

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 2429

4  
5 By: Representative Verkamp

## For An Act To Be Entitled

6  
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9 AN ACT TO TRANSFER THE ASSESSMENT COORDINATION  
10 DEPARTMENT TO THE DEPARTMENT OF FINANCE AND  
11 ADMINISTRATION; AND FOR OTHER PURPOSES.

## Subtitle

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14 AN ACT TO TRANSFER THE ASSESSMENT  
15 COORDINATION DEPARTMENT TO THE  
16 DEPARTMENT OF FINANCE AND  
17 ADMINISTRATION.

18  
19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21  
22 SECTION 1. Arkansas Code § 25-28-101 is amended to read as follows:  
23 25-28-101. Creation - Director - Organization - Personnel.

24 (a) There is created the Assessment Coordination Division of the  
25 Department of Finance and Administration.

26 (b)(1) The executive head of the ~~department~~ division shall be the  
27 Director of the Assessment Coordination ~~Department~~ Division.

28 (2) The director shall be appointed by the ~~Governor, subject to~~  
29 ~~confirmation by the Senate,~~ Director of the Department of Finance and  
30 Administration and shall serve at the pleasure of the ~~Governor~~ Director of  
31 the Department of Finance and Administration.

32 (c) The ~~department~~ division shall consist of the ~~divisions~~ offices  
33 which may be necessary to fulfill its purposes and which may be created by  
34 law and placed under the ~~department~~ division.

35 (d)(1) The ~~director~~ Director of the Assessment Coordination Division  
36 of the Department of Finance and Administration shall appoint the heads of



1 the respective ~~divisions~~ offices.

2 (2) All personnel of the ~~department~~ division shall be employed  
3 by and shall serve at the pleasure of the ~~director~~ Director of the Assessment  
4 Coordination Division of the Department of Finance and Administration and the  
5 Director of the Department of Finance and Administration.

6 (3) However, nothing in this section shall be so construed as to  
7 reduce any right which an employee of the ~~department~~ division shall have  
8 under any civil service or merit system.

9 (e)(1) Each ~~division of the department~~ office within the division  
10 shall be under the direction, control, and supervision of the ~~director~~  
11 Director of the Assessment Coordination Division of the Department of Finance  
12 and Administration.

13 (2) The ~~director~~ Director of the Assessment Coordination  
14 Division of the Department of Finance and Administration may delegate his or  
15 her functions, powers, and duties to the various ~~divisions of the department~~  
16 offices of the division as he or she shall deem desirable and necessary for  
17 the effective and efficient operation of the ~~department~~ division.

18

19 SECTION 2. Arkansas Code § 25-28-102 is amended to read as follows:  
20 25-28-102. Transfer.

21 ~~(a) The Assessment Coordination Division of the Arkansas Public~~  
22 ~~Service Commission~~ Department is transferred by a type 2 transfer as provided  
23 in § 25-2-105 to the ~~Assessment Coordination Department~~ Department of Finance  
24 and Administration.

25 ~~(b) For purposes of this subchapter, the Assessment Coordination~~  
26 ~~Department shall be considered a principal department established by Acts~~  
27 ~~1971, No. 38.~~

28

29 SECTION 3. Arkansas Code § 25-28-103 is amended to read as follows:  
30 25-28-103. Other authority.

31 (a) The Arkansas Public Service Commission shall retain all of its  
32 statutory authority, powers, duties, and functions regarding assessment and  
33 equalization of properties of public utilities and public carriers.

34 (b) The Tax Division of the Arkansas Public Service Commission shall  
35 retain all of the statutory authority, powers, duties, and functions  
36 conferred on the division by law or assigned to the division by the

1 commission.

2 ~~(c) Any and all other statutory authority, powers, duties, functions,~~  
3 ~~records, property, and funds administered or provided by other support~~  
4 ~~divisions within the commission or by the commission for the Assessment~~  
5 ~~Coordination Division shall be transferred by a type 2 transfer as provided~~  
6 ~~in § 25-2-105 to the Assessment Coordination Department.~~

7 ~~(d) Any and all other statutory authority, powers, duties, and~~  
8 ~~functions of the commission regarding assessment and equalization of~~  
9 ~~properties and the administration of the tax laws of this state not~~  
10 ~~specifically retained by the commission or the Tax Division of the Arkansas~~  
11 ~~Public Service Commission in this chapter shall be transferred by a type 2~~  
12 ~~transfer as provided in § 25-2-105 to the Assessment Coordination Department.~~

13 ~~(e) Any and all other prescribed powers, duties, and functions of the~~  
14 ~~commission regarding assessment and equalization of properties and the~~  
15 ~~administration of the tax laws of this state not specifically retained by the~~  
16 ~~commission or the Tax Division of the Arkansas Public Service Commission in~~  
17 ~~this chapter, including rulemaking and regulation; promulgation of rules,~~  
18 ~~rates, regulation and standards; and the rendering of findings, orders, and~~  
19 ~~adjudications are transferred by a type 2 transfer as provided in § 25-2-105~~  
20 ~~to the Director of the Assessment Coordination Department.~~

21

22 SECTION 4. Arkansas Code § 25-28-104 is amended to read as follows:  
23 25-28-104. Administrative Procedure Act.

24 The Assessment Coordination ~~Department~~ Division of the Department of  
25 Finance and Administration shall be subject to the Administrative Procedure  
26 Act, § 25-15-201 et seq.

27

28 SECTION 5. Arkansas Code § 25-28-107 is amended to read as follows:  
29 25-28-107. Requirements of Director of the Assessment Coordination  
30 ~~Department~~ Division.

31 From and after July 1, 2000, the Director of the Assessment  
32 Coordination ~~Department~~ Division of the Department of Finance and  
33 Administration shall meet the qualifications required for certification or  
34 licensure as a Level 4 Appraiser in Arkansas, provided that the formal course  
35 work was or is satisfactorily completed in another state. ~~At the time of~~  
36 ~~appointing the director, the Governor shall include in the appointment~~

1 ~~document a statement that the appointee meets the qualifications prescribed~~  
2 ~~by law.~~

3  
4 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the  
5 General Assembly of the State of Arkansas that the Assessment Coordination  
6 Department is inefficient; that the services provided by the department to  
7 the citizens of Arkansas would be better managed if the department were  
8 transferred to another state agency; and that in order to coordinate agency  
9 budgets and administration with the state fiscal year, this act should become  
10 effective on July 1, 2005. Therefore, an emergency is declared to exist and  
11 this act being necessary for the preservation of the public peace, health,  
12 and safety shall become effective on July 1, 2005.