocational Education";

22 (2) "Vocational Board", "Vocational Education Board",
 23 "Vocational Educational Board", "State Vocational Education Board", "State
 24 Vocational Educational Board", "Arkansas Vocational Education Board",
 25 "Arkansas Vocational Educational Board", "Arkansas State Vocational Education
 26 Board", "Arkansas State Vocational Educational Board";

27 (3) "Board of Vocational -Technical Education", "State Board of
 28 Vocational -Technical Education", "Arkansas Board of Vocational -Techni cal
 29 Education", "Arkansas State Board of Vocational -Techni cal Education";

30 (4) "Vocational -Techni cal Educati on Board", "Vocational -Techni cal
 31 Educational Board", "Arkansas Vocational -Techni cal Educati on Board",
 32 "Arkansas Vocational -Techni cal Educati on Board", "State Vocational -Techni cal
 33 Educati on Board", "State Vocational -Techni cal Educati on Board", "Arkansas
 34 State Vocational -Techni cal Educati on Board", "Arkansas State Vocational -
 35 Techni cal Educati on Board";

36 (5) "Board of Vocational /Techni cal Education", "State Board of

1 Vocational /Technical Education", "Arkansas Board of Vocational /Techni cal
 2 Education", "Arkansas State Board of Vocational /Techni cal Education";

3 (6) "Vocational /Techni cal Educati on Board", "Vocational /Techni cal
 4 Educational Board", "Arkansas Vocational /Techni cal Educati on Board", "Arkansas
 5 Vocational /Techni cal Educati onal Board", "State Vocational /Techni cal
 6 Educati on Board", "State Vocational /Techni cal Educati onal Board", "Arkansas
 7 State Vocational /Techni cal Educati on Board", "Arkansas State
 8 Vocational /Techni cal Educati onal Board";

9 (7) "Board of Vocational and Techni cal Educati on", "State Board of
 10 Vocational and Techni cal Educati on", "Arkansas Board of Vocational and
 11 Techni cal Educati on", "Arkansas State Board of Vocational and Techni cal
 12 Educati on";

13 (8) "Vocational and Techni cal Educati on Board", "Vocational and
 14 Techni cal Educati onal Board", "Arkansas Vocational and Techni cal Educati on
 15 Board", "Arkansas Vocational and Techni cal Educati onal Board", "State
 16 Vocational and Techni cal Educati on Board", "State Vocational and Techni cal
 17 Educati onal Board", "Arkansas State Vocational and Techni cal Educati on Board",
 18 "Arkansas State Vocational and Techni cal Educati onal Board";

19 (9) "Board of Vo-Tech", "State Board of Vo-Tech", "Arkansas
 20 Board of Vo-Tech", "Arkansas State Board of Vo-Tech";

21 (10) "Vo-Tech Board", "State Vo-Tech Board", "Arkansas Vo-Tech
 22 Board", "Arkansas State Vo-Tech Board"; and

23 (11) "Board of Vo/Tech", "State Board of Vo/Tech", "Arkansas
 24 Board of Vo/Tech", "Arkansas State Board of Vo/Tech"; and

25 (12) "Vo/Tech Board", "State Vo/Tech Board", "Arkansas Vo/Tech
 26 Board", or "Arkansas State Vo/Tech Board".

27 (g)(1) The commissi on is authorized to correct "Vocational Agri cul ture
 28 Di vi si on", "Vocati onal -Agri cul ture Di vi si on", "Vocati onal /Agri cul ture
 29 Di vi si on" "Vocati onal and Agri cul ture Di vi si on", "Vocati onal Agri cul tural
 30 Di vi si on", "Vocati onal -Agri cul tural Di vi si on", "Vocati onal /Agri cul tural
 31 Di vi si on" "Vocati onal and Agri cul tural Di vi si on", or "Vo-Ag Di vi si on" to
 32 "agri cul tural educati on section" throughout the Code.

33 (2)(A) If the phrase to be corrected as set forth in subdivisi on
 34 (g)(1) of this section is preceded by "Department of Educati on", "State
 35 Department of Educati on", "Arkansas Department of Educati on", "Arkansas State
 36 Department of Educati on", "Educati on Department", "Arkansas Educati on

1 Department", "State Education Department", or "Arkansas State Education
 2 Department", the commission is authorized to delete the preceding phrase and
 3 any punctuation setting off the phrase to be deleted from the phrase to be
 4 corrected throughout the Code.

5 (B) If the phrase to be corrected as set forth in
 6 subdivision (g)(1) of this section is followed by "of the Department of
 7 Education", "of the State Department of Education", "of the Arkansas
 8 Department of Education", "of the Arkansas State Department of Education",
 9 "of the Education Department", "of the Arkansas Education Department", "of the
 10 State Education Department", or "of the Arkansas State Education Department",
 11 the commission is authorized to correct the second phrase to "of the
 12 Department of Workforce Education" throughout the Code.

13 (h) The commission is authorized to correct "Associate Director of the
 14 General Education Division of the Department of Finance and Administration" or
 15 "Assistant Director of the General Education Division of the Department of
 16 Finance and Administration" to "Assistant Director for Public School Finance
 17 and Administrative Support of the Department of Education" throughout the
 18 Code.

19 (i) The commission is authorized to correct "home economics" to "family
 20 and consumer science" in Arkansas Code §§ 6-17-109, 6-51-213, 6-51-215 and 6-
 21 65-102.

22
 23 SECTION 2. The Arkansas Code Revision Commission is authorized to
 24 correct inaccurate references to the Department of Education, the Director of
 25 the Department of Education, the Director of the Department of Workforce
 26 Education, the Arkansas Higher Education Coordinating Board, the Department of
 27 Workforce Education, the State Board of Workforce Education and Career
 28 Opportunities, the agricultural education section, and the Assistant Director
 29 for Public School Finance and Administrative Support of the Department of
 30 Education and to family and consumer science throughout the Arkansas Code
 31 Annotated where the intended reference is manifest.

32
 33 SECTION 3. (a)(1)(A) The Arkansas Code Revision Commission is authorized
 34 to make editing changes in any section of the Arkansas Code Annotated which
 35 deals with both the General Education Division and the former Vocational and
 36 Technical Education Division which are necessary and appropriate in order to

1 delete any reference to the former Vocational and Technical Education
2 Division.

3 (B) Any reference to the former Vocational and Technical
4 Education Division as that phrase is used in this Section 3 (a)(1) includes
5 references utilizing the incorrect terminology as set forth in Section 1(e) of
6 this act as well as any reference utilizing the correct terminology.

7 (2)(A) The commission is authorized to make editing changes in
8 any section of the Code which deals with both the State Board of Education and
9 the former State Board of Vocational Education which are necessary and
10 appropriate in order to delete any reference to the former State Board of
11 Vocational Education.

12 (B) Any reference to the former "State Board of Vocational
13 Education" as that phrase is used in this Section 3(a)(2) includes references
14 utilizing the incorrect terminology as set forth in section 1(f) of this act
15 as well as any reference utilizing the correct terminology.

16 (b) "Editing changes", as used in this Section 3, includes but is not
17 limited to:

18 (1) Authority to renumber subdivisions or subsections of the Code
19 where necessary to correct the names of the two (2) former divisions of the
20 Department of Education and to place them in separate subdivisions or
21 subsections;

22 (2) Authority to correct nouns, verbs, and pronouns in order to
23 make a sentence grammatically correct; and

24 (3) Authority to insert introductory clauses for the purpose of
25 grammatical completeness.

26
27 SECTION 4. The Arkansas Code Revision Commission is authorized to
28 arrange for the publication of the name and title changes and the accompanying
29 necessary and appropriate editing changes made pursuant to this act in the
30 1999 supplements to the Arkansas Code only in those sections which are
31 otherwise amended by an act of 1999. The commission shall report to the
32 Legislative Council, in markup format, the changes made pursuant to this act.
33 The report shall be filed with the Legislative Council no later than thirty
34 (30) calendar days after the commission instructs the publisher to make the
35 changes.

36

1 SECTION 5. Special Language. The provisions of this Act are not to be
2 incorporated into the Arkansas Code Annotated nor published separately as
3 special, local, and temporary law.
4

5 SECTION 6. All provisions of this act of a general and permanent nature
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7 Revision Commission shall incorporate the same in the Code.
8

9 SECTION 7. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.
14

15 SECTION 8. All laws and parts of laws in conflict with this act are
16 hereby repealed.
17

18 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
19 Eighty-second General Assembly that the name changes contemplated by this act
20 should be made and published at the earliest possible date in order to avoid
21 confusion in the law among the members of the bar and the citizens of
22 Arkansas. Therefore, an emergency is declared to exist and this act being
23 immediately necessary for the preservation of the public peace, health and
24 safety shall become effective on the date of its approval by the Governor. If
25 the bill is neither approved nor vetoed by the Governor, it shall become
26 effective on the expiration of the period of time during which the Governor
27 may veto the bill. If the bill is vetoed by the Governor and the veto is
28 overridden, it shall become effective on the date the last house overrides the
29 veto.
30

/s/ Mahony