

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1887

5 By: Representative E. Armstrong  
6 By: Senator L. Chesterfield  
7

## For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR A TYPE 3 TRANSFER OF THE  
10 WEATHERIZATION ASSISTANCE PROGRAM (WAP) FROM THE  
11 DIVISION OF COUNTY OPERATIONS OF THE DEPARTMENT OF  
12 HUMAN SERVICES TO THE ARKANSAS ENERGY OFFICE OF THE  
13 ARKANSAS ECONOMIC DEVELOPMENT COMMISSION; TO DECLARE  
14 AN EMERGENCY; AND FOR OTHER PURPOSES.  
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## Subtitle

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18 TO PROVIDE FOR A TYPE 3 TRANSFER OF THE  
19 WEATHERIZATION ASSISTANCE PROGRAM (WAP);  
20 AND TO DECLARE AN EMERGENCY.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code Title 25, Chapter 11, Subchapter 1, is  
26 amended to add an additional section to read as follows:

27 25-11-103. Transfer of the Weatherization Assistance Program.

28 (a)(1) The Weatherization Assistance Program, a federally funded  
29 program under § 42 U.S.C. 6861 et seq., operated by the Division of County  
30 Operations of the Department of Human Services is abolished and all the  
31 powers, duties and functions, records, property, personnel, unexpended  
32 balances of appropriations, allocations, or other funds are transferred by a  
33 Type 3 transfer to the Arkansas Energy Office of the Arkansas Economic  
34 Development Commission.

35 (2) This transfer does not conflict with any duties,  
36 responsibilities, or powers of the office.



1        (b) Unspent funds associated with the Weatherization Assistance  
2 Program shall be transferred from the department to the commission within  
3 thirty (30) days of the effective date of this act.

4        (c) The department annually shall transfer to the commission a minimum  
5 of fifteen percent (15%) up to a maximum of twenty-five percent (25%), as  
6 allowed by federal law or regulation, of the annual allocation for the Low  
7 Income Home Energy Assistance Program to the commission to be used by the  
8 program.

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10        SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
11 General Assembly of the State of Arkansas that the weatherization services  
12 provided to eligible recipients of the Weatherization Assistance Program need  
13 to be continued; that eligible recipients should not be subject to a lengthy  
14 delay due to the transition of the Weatherization Assistance Program; that  
15 the financial benefits of the weatherization services provided reduce the  
16 amount of money spent on utilities and offer a greater level of comfort to  
17 recipients; and that this act is immediately necessary to ensure there is no  
18 delay in services provided to qualified individuals in need of weatherization  
19 services. Therefore, an emergency is declared to exist, and this act being  
20 immediately necessary for the preservation of the public peace, health, and  
21 safety shall become effective on:

22                (1) The date of its approval by the Governor;

23                (2) If the bill is neither approved nor vetoed by the Governor,  
24 the expiration of the period of time during which the Governor may veto the  
25 bill; or

26                (3) If the bill is vetoed by the Governor and the veto is  
27 overridden, the date the last house overrides the veto.