

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 371

5 By: Senator Caldwell
6 By: Representative J. Moore
7

For An Act To Be Entitled

9 AN ACT TO TRANSFER THE ARKANSAS RURAL SERVICES
10 COMMISSION AND THE RURAL SERVICES DIVISION OF THE
11 ARKANSAS ECONOMIC DEVELOPMENT COMMISSION TO THE
12 DEPARTMENT OF AGRICULTURE; TO AMEND THE DUTIES OF THE
13 SECRETARY OF THE DEPARTMENT OF AGRICULTURE; TO
14 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
15

Subtitle

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18 TO TRANSFER THE ARKANSAS RURAL SERVICES
19 COMMISSION AND THE RURAL SERVICES
20 DIVISION OF THE ARKANSAS ECONOMIC
21 DEVELOPMENT COMMISSION TO THE DEPARTMENT
22 OF AGRICULTURE; AND TO DECLARE AN
23 EMERGENCY.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. DO NOT CODIFY. Transfer of Arkansas Rural Services
29 Commission and the Rural Services Division of the Arkansas Economic
30 Development Commission from Department of Commerce to Department of
31 Agriculture.

32 (a) The Arkansas Rural Services Commission and the Rural Services
33 Division of the Arkansas Economic Development Commission are transferred from
34 the Department of Commerce to the Department of Agriculture.

35 (b) The administrative functions of the Arkansas Rural Services
36 Commission and the division are transferred by a cabinet-level department



1 transfer under § 25-38-211 and § 25-43-202 from the Department of Commerce to
2 the Department of Agriculture.

3 (c) The statutory authority, powers, duties, functions, records,
4 personnel, property, and unexpended balances of appropriations, allocations,
5 or other funds, including the functions of budgeting or purchasing of the
6 Arkansas Rural Services Commission and the division, are transferred to the
7 Department of Agriculture.

8 (d)(1) The transfer of the Arkansas Rural Services Commission and
9 division does not affect the orders, rules, regulations, directives, or
10 standards made or promulgated by the Arkansas Rural Services Commission or
11 the division before the effective date of this act.

12 (2) The orders, rules, regulations, directives, or standards
13 under subdivision (d)(1) of this section shall continue with full force and
14 effect until amended or repealed under authority given by law.

15 (e) The members of the Arkansas Rural Services Commission, and their
16 successors, shall continue to be selected in the manner and serve for the
17 terms provided by the statutes applicable to the Arkansas Rural Services
18 Commission.

19 (f) The Department of Commerce shall grant access to and provide all
20 information requested by the Department of Agriculture to accomplish transfer
21 of the Arkansas Rural Services Commission and the division and the mission of
22 the Arkansas Rural Services Commission and the division.

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24 SECTION 2. Arkansas Code § 6-16-1101(a), concerning fish and wildlife
25 conservation education, is amended to read as follows:

26 (a) The Rural Services Division ~~of the Arkansas Economic Development~~
27 ~~Commission~~, in consultation with the Arkansas State Game and Fish Commission,
28 shall establish school education programs for fish and wildlife conservation
29 and other purposes consistent with Arkansas Constitution, Amendment 35.

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31 SECTION 3. Arkansas Code § 15-6-102(a)(4), concerning the legislative
32 intent of the Arkansas Rural Development Program Act, is amended to read as
33 follows:

34 (4) Since no state office has been specifically created to
35 promote, harmonize, or assist efforts to address the unique needs,
36 conditions, and strengths of rural areas of the state, it is, therefore, the

1 intent of the General Assembly to create the Arkansas Rural Development
2 Commission and the Rural Services Division ~~of the Arkansas Economic~~
3 ~~Development Commission~~. The division shall serve as the focal point for
4 generating rural development policy initiatives for the State of Arkansas.
5

6 SECTION 4. Arkansas Code § 15-6-104(e), concerning the Arkansas Rural
7 Development Commission, is amended to read as follows:

8 (e) The Arkansas Rural Development Commission shall advise and assist
9 the ~~Director of the Arkansas Economic Development Commission~~ Secretary of the
10 Department of Agriculture in the performance of his or her duties under this
11 subchapter.
12

13 SECTION 5. Arkansas Code § 15-6-105 is amended to read as follows:

14 15-6-105. Rural Services Division of the ~~Arkansas Economic Development~~
15 ~~Commission~~ Department of Agriculture.

16 (a) There is created the Rural Services Division ~~of~~ within the
17 ~~Arkansas Economic Development Commission~~ Department of Agriculture.

18 (b) The head of the division shall be the ~~Director of the Arkansas~~
19 ~~Economic Development Commission~~ Secretary of the Department of Agriculture.

20 (c) The Governor shall direct that all state agencies provide the
21 ~~director~~ secretary with assistance in advancing the purpose of the division
22 to assure that the activities of the division are fully coordinated with the
23 activities of state agencies providing related services.
24

25 SECTION 6. Arkansas Code § 15-6-106(a), concerning the functions,
26 powers, and duties of the Arkansas Rural Development Commission and Rural
27 Services Division, is amended to read as follows:

28 (a) The ~~Director of the Arkansas Economic Development Commission~~
29 Secretary of the Department of Agriculture by and through the Rural Services
30 Division ~~of the Arkansas Economic Development Commission~~ shall have the
31 following functions, powers, and duties:

32 (1) To serve as a clearinghouse and provide comprehensive
33 information relating to rural development and revitalization upon request to
34 any agency, individual, or corporation;

35 (2) To advise and assist agencies, individuals, and corporations
36 in answering particular rural revitalization and development needs, including

1 cooperative efforts among such agencies, individuals, and corporations to
2 solve common problems or provide services in these areas;

3 (3)(A) To receive notification from all state and federal
4 agencies, individuals, or corporations engaged in rural development and
5 revitalization of program descriptions, appropriation data, and application
6 procedures.

7 (B) The division shall maintain a listing of existing
8 programs and advise local agencies, individuals, or corporations of their
9 existence;

10 (4) To assist, upon request, applicant local agencies,
11 individuals, or corporations located in rural areas in obtaining timely and
12 efficient responses from state and federal agencies, to assist such
13 applicants in consideration of alternative program grant strategies, to
14 assist state and federal agencies in cooperative approaches to address the
15 needs of such applicants, and to provide technical assistance to agencies in
16 formulating and implementing rural development and revitalization programs;

17 (5) To assist the ~~Secretary of the Department of Commerce~~
18 secretary and the General Assembly in the integration and formulation of
19 state rural development and revitalization policy and long-range plans for
20 rural areas and in answering needs related thereto;

21 (6) To analyze and make recommendations concerning proposed new
22 state legislation or programs that may affect rural areas;

23 (7) To apply for and receive grants or financial assistance from
24 the United States Government or other agencies, individuals, or corporations;

25 (8) To assist the secretary in coordinating the activities and
26 services of those departments and agencies of the state having relationships
27 with local rural agencies, individuals, and corporations in order to provide
28 more effective service to them and to simplify state procedures relating
29 thereto;

30 (9) To keep the secretary informed about the problems and needs
31 of agencies, individuals, and corporations that are involved with rural
32 development and revitalization and to assist in formulating policies with
33 respect thereto and utilizing the resources of state government for the
34 benefit of rural areas;

35 (10) ~~To promote and encourage the establishment of a nonprofit~~
36 ~~foundation, a Center for Rural Arkansas, and to cooperate and coordinate with~~

1 ~~and assist the center in accessing state and United States Government and~~
2 ~~private nonprofit and corporate foundation grant funds to aid in rural~~
3 ~~development and revitalization for rural Arkansas; and~~

4 (11) To administer the conservation education programs
5 established under § 6-16-1101 for the benefit of all school districts and
6 conservation districts in the state, regardless of population.

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8 SECTION 7. Arkansas Code § 15-6-107(a) and (b), concerning assistance
9 programs and grants of the Rural Services Division, are amended to read as
10 follows:

11 (a) The Rural Services Division ~~of the Arkansas Economic Development~~
12 ~~Commission~~ shall request such specific information as the ~~Director of the~~
13 ~~Arkansas Economic Development Commission~~ Secretary of the Department of
14 Agriculture determines to be necessary concerning assistance programs and
15 grants administered by federal, state, and local agencies, individuals, and
16 corporations designed to enhance rural areas. The information shall be used
17 to advise local agencies, individuals, or corporations for the purpose of
18 promoting coordination in program or grant efforts wherever feasible or
19 proper.

20 (b) Any political subdivision requesting program grants or assistance
21 in order to address rural development and revitalization needs, conditions,
22 or strengths in rural areas, pursuant to the rules of the ~~Arkansas Economic~~
23 ~~Development Commission~~ Department of Agriculture, may confer with the
24 division to obtain assistance in gaining the most prompt and efficient
25 processing and review of any grant applications.

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27 SECTION 8. Arkansas Code § 15-41-209(d), concerning fines, fees, and
28 cots for infractions of the state laws protecting game, is amended to read as
29 follows:

30 (d) A portion of the fines deposited as special revenues into the fund
31 may be expended by the Arkansas State Game and Fish Commission in the form of
32 grants issued to the Rural Services Division ~~of the Arkansas Economic~~
33 ~~Development Commission~~ for fish and wildlife conservation education and other
34 purposes consistent with Arkansas Constitution, Amendment 35.

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36 SECTION 9. Arkansas Code § 15-47-102(5), concerning findings

1 concerning the Wildlife Recreation Facilities Pilot Program, is amended to
2 read as follows:

3 (5) The ~~Department~~ of Rural Services Division and the commission
4 are interested in developing a Wildlife Recreation Facilities Pilot Program
5 to ignite interest in the wildlife resources of Arkansas and to promote
6 economic development in the state through the use and enjoyment of the
7 state’s abundant wildlife resources; and

8

9 SECTION 10. Arkansas Code § 15-47-103(b), concerning the Wildlife
10 Recreation Facilities Pilot Program, is amended to read as follows:

11 (b) The program shall be developed, implemented, and administered by
12 the Rural Services Division ~~of the Arkansas Economic Development Commission~~
13 with the assistance of the Arkansas State Game and Fish Commission.

14

15 SECTION 11. Arkansas Code § 15-47-104(b)(1), concerning funding for
16 the Wildlife Recreation Facilities Pilot Program, is amended to read as
17 follows:

18 (b)(1) The Rural Services Division ~~of the Arkansas Economic~~
19 ~~Development Commission~~ and the Arkansas State Game and Fish Commission agree
20 to execute a memorandum of understanding to delineate each party’s
21 participation, obligation, and cooperation in the program sufficient to
22 fulfill the requirements of this section.

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24 SECTION 12. Arkansas Code § 15-47-105(a), concerning reporting for the
25 Wildlife Recreation Facilities Pilot Program, is amended to read as follows:

26 (a) The Arkansas State Game and Fish Commission and the ~~Department~~ of
27 Rural Services Division shall report the status of the Wildlife Recreation
28 Facilities Pilot Program biannually to the Game and Fish/State Police
29 Subcommittee of the Legislative Council.

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31 SECTION 13. Arkansas Code § 19-5-1136(d)(3)(A), concerning the Animal
32 Rescue and Shelter Trust Fund, is amended to read as follows:

33 (3)(A) Thirty percent (30%) is distributed to the Rural Services
34 Division ~~of the Arkansas Economic Development Commission~~ to provide grants to
35 a county or municipality based only on the infrastructure needs for animal
36 rescues or animal shelters.

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2 SECTION 14. Arkansas Code § 19-6-811(a), concerning the Wildlife
3 Recreation Facilities Fund, is amended to read as follows:

4 (a) There is created on the books of the Treasurer of State, the
5 Auditor of State, and the Chief Fiscal Officer of the State a special revenue
6 fund to be known as the "Wildlife Recreation Facilities Fund" administered by
7 the Rural Services Division ~~of the Arkansas Economic Development Commission.~~

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9 SECTION 15. Arkansas Code § 25-38-211(a), concerning transfers of
10 certain agricultural boards, commissions, committees, bureaus, programs, and
11 offices, is amended to add additional subdivisions to read as follows:

12 (24) The Arkansas Rural Development Commission, created under §
13 15-6-104; and

14 (25) Rural Services Division, created under § 15-6-105.

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16 SECTION 16. Arkansas Code § 25-43-202(a), concerning transfers of
17 certain agricultural boards, commissions, committees, bureaus, programs, and
18 offices, is amended to add additional subdivisions to read as follows:

19 (25) The Arkansas Rural Development Commission, created under §
20 15-6-104; and

21 (26) Rural Services Division, created under § 15-6-105.

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23 SECTION 17. Arkansas Code § 25-43-302(a)(9), concerning state entities
24 transferred to the Department of Commerce, is repealed.

25 ~~(9) The Arkansas Rural Development Commission, created under §~~
26 ~~15-6-104;~~

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28 SECTION 18. EMERGENCY CLAUSE. It is found and determined by the
29 General Assembly of the State of Arkansas that the Arkansas Rural Development
30 Commission and Rural Services Division preserves the public peace, health,
31 and safety by providing needed funds and development services for rural
32 Arkansas; that this act provides for the transfer of the Arkansas Rural
33 Development Commission and Rural Services Division to the Department of
34 Agriculture; and that this act should become effective on July 1, 2023, to
35 coincide with the appropriation bills of the Department of Agriculture and
36 Department of Commerce and ensure that the Arkansas Rural Development

1 Commission and Rural Services Division continue to provide their vital
2 services as the transfer is implemented and does not experience any issues
3 with funding under the transfer. Therefore, an emergency is declared to
4 exist, and this act being necessary for the preservation of the public peace,
5 health, and safety shall become effective on July 1, 2023.

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