

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 2764

4  
5 By: Representative J. Johnson  
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7

## For An Act To Be Entitled

9 AN ACT TO MERGE THE DEPARTMENT OF WORKFORCE  
10 EDUCATION INTO THE ARKANSAS DEPARTMENT OF  
11 EDUCATION; TO MERGE THE ARKANSAS REHABILITATION  
12 SERVICES INTO THE ARKANSAS DEPARTMENT OF  
13 EDUCATION; AND FOR OTHER PURPOSES.  
14

## Subtitle

15 TO MERGE THE DEPARTMENT OF WORKFORCE  
16 EDUCATION; AND THE ARKANSAS  
17 REHABILITATION SERVICES INTO THE  
18 ARKANSAS DEPARTMENT OF EDUCATION.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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### SECTION 1. Legislative purpose.

24 (a) The General Assembly declares that this act is necessary to  
25 provide:  
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27 (1) The delivery of education opportunities to the citizens of  
28 Arkansas in an effective and efficient manner; and

29 (2) For administrative cost savings in the delivery of education  
30 related programs by combining overlapping functions and eliminating  
31 duplications of functions of the Department of Workforce Education, the  
32 Arkansas Rehabilitation Services, and the Department of Education.

33 (b) It is the intent of the General Assembly to provide for an orderly  
34 transfer of powers, authorities, duties, and functions of the Department of  
35 Workforce Education and the Arkansas Rehabilitation Services to the  
36 Department of Education with a minimum of disruption of governmental services



1 and functions and a minimum of expense.

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 3 SECTION 2. Transfer of the Department of Workforce Education into the  
 4 Department of Education.

5 (a) Effective at 12:01 AM on July 1,2005, the Department of Workforce  
 6 Education shall be named and shall be known as the "Workforce Education  
 7 Division of the Department of Education".

8 (b)(1) Effective at 12:01 AM on July 1, 2005, the Department of  
 9 Workforce Education is transferred to the Department of Education.

10 (2) Except as otherwise specified in this act, all authority,  
 11 powers, duties, and functions as established by law for the Department of  
 12 Workforce Education are transferred to the Director of the Department of  
 13 Education as provided in the transfer under subsection (a) of this section,  
 14 including, but not limited to:

15 (A) All purchasing, budgeting, fiscal, accounting, human  
 16 resources, payroll, legal, information systems, maintenance, program support,  
 17 administrative support, and other management functions;

18 (B)(i) All records, personnel, property, unexpended  
 19 balances of appropriations, allocations, or other funds.

20 (ii) All records, personnel, property, unexpended  
 21 balances of appropriations, allocations, or other funds that are transferred  
 22 to the Department of Education shall be for the use of the Workforce  
 23 Education Division of the Department of Education;

24 (C) Rulemaking, regulation, and licensing authority,  
 25 including but not limited to, authority to promulgate rules, rates,  
 26 regulations, and standards and to render findings, orders, and adjudications.

27 (c) Nothing in this act shall be construed as to increase the  
 28 authority or powers of the Director of the Department of Education or the  
 29 Workforce Education Division of the Department of Education beyond those  
 30 already conferred upon the Director of the Department of Workforce Education  
 31 or the Department of Education, except as specifically defined in this act.

32 (d) With approval of the State Board of Workforce Education and Career  
 33 Opportunities, the Governor, shall appoint and employ the Director of the  
 34 Workforce Education Division of the Department of Education.

35 (e) The Arkansas Code Revision Commission shall replace "Department of  
 36 Workforce Education" in the Arkansas Code with "Workforce Education Division

1 of the Department of Department of Education."

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 3 SECTION 3. Transfer of the State Board of Workforce Education and  
 4 Career Opportunities to the Department of Education.

5 (a) Effective at 12:01 AM on July 1, 2005, the State Board of  
 6 Workforce Education and Career Opportunities is transferred to the Department  
 7 of Education.

8 (b) For the purpose of this act, the State Board of Workforce  
 9 Education and Career Opportunities shall receive administrative support from  
 10 the workforce Education Division of the Department of Education, but shall  
 11 retain exactly the same powers, authorities, duties, and functions prescribed  
 12 by law as it had prior to the transfer and shall have all rule and  
 13 regulation-making authority prescribed by law to the Department of Workforce  
 14 Education before the transfer, except as provided for in this act, including  
 15 but not limited to:

16 (1) Rulemaking, regulation, licensing, and registration;

17 (2) The promulgation of rules, rates, regulations, and  
 18 standards;

19 (3) Examinations, investigations, inspections, and reviews; and

20 (4) The rendering of findings, orders, and adjudications.

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 22 SECTION 4. Transfer of the Arkansas Rehabilitation Services into the  
 23 Department of Education.

24 (a) Effective at 12:01 AM on July 1, 2005, the Arkansas Rehabilitation  
 25 Services shall be named and shall be known as the "Arkansas Rehabilitation  
 26 Services Division of the Department of Education".

27 (b)(1) Effective at 12:01 AM on July 1,2005, the Arkansas  
 28 Rehabilitation Services is transferred to the Department of Education.

29 (2) Except as otherwise specified in this act, all authority,  
 30 powers, duties, and functions as established by law for the Arkansas  
 31 Rehabilitation Services are transferred to the Department of Education as  
 32 provided in the transfer under subsection (a) of this section, including, but  
 33 not limited to:

34 (A) All purchasing, budgeting, fiscal, accounting, human  
 35 resources, payroll, legal, information systems, maintenance, program support,  
 36 administrative support, and other management functions;

1                   (B)(1) All records, personnel, property, unexpended  
 2 balances of appropriations, allocations, or other funds.

3                   (2) All records, personnel, property, unexpended  
 4 balances of appropriations, allocations, or other fund that are transferred  
 5 to the Department of Education shall be for the use of the Arkansas  
 6 Rehabilitation Services Division of the Department of Education;

7                   (C) Rulemaking, regulation, and licensing authority,  
 8 including, but not limited to, authority to promulgate rules, rates,  
 9 regulations, and standards and to render findings, orders, and adjudications.

10                  (c) Nothing in this act shall be construed as to increase the  
 11 authority or powers of the Director of the Department of Education or the  
 12 Arkansas Rehabilitation Services Division of the Department of Education  
 13 beyond those already conferred upon the Director of the Arkansas  
 14 Rehabilitation Services or the Department of Education, except as  
 15 specifically defined in this act.

16                  (d) The Governor shall appoint and employ the Director of the Arkansas  
 17 Rehabilitation Services Division of the Department of Education.

18                  (e) The Arkansas Code Revision Commission shall replace "Arkansas  
 19 Rehabilitation Services" in the Arkansas Code with "Arkansas Rehabilitation  
 20 Services Division of the Department of Education."

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