

1 State of Arkansas
2 90th General Assembly
3 Third Extraordinary Session, 2016
4

A Bill

Call Item 3
SENATE BILL 10

5 By: Senators Rice, Irvin
6 By: Representatives Gillam, Branscum, Eubanks, Gossage
7

For An Act To Be Entitled

9 AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE
10 OPERATIONS OF STATE GOVERNMENT; TO TRANSFER THE
11 ARKANSAS HISTORY COMMISSION TO THE DEPARTMENT OF
12 ARKANSAS HERITAGE BY A TYPE 2 TRANSFER; AMENDING THE
13 MEMBERSHIP, TENURE, AND DUTIES OF CERTAIN AGENCIES,
14 TASK FORCES, COMMITTEES, AND COMMISSIONS; TO DECLARE
15 AN EMERGENCY; AND FOR OTHER PURPOSES.
16
17

Subtitle

18 TO PROMOTE EFFICIENCY AND EFFECTIVENESS
19 IN THE OPERATIONS OF STATE GOVERNMENT;
20 AND TO DECLARE AN EMERGENCY.
21
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. DO NOT CODIFY. LEGISLATIVE INTENT. (a) The General
27 Assembly finds:

28 (1) State government provides vital functions that impact the
29 lives of Arkansas citizens on a daily basis;

30 (2) While these functions are important, it is equally important
31 to ensure that state government operates efficiently and effectively to
32 eliminate unnecessary spending of tax dollars and provide timely and quality
33 services to Arkansas citizens; and

34 (3) Issues such as the administrative organization of a
35 governmental entity, the appointment structure of a governmental entity's
36 governing board, and extraneous duties assigned to governmental entities



1 hamper the operation of state government and result in unnecessary expenses
 2 and delays in the provision of state services.

3 (b) It is the intent of this act to amend provisions of law applicable
 4 to certain agencies, task forces, committees, and commission to promote
 5 efficiency and effectiveness in the operations of state government as a
 6 whole.

7
 8 SECTION 2. Arkansas Code Title 2, Chapter 1, Subchapter 2, concerning
 9 the Arkansas Young and Beginning Farmer Advisory Board, is repealed.

10
 11 ~~Subchapter 2 — Arkansas Young and Beginning Farmer Advisory Board~~

12
 13 ~~2-1-201. — Established.~~

14 ~~(a) — The Arkansas Young and Beginning Farmer Advisory Board is~~
 15 ~~established to advise agriculture-related agencies of state government with~~
 16 ~~respect to the impact the agencies have on the future of agriculture and the~~
 17 ~~agricultural way of life in Arkansas and to help young Arkansas farmers~~
 18 ~~appreciate their heritage and agricultural work in relation to the history~~
 19 ~~and the economy of Arkansas.~~

20 ~~(b) — The offices of the board shall be located within the Arkansas~~
 21 ~~Agriculture Department in Little Rock, and the department shall provide~~
 22 ~~administrative staff for the board and its committees.~~

23
 24 ~~2-1-202. — Board qualifications and terms.~~

25 ~~(a) — The Arkansas Young and Beginning Farmer Advisory Board shall~~
 26 ~~consist of members appointed under § 2-1-203 who are residents and electors~~
 27 ~~of this state.~~

28 ~~(b)(1) — The membership of the board shall be made up of young persons~~
 29 ~~interested in the preservation and development of agriculture in Arkansas and~~
 30 ~~the preservation of the agricultural way of life.~~

31 ~~(2) — Each member shall be under the age of forty five (45) at the~~
 32 ~~beginning of the member's term.~~

33 ~~(3)(A) — At least sixteen (16) of the members shall be full-time~~
 34 ~~farmers having eighty percent (80%) or more of their personal incomes from~~
 35 ~~farming or agricultural activities.~~

36 ~~(B) — The remainder of the board's membership may be less—~~

1 than full-time farmers or persons employed in an agriculture-related
2 business.

3 (c)(1)(A) Except for the initial terms of the board, each member shall
4 serve for a term of two (2) years.

5 (B) The term of office of each member shall begin on
6 January 15 following the expiration date of his or her predecessor's term and
7 shall end on January 14 of the second year following the year in which the
8 term began.

9 (C) The terms of the initial members shall be staggered
10 evenly between one (1) year and two (2) years as may be determined by lot at
11 the board's first meeting.

12 (2) Any vacancies arising in the membership of the board for any
13 reason other than the expiration of the regular terms shall be filled by
14 appointment by the appointing authority effective until the expiration of the
15 regular term.

16
17 2-1-203. Board membership.

18 The membership of the Arkansas Young and Beginning Farmer Advisory
19 Board shall be as follows:

20 (1) Four (4) members appointed by the Governor;

21 (2) One (1) member appointed by the Lieutenant Governor;

22 (3) One (1) member appointed by each United States Senator for
23 Arkansas who shall represent the state at large;

24 (4) One (1) member appointed by each Arkansas Representative of
25 the United States House of Representatives in whose congressional district
26 the member shall reside;

27 (5) Two (2) members appointed by the President Pro Tempore of
28 the Senate;

29 (6) Two (2) members appointed by the Speaker of the House of
30 Representatives;

31 (7) Three (3) members appointed by the Vice President for
32 Agriculture of the Division of Agriculture of the University of Arkansas
33 System to represent each Cooperative Extension Service district;

34 (8) One (1) member appointed by the Director of the Arkansas
35 Livestock and Poultry Commission;

36 (9) One (1) member appointed by the Director of the Arkansas

1 ~~Natural Resources Commission;~~

2 ~~(10) One (1) member appointed by the Director of the State Plant~~
3 ~~Board;~~

4 ~~(11) Two (2) members appointed by the Secretary of the Arkansas~~
5 ~~Agriculture Department.~~

6
7 ~~2-1-204. Powers and duties.~~

8 ~~The Arkansas Young and Beginning Farmer Advisory Board shall:~~

9 ~~(1) Communicate to the general public and the federal government~~
10 ~~the importance of young and beginning farmers to agriculture in the State of~~
11 ~~Arkansas;~~

12 ~~(2) Address issues relating to the needs of young and beginning~~
13 ~~farmers in Arkansas;~~

14 ~~(3) Establish committees to develop projects relating to aspects~~
15 ~~of life for young and beginning farmers in Arkansas;~~

16 ~~(4)(A) Hold meetings of the board at least two (2) times a year.~~

17 ~~(B) Special meetings may be held at the call of the chair;~~

18 ~~(5) Promulgate a mission statement and the administrative~~
19 ~~procedures necessary to implement this subchapter; and~~

20 ~~(6) Apply for, receive, and use gifts, grants, and donations~~
21 ~~from private or public sources.~~

22
23 ~~2-1-205. Meetings.~~

24 ~~(a) The Vice President for Agriculture of the University of Arkansas~~
25 ~~System shall call the first meeting of the Arkansas Young and Beginning~~
26 ~~Farmer Advisory Board.~~

27 ~~(b)(1) At the first meeting, the board shall select from its~~
28 ~~membership a chair, a vice chair, and a secretary who shall serve until the~~
29 ~~first meeting of the board in the following year.~~

30 ~~(2) The board shall elect officers annually to serve one year~~
31 ~~terms at the board's first meeting of each calendar year.~~

32 ~~(c)(1) The board shall divide itself into four (4) committees for~~
33 ~~finance, education, environment, and product promotion.~~

34 ~~(2) Each internal committee shall have a chair elected by the~~
35 ~~board.~~

36 ~~(d) A quorum shall consist of not less than a majority of the~~

1 membership of the board, and the affirmative vote of that number is necessary
2 for the disposition of the board's business.

3 ~~(e)(1) Members of the board shall receive no pay for services with
4 respect to attendance at each regular or special meeting of the board.~~

5 ~~(2)(A) However, if funds are appropriated for the purpose,
6 members are entitled to reimbursement under § 25-16-902 for each day the
7 board is in session.~~

8 ~~(B) Reimbursement is in an amount equal to the maximum
9 daily allowance for meals and lodging paid as provided by law to a state
10 employee for in-state travel plus mileage at the rate per mile provided by
11 law for the reimbursement of mileage expense for state employees for travel
12 from their homes to the place of the meeting and their return.~~

13
14 ~~2-1-206. Ancillary committee.~~

15 ~~(a) The Arkansas Young and Beginning Farmer Advisory Board may
16 establish under its administrative procedures an ancillary committee of
17 outside agricultural representatives to assist and advise the board and work
18 on projects designated by the board.~~

19 ~~(b) The ancillary committee may be composed of members from each of
20 the following organizations and agriculture-related businesses:~~

- 21 ~~(1) Arkansas Farm Bureau Federation;~~
- 22 ~~(2) Arkansas Cattlemen's Association;~~
- 23 ~~(3) Arkansas Poultry Federation;~~
- 24 ~~(4) The Arkansas aquaculture industry;~~
- 25 ~~(5) The Arkansas row crop producers; and~~
- 26 ~~(6) Other agriculture promotion groups, boards, and commissions.~~

27
28 SECTION 3. Arkansas Code § 6-21-711 is repealed.

29 ~~6-21-711. Advisory committee—Members—Duties.~~

30 ~~(a) There is hereby established a Public Elementary and Secondary
31 School Insurance Program and Public School Motor Vehicle Insurance Program
32 Advisory Committee, consisting of five (5) members as follows:~~

- 33 ~~(1) The Chair and Vice Chair of the Senate Committee on
34 Insurance and Commerce;~~
- 35 ~~(2) The Chair and Vice Chair of the House Committee on Insurance
36 and Commerce; and~~

1 ~~(3) The Director of the Department of Finance and Administration~~
2 ~~or his or her designee.~~

3 ~~(b) The Public School Motor Vehicle Insurance Program Advisory~~
4 ~~Committee shall meet at such times and places as it shall deem necessary for~~
5 ~~the purpose of carrying out its duties under the provisions of this~~
6 ~~subchapter.~~

7 ~~(c) The Public School Motor Vehicle Insurance Program Advisory~~
8 ~~Committee shall select one (1) of its members as chair and such other~~
9 ~~officers as may be deemed necessary for transaction of business.~~

10 ~~(d) A majority of the members of the Public School Motor Vehicle~~
11 ~~Insurance Program Advisory Committee shall constitute a quorum for the~~
12 ~~purpose of transacting business.~~

13 ~~(e) All action of the Public School Motor Vehicle Insurance Program~~
14 ~~Advisory Committee shall be by a majority vote of the full membership of the~~
15 ~~Public School Motor Vehicle Insurance Program Advisory Committee.~~

16 ~~(f) Members shall serve without pay but may receive expense~~
17 ~~reimbursement in accordance with § 25-16-901 et seq.~~

18 ~~(g) The Public School Motor Vehicle Insurance Program Advisory~~
19 ~~Committee shall periodically review the status of the Public School Insurance~~
20 ~~Trust Fund.~~

21 ~~(h) The Public School Motor Vehicle Insurance Program Advisory~~
22 ~~Committee shall perform such other duties in an advisory capacity to the~~
23 ~~State Insurance Department as will expedite the operation of the programs.~~

24 ~~(i) All proposed procedures, guidelines, and other recommendations~~
25 ~~pertaining to the programs recommended by the Public School Motor Vehicle~~
26 ~~Insurance Program Advisory Committee under this subchapter shall be advisory~~
27 ~~to the State Insurance Department.~~

28
29 SECTION 4. Arkansas Code Title 6, Subchapter 26, concerning the
30 Arkansas Teacher Housing Development Act, is repealed.

31
32 ~~Subchapter 1 — General Provisions~~

33
34 ~~6-26-101. Title.~~

35 ~~This chapter shall be known and may be cited as the “Arkansas Teacher~~
36 ~~Housing Development Act”.~~

1
2 ~~6-26-102. Definitions.~~

3 ~~As used in this chapter:~~

4 ~~(1) "Board" means the Board of Trustees of the Arkansas Teacher~~
5 ~~Housing Development Foundation;~~

6 ~~(2) "Department" means the Department of Education;~~

7 ~~(3) "Director" means the Director of the Arkansas Teacher~~
8 ~~Housing Development Foundation;~~

9 ~~(4)(A) "Eligible home" means the primary residence of a high-~~
10 ~~performing teacher that is located within thirty (30) miles of a high-~~
11 ~~priority school district.~~

12 ~~(B) "Eligible home" shall not include any dwelling with a~~
13 ~~purchase price of more than one hundred thousand dollars (\$100,000);~~

14 ~~(5) "Foundation" means the Arkansas Teacher Housing Development~~
15 ~~Foundation;~~

16 ~~(6) "High performing school district" means a school district in~~
17 ~~the State of Arkansas that has fifty percent (50%) or more of its students~~
18 ~~performing above proficient on all benchmark examinations;~~

19 ~~(7) "High performing teacher" means a licensed teacher who meets~~
20 ~~one (1) of the following criteria:~~

21 ~~(A) Is currently employed at a high performing school~~
22 ~~district as a classroom teacher and has three (3) years or more of experience~~
23 ~~teaching in the subject area that the high priority school district is~~
24 ~~seeking;~~

25 ~~(B)(i) Is not currently employed at a high performing~~
26 ~~school district but in the past has taught at a high performing school~~
27 ~~district for a minimum of three (3) years, obtains three (3) letters of~~
28 ~~recommendations from the high performing school district at which the teacher~~
29 ~~has taught in the past that verifies the teacher's effectiveness as a~~
30 ~~classroom teacher, and explains in a sworn statement as to the reasons why he~~
31 ~~or she is currently not employed as a classroom teacher in a high performing~~
32 ~~school district.~~

33 ~~(ii) The three (3) letters of recommendation shall~~
34 ~~be provided by any of the following:~~

35 ~~(a) A principal who supervised and evaluated~~
36 ~~the teacher when he or she taught at a school in the high performing school~~

1 ~~district;~~

2 ~~(b)—An assistant principal who supervised and~~
 3 ~~evaluated the teacher when he or she taught at a school in the high-~~
 4 ~~performing school district;~~

5 ~~(c)—The superintendent of the high performing~~
 6 ~~school district; or~~

7 ~~(d)—Any other school official at the high-~~
 8 ~~performing school district with knowledge of the teacher's performance during~~
 9 ~~employment at the high performing school district, including anyone with~~
 10 ~~access to the teacher's personnel file or evaluations; or~~

11 ~~(C)(i)—Is currently employed at a high-priority school~~
 12 ~~district as a classroom teacher and:~~

13 ~~(ii)(a)—Has three (3) years or more experience~~
 14 ~~teaching in the subject area at the high-priority school district, has~~
 15 ~~demonstrated the ability to successfully teach children in the high-priority~~
 16 ~~school district, and obtains three (3) letters of recommendations from the~~
 17 ~~high-priority school district at which the teacher is currently teaching that~~
 18 ~~verifies the teacher's effectiveness as a classroom teacher.~~

19 ~~(b)—The three (3) letters of recommendation~~
 20 ~~shall be provided by any of the following:~~

21 ~~(1)—The classroom teacher's current~~
 22 ~~immediate supervisor;~~

23 ~~(2)—The current principal at the~~
 24 ~~classroom teacher's school;~~

25 ~~(3)—An assistant principal who~~
 26 ~~supervises and evaluates the classroom teacher;~~

27 ~~(4)—The superintendent of the school~~
 28 ~~district where the classroom teacher teaches; or~~

29 ~~(5)—Any other school official at the~~
 30 ~~high-priority school district where the classroom teacher currently teaches~~
 31 ~~with knowledge of the classroom teacher's performance, including anyone with~~
 32 ~~access to the classroom teacher's personnel file, evaluations, or student~~
 33 ~~test scores;~~

34 ~~(8)—“High-priority school district” means a school district that~~
 35 ~~meets the following criteria:~~

36 ~~(A)—It has had difficulty recruiting and retaining high-~~

1 performing teachers for any kindergarten through grade twelve (K-12);

2 (B) It has a critical shortage of teachers qualified to
3 teach for any kindergarten through grade twelve (K-12); and

4 (C) It has fifty percent (50%) or more students in the
5 district performing below proficient on any or all benchmark examinations;
6 and

7 (9) "State board" means the State Board of Education.

8
9 6-26-103. Arkansas Teacher Housing Development Foundation.

10 There is established a foundation to be known as the Arkansas Teacher
11 Housing Development Foundation.

12
13 6-26-104. Purpose.

14 The purpose of the Arkansas Teacher Housing Development Foundation is:

15 (1) To develop or to facilitate the development of affordable
16 housing for high-performing teachers in high-priority school districts; and

17 (2) To provide housing incentives to encourage high-performing
18 teachers to move to high-priority school districts.

19
20 Subchapter 2 — Board of Trustees of the Arkansas Teacher Housing Development
21 Foundation

22
23 6-26-201. Creation of board of trustees.

24 (a) The Arkansas Teacher Housing Development Foundation shall be
25 operated and controlled by a board of trustees that consists of nine (9)
26 members as follows:

27 (1) Three (3) members appointed by the President Pro Tempore of
28 the Senate as follows:

29 (A) One (1) person selected from a list of no fewer than
30 ten (10) names submitted by the Arkansas Education Association;

31 (B) One (1) person who is selected from a list of no fewer
32 than ten (10) names submitted by the Arkansas State Chamber of Commerce and
33 the Associated Industries of Arkansas; and

34 (C) One (1) person who has a minimum of ten (10) years'
35 experience in housing development or fundraising;

36 (2) Three (3) members appointed by the Speaker of the House of

1 ~~Representatives as follows:~~

2 ~~(A) One (1) person selected from a list of no fewer than~~
3 ~~ten (10) names submitted by the Arkansas Education Association;~~

4 ~~(B) One (1) person who is selected from a list of no fewer~~
5 ~~than ten (10) names submitted by the Arkansas State Chamber of Commerce and~~
6 ~~the Associated Industries of Arkansas; and~~

7 ~~(C) One (1) person who has a minimum of ten (10) years'~~
8 ~~experience in housing development or fundraising;~~

9 ~~(3) The President of the Arkansas Chapter of the National~~
10 ~~Association of Minority Contractors, or his or her designee;~~

11 ~~(4) The President of the Arkansas Development Finance Authority,~~
12 ~~or his or her designee; and~~

13 ~~(5) The Executive Director of the Arkansas Teacher Retirement~~
14 ~~System, or his or her designee.~~

15 ~~(b) The appointed board members shall be residents of the State of~~
16 ~~Arkansas at the time of appointment and throughout their terms.~~

17 ~~(c) Appointments to the board shall be for a term of four (4) years.~~

18 ~~(d)(1) If a vacancy occurs in an appointed position for any reason,~~
19 ~~the vacancy shall be filled by appointment by the official that made the~~
20 ~~appointment.~~

21 ~~(2) The new appointee shall serve for the remainder of the~~
22 ~~unexpired term.~~

23 ~~(e) The members shall determine by majority vote who shall serve as~~
24 ~~chair.~~

25 ~~(f)(1) The foundation shall meet at such times and places that the~~
26 ~~chair deems necessary, but no meetings shall be held outside the State of~~
27 ~~Arkansas.~~

28 ~~(2) Five (5) of the members of the board shall constitute a~~
29 ~~quorum for the purpose of transacting business.~~

30 ~~(3) All actions of the board shall be by a quorum.~~

31 ~~(g) All members of the board may receive expense reimbursement in~~
32 ~~accordance with § 25-16-902 to be paid by the Arkansas Teacher Housing~~
33 ~~Development Foundation.~~

34

35 ~~6-26-202. Duties.~~

36 ~~(a) The Board of Trustees of the Arkansas Teacher Housing Development~~

1 ~~Foundation shall elect annually a chair, a secretary, and other officers as~~
2 ~~the board deems appropriate.~~

3 ~~(b)(1) The board shall employ a director who is charged with the~~
4 ~~management and control of the Arkansas Teacher Housing Development~~
5 ~~Foundation.~~

6 ~~(2)(A) The director shall have the following qualifications:~~

7 ~~(i) A bachelor's degree from an accredited four-year~~
8 ~~university;~~

9 ~~(ii) At least five (5) years' management experience;~~
10 ~~and~~

11 ~~(iii) At least seven (7) years' experience in any of~~
12 ~~the following areas:~~

13 ~~(a) Fundraising for nonprofit organizations;~~

14 ~~(b) Sales or marketing; or~~

15 ~~(c) Governmental relations.~~

16 ~~(B) Three (3) of the five (5) years' management experience~~
17 ~~may be substituted by any of the following:~~

18 ~~(i) A master's degree in business administration~~
19 ~~from an accredited university;~~

20 ~~(ii) A doctor of philosophy degree in education from~~
21 ~~an accredited university; or~~

22 ~~(iii) A juris doctorate degree from an accredited~~
23 ~~law school.~~

24 ~~(c)(1) The board shall meet at least four (4) times a year.~~

25 ~~(2) The chair is authorized to call special meetings of the~~
26 ~~board as needed upon two (2) days' written notice to the members.~~

27 ~~(3) Any three (3) board members are authorized to call special~~
28 ~~meetings of the board upon two (2) days' written notice to the members.~~

29 ~~(d) The primary objectives of the board shall be as follows:~~

30 ~~(1) To determine which school districts in the state fall under~~
31 ~~the definitions in this chapter for the following:~~

32 ~~(A) High priority school district; and~~

33 ~~(B) High performing school district;~~

34 ~~(2) To implement housing incentive programs under this chapter;~~

35 ~~(3) To develop new housing incentive programs for high priority~~
36 ~~school districts;~~

1 ~~(4) To recommend legislation to improve housing incentive~~
2 ~~programs for high priority school districts;~~

3 ~~(5) To obtain private and public sources of funding for housing~~
4 ~~incentive programs for high priority school districts; and~~

5 ~~(6)(A) To make recommendations to the Department of Education~~
6 ~~and the State Board of Education regarding housing incentive programs for~~
7 ~~high priority school districts.~~

8 ~~(B) The department and the state board shall provide the~~
9 ~~information and assistance necessary for the board to perform its duties~~
10 ~~under this chapter.~~

11 ~~(c)(1) The board may enter into agreements with other state agencies~~
12 ~~or entities to develop, fund, implement, or administer the programs in this~~
13 ~~chapter, including, but not limited to the:~~

14 ~~(A) Department of Education;~~

15 ~~(B) State Board of Education;~~

16 ~~(C) Arkansas Development Finance Authority; and~~

17 ~~(D) Arkansas Teacher Retirement System.~~

18 ~~(2) The board may contract with private entities to assist with~~
19 ~~the development, funding, implementation, and administration of the programs~~
20 ~~in this chapter.~~

21 ~~(f) The board shall promulgate rules with respect to this chapter and~~
22 ~~prescribe the forms and procedures for compliance with the rules.~~

23 ~~(g)(1) The board or its designee may:~~

24 ~~(A) Accept any gifts, grants, bequests, devises, and~~
25 ~~donations made to the State of Arkansas for the purpose of funding the~~
26 ~~Teacher Housing Fund and the programs created under this chapter; and~~

27 ~~(B) Deposit any gifts, grants, bequests, devises, and~~
28 ~~donations so received into the fund.~~

29 ~~(2) The board or its designee shall quarterly certify to the~~
30 ~~Treasurer of State the amount contributed to the fund through private or~~
31 ~~public sources.~~

32 ~~(3) The gifts, grants, bequests, devises, and donations made~~
33 ~~under this chapter shall be used together with any other funds appropriated~~
34 ~~or acquired for funding the fund.~~

35 ~~(h) The director or his or her designee shall provide an annual report~~
36 ~~by October 1 of each year to the Chair of the Senate Committee on Education~~

1 and the Chair of the House Committee on Education. The report shall contain
2 the following information:

3 (1) ~~A list of the school districts which are high priority~~
4 ~~school districts, as determined by the board;~~

5 (2) ~~A list of the school districts which are high performing~~
6 ~~school districts, as determined by the board;~~

7 (3) ~~Current housing incentives that are offered to high-~~
8 ~~performing teachers who choose to teach in high priority school districts;~~

9 (4) ~~The funding available and the sources for funding for~~
10 ~~housing incentives for high priority school districts;~~

11 (5) ~~The number of recipients of housing incentives provided~~
12 ~~under this chapter; and~~

13 (6) ~~The list of high performing teachers who have pending~~
14 ~~applications for housing benefits under this chapter.~~

15
16 ~~Subchapter 3 — Teacher Housing Development Requirements~~

17
18 ~~6-26-301. Housing incentives for high priority school districts.~~

19 (a) ~~The following housing incentives shall be provided to high-~~
20 ~~performing teachers who choose to teach in high priority school districts:~~

21 (1) ~~A home loan program; and~~

22 (2) ~~A pilot rental housing program.~~

23 (b) ~~A high performing teacher who receives benefits under this chapter~~
24 ~~shall commit to teach for a minimum of five (5) years in a high priority~~
25 ~~school district.~~

26
27 ~~6-26-302. Home loan program.~~

28 (a) ~~The Board of Trustees of the Arkansas Teacher Housing Development~~
29 ~~Foundation shall develop, implement, and administer a home loan program to~~
30 ~~provide special home loan financing to high performing teachers who choose to~~
31 ~~teach in high priority school districts.~~

32 (b)(1) ~~To the extent allowed by the available loan programs or~~
33 ~~funding, the following financing options shall be included in the home loan~~
34 ~~program:~~

35 (A) ~~A conventional mortgage available for the purchase of~~
36 ~~an eligible home, at an interest rate not to exceed six percent (6%) for a~~

1 ~~thirty-year loan;~~

2 ~~(B)—A second mortgage, not to exceed twenty percent (20%)~~
3 ~~of the total cost of an eligible home and at an interest rate not to exceed~~
4 ~~four percent (4%); and~~

5 ~~(C)(i)—A forgivable loan equal to not more than ten~~
6 ~~percent (10%) of the total cost of an eligible home, which is intended as~~
7 ~~assistance with the down payment.~~

8 ~~(ii)—The forgivable loan shall be interest free if~~
9 ~~the high performing teacher fulfills his or her obligation with the high-~~
10 ~~priority school district.~~

11 ~~(iii)—The high performing teacher shall receive one-~~
12 ~~fifth (1/5) credit on the forgivable loan for each year that he or she~~
13 ~~teaches in the high priority school district.~~

14 ~~(2)(A)—The Director of the Arkansas Teacher Housing Development~~
15 ~~Foundation shall provide a report to the House Committee on Education and the~~
16 ~~Senate Committee on Education as to whether the loan program as provided in~~
17 ~~this section has been and is being provided to high performing teachers or~~
18 ~~whether the loan program has been modified due to the available loan programs~~
19 ~~or funding during any calendar year.~~

20 ~~(B)(i)—The report shall include the following:~~

21 ~~(a)—Data on the terms of each loan provided~~
22 ~~under this section; and~~

23 ~~(b)—Any other data that is necessary for the~~
24 ~~House Committee on Education and the Senate Committee on Education to assess~~
25 ~~the effectiveness of the loan program.~~

26 ~~(ii)—The report shall clearly indicate which loans~~
27 ~~provided under this section meet the requirements of this section and which~~
28 ~~loans have been modified due to the available loan programs or funding.~~

29 ~~(c)(1)—A high performing teacher who chooses to teach in a high-~~
30 ~~priority school district has the option of using all or part of the financing~~
31 ~~options available under this section.~~

32 ~~(2)—A high performing teacher who chooses to teach in a high-~~
33 ~~priority school district may exercise the right to the financing options~~
34 ~~available under this section for a maximum of five (5) years after choosing~~
35 ~~to teach in a high priority school district.~~

36 ~~(d)(1)—If the high performing teacher stops teaching in the high-~~

1 ~~priority school district for any reason within five (5) years after~~
 2 ~~exercising an option for a conventional mortgage or second mortgage under~~
 3 ~~this section, then the remaining balance on the conventional mortgage or~~
 4 ~~second mortgage shall become due and payable within three (3) months of the~~
 5 ~~termination of the high performing teacher's service to the high priority~~
 6 ~~school district.~~

7 ~~(2)(A) If the high performing teacher stops teaching in the~~
 8 ~~high priority school district for any reason within five (5) years after~~
 9 ~~exercising an option for a forgivable loan under this section, then the~~
 10 ~~remaining balance on the forgivable loan shall become due and payable within~~
 11 ~~three (3) months of the termination of the high performing teacher's service~~
 12 ~~to the high priority school district.~~

13 ~~(B) The board may develop a supplemental loan program that~~
 14 ~~converts the forgivable loan into a conventional loan for high performing~~
 15 ~~teachers who do not fulfill their obligation.~~

16
 17 ~~6-26-303. Pilot rental housing program.~~

18 ~~(a) A pilot rental housing program shall be developed, implemented,~~
 19 ~~and administered by the Board of Trustees of the Arkansas Teacher Housing~~
 20 ~~Development Foundation in four (4) high priority school districts in the~~
 21 ~~state, one (1) in each congressional district of the state.~~

22 ~~(b)(1) The rental housing units shall be provided to high performing~~
 23 ~~teachers who choose to teach in high priority school districts.~~

24 ~~(2) Only upon the approval of the board and only if the housing~~
 25 ~~is not able to be used by high performing teachers in a high priority school~~
 26 ~~district, the developer may lease to the following persons in order of~~
 27 ~~preference:~~

28 ~~(A) Other licensed employees of the high priority school~~
 29 ~~district;~~

30 ~~(B) Other nonlicensed employees of the high priority~~
 31 ~~school district; or~~

32 ~~(C) Any other person with a gross income of thirty five~~
 33 ~~thousand dollars (\$35,000) or less.~~

34 ~~(3)(A) The Director of the Arkansas Teacher Housing Development~~
 35 ~~Foundation shall provide a report to the House Committee on Education and the~~
 36 ~~Senate Committee on Education as to whether the pilot rental housing program~~

1 as provided in this section has been and is being provided to high-performing
 2 teachers or whether the pilot rental housing program has been modified due to
 3 the available loan programs or funding during any calendar year.

4 (B)(i) The report shall include the following:

5 (a) Data on the terms of each pilot rental
 6 housing program developed under this subchapter; and

7 (b) Any other data that is necessary for the
 8 House Committee on Education and the Senate Committee on Education to assess
 9 the effectiveness of the pilot rental housing program.

10 (ii) The report shall clearly indicate whether the
 11 pilot rental housing that has been developed meets the requirements of this
 12 subchapter and shall provide details on any modification of the pilot rental
 13 housing due to the available loan programs or funding.

14 (c) The reduced rate shall be at least fifty percent (50%) less than
 15 the fair rental value of the rental housing unit.

16 (d) To the extent allowed by the available loan programs or funding,
 17 the rental housing units offered shall include two (2) of the following
 18 sizes, to be determined based on the expected demand by high-performing
 19 teachers who will likely be attracted to the high-priority school district:

20 (1) A two-bedroom unit with one (1) bathroom and a minimum of
 21 eight hundred square feet (800 sq. ft.);

22 (2) A three-bedroom unit with two (2) bathrooms and a minimum of
 23 one thousand two hundred square feet (1200 sq. ft.); or

24 (3) A four-bedroom unit with two and one half (2½) bathrooms and
 25 a minimum of one thousand five hundred square feet (1500 sq. ft.).

26 (e) To the extent allowed by the available loan programs or funding,
 27 the rental housing offered shall:

28 (1) Include all of the following new or late model, fully-
 29 functioning appliances:

30 (A) Refrigerator with ice maker;

31 (B) Stove and oven;

32 (C) Microwave oven;

33 (D) Dishwasher;

34 (E) Full-sized washer and dryer; and

35 (F) Central heat and air conditioning;

36 (2) Be constructed to meet or exceed the local building and fire

1 eodes;

2 ~~(3) Be constructed to be energy efficient; and~~

3 ~~(4)(A) If the pilot rental housing program is only serving one~~
4 ~~(1) school district, then be located no farther than three (3) miles beyond~~
5 ~~the high-priority school district boundaries at which the high-performing~~
6 ~~teachers are being hired.~~

7 ~~(B) If the pilot rental housing program is serving two (2)~~
8 ~~or more school districts, then be located no farther than twenty (20) miles~~
9 ~~from any of the school districts using the housing.~~

10 ~~(f)(1) Temporary rental housing may be provided to high-performing~~
11 ~~teachers during the time that new rental housing units are being constructed~~
12 ~~or existing rental housing units are being remodeled.~~

13 ~~(2) Temporary rental housing does not have to meet the~~
14 ~~requirements of this section.~~

15 ~~(3) If the high-performing teacher is required to remain in~~
16 ~~temporary rental housing for more than one (1) year, the high-performing~~
17 ~~teacher can choose any of the following to compensate him or her for the~~
18 ~~lesser rental housing units provided:~~

19 ~~(A) A cash supplement of not less than twelve hundred~~
20 ~~dollars (\$1,200) per year that the teacher is required to live in the~~
21 ~~temporary rental housing and not more than the difference between the fair~~
22 ~~rental value of the rental housing unit that is required under this section~~
23 ~~and the temporary rental housing unit that is provided; or~~

24 ~~(B) An additional interest-free, forgivable loan for the~~
25 ~~purchase of a home under § 6-26-302 for not more than two thousand five~~
26 ~~hundred dollars (\$2,500) to be forgiven after the fulfillment of one (1) year~~
27 ~~of service from the date that the loan is disbursed.~~

28
29 ~~6-26-304. Development of the pilot rental housing program.~~

30 ~~(a) The Arkansas Teacher Housing Development Foundation or its~~
31 ~~designee shall receive proposals from developers for the construction of the~~
32 ~~rental housing units.~~

33 ~~(b)(1) The Director of the Arkansas Teacher Housing Development~~
34 ~~Foundation shall recommend to the Board of Trustees of the Arkansas Teacher~~
35 ~~Housing Development Foundation which developer shall construct the rental~~
36 ~~housing units in each congressional district.~~

1 ~~(2) The board shall either approve or reject the director's~~
 2 ~~recommendations for the developer of the rental housing units.~~

3 ~~(3) If the board rejects any of the director's recommendations,~~
 4 ~~then the director shall recommend another developer that submitted a~~
 5 ~~proposal.~~

6 ~~(4) This process shall continue until a developer is approved by~~
 7 ~~the board for each of the four (4) congressional districts.~~

8 ~~(c) A preference shall be given to proposals submitted by developers~~
 9 ~~located in the congressional district of the high priority school district,~~
 10 ~~but this preference shall not be the single determining factor.~~

11 ~~(d) The foundation or its designee shall provide low interest loans to~~
 12 ~~the selected developers in the amount necessary to construct rental housing~~
 13 ~~units to meet the housing needs for the expected number of high performing~~
 14 ~~teachers attracted to the area who will choose rental housing units.~~

15 ~~(e)(1) Upon completion of the construction of the rental housing~~
 16 ~~units, the developer shall operate the rental housing units until the loan is~~
 17 ~~repaid.~~

18 ~~(2) The developer and the foundation shall agree on the amount~~
 19 ~~necessary to compensate the developer for the fair rental value of the rental~~
 20 ~~housing units, considering the amount of rent the teacher is paying.~~

21
 22 ~~6-26-305. Teacher Housing Fund.~~

23 ~~(a) All moneys received by the Arkansas Teacher Housing Development~~
 24 ~~Foundation shall be deposited into one (1) or more accounts at a financial~~
 25 ~~institution located in the State of Arkansas and shall be known as the~~
 26 ~~Teacher Housing Fund.~~

27 ~~(b) The fund shall be treated as a cash fund under § 19-4-801 et seq.~~

28 ~~(c) The moneys in the fund are declared to be revenues of the state~~
 29 ~~and shall be expended only by the foundation and only for the purposes stated~~
 30 ~~in this chapter.~~

31 ~~(d) The foundation shall promulgate all rules necessary for~~
 32 ~~implementing the program under this chapter and administering the fund.~~

33
 34 SECTION 5. Arkansas Code § 9-27-361(a)(2)(D), concerning court
 35 reports, is repealed.

36 ~~(D)(i) The department shall provide to all parties and the~~

1 ~~court-appointed special advocate, if assigned to the case, copies of all~~
 2 ~~Children's Reporting and Information System contact screens, placement~~
 3 ~~screens completed, investigations, home studies, and comprehensive health~~
 4 ~~evaluations entered or received by the department since the last hearing by:~~

5 ~~(a) Providing physical copies as an attachment~~
 6 ~~to the court report; or~~

7 ~~(b) Uploading electronic copies into the court~~
 8 ~~ease management database.~~

9 ~~(ii) The department may redact specific addresses of~~
 10 ~~foster parents if it is in the best interest of the juveniles to do so and~~
 11 ~~information protected by state or federal law.~~

12 ~~(iii) A party who inadvertently receives information~~
 13 ~~protected by state or federal law shall immediately notify the department and~~
 14 ~~shall not further disclose the information, including to a client.~~

15
 16 SECTION 6. Arkansas Code § 10-3-1501 is amended to read as follows:

17 10-3-1501. Established – Powers and duties.

18 (a) There is hereby established the “Desegregation Litigation
 19 Oversight Subcommittee” of the General Assembly which shall have the
 20 authority and duty to monitor the implementation of the Pulaski County School
 21 Desegregation Case Settlement Agreement and to monitor the state’s
 22 participation in any future desegregation case in which the Department of
 23 Education or the State Board of Education is a defendant, or both.

24 (b) This section shall expire on September 30, 2017.

25
 26 SECTION 7. Arkansas Code § 10-3-1502 is amended to add an additional
 27 subsection to read as follows:

28 (d) This section shall expire on September 30, 2017.

29
 30 SECTION 8. Arkansas Code § 10-3-1503 is amended to read as follows:

31 10-3-1503. Reduction of future litigation liability.

32 (a) The Desegregation Litigation Oversight Subcommittee shall examine
 33 possible methods to reduce the potential for the state’s being liable in
 34 future desegregation litigation and make recommendations for legislation to
 35 the Governor and to the General Assembly.

36 (b) This section shall expire on September 30, 2017.

1
2 SECTION 9. Arkansas Code § 10-3-1504 is amended to add an additional
3 subsection to read as follows:

4 (d) This section shall expire on September 30, 2017.

5
6 SECTION 10. Arkansas Code § 10-3-1506 is repealed.

7 ~~10-3-1506. Arkansas Public School Desegregation Lawsuit Resolution~~
8 ~~Task Force Establishment Members Duties.~~

9 ~~(a) There is established a legislative task force to be known as the~~
10 ~~“Arkansas Public School Desegregation Lawsuit Resolution Task Force” to serve~~
11 ~~with the members of the Desegregation Litigation Oversight Subcommittee.~~

12 ~~(b) The task force shall consist of the members of the Desegregation~~
13 ~~Litigation Oversight Subcommittee and ten (10) members as follows:~~

14 ~~(1) Five (5) members appointed by the President Pro Tempore of~~
15 ~~the Senate:~~

16 ~~(A) One (1) member of the Senate from each of the four (4)~~
17 ~~congressional districts in the state; and~~

18 ~~(B) One (1) member of the Senate who is a member of a~~
19 ~~minority political party; and~~

20 ~~(2) Five (5) members appointed by the Speaker of the House of~~
21 ~~Representatives as follows:~~

22 ~~(A) One (1) member of the House of Representatives from~~
23 ~~each of the four (4) congressional districts in the state; and~~

24 ~~(B) One (1) member of the House who is a member of a~~
25 ~~minority political party.~~

26 ~~(c) The task force shall:~~

27 ~~(1) Study methods of bringing a final resolution to~~
28 ~~desegregation litigation and related matters involving the state;~~

29 ~~(2) Hire and direct experts as may be necessary to facilitate a~~
30 ~~final resolution of desegregation litigation and related matters involving~~
31 ~~the state; and~~

32 ~~(3) Make recommendations to the General Assembly regarding the~~
33 ~~resolution of desegregation litigation and related matters involving the~~
34 ~~state.~~

35 ~~(d)(1) The Department of Education, the Attorney General, and school~~
36 ~~districts shall provide the task force with assistance or information as~~

1 ~~requested by the task force.~~

2 ~~(2) The Bureau of Legislative Research shall provide staff to~~
3 ~~the task force.~~

4 ~~(e)(1) The task force may contract with individuals or entities to~~
5 ~~conduct the study of the task force.~~

6 ~~(2) The expenses of the task force shall be paid by the Bureau~~
7 ~~of Legislative Research from the appropriation for interim task force study~~
8 ~~expenses or other available funds.~~

9
10 SECTION 11. Arkansas Code § 10-3-1901 is amended to read as follows:
11 10-3-1901. Creation.

12 (a) There is established the “Arkansas State Game and Fish Commission
13 Oversight Committee” of the General Assembly, which shall have the authority
14 to conduct an interim study into the long-term funding needs and potential
15 long-term financial sources for the Arkansas State Game and Fish Commission.

16 (b) This section shall expire on December 31, 2016.

17
18 SECTION 12. Arkansas Code § 10-3-1902 is amended to read as follows:
19 10-3-1902. Membership.

20 (a) The Arkansas State Game and Fish Commission Oversight Committee
21 shall consist of:

22 (1) Nine (9) members from the Senate appointed by the President
23 Pro Tempore of the Senate; and

24 (2) Nine (9) members of the House of Representatives appointed
25 by the Speaker of the House of Representatives.

26 (b)(1) Members of the Arkansas State Game and Fish Commission
27 Oversight Committee shall be entitled to per diem and mileage for attending
28 meetings of the Arkansas State Game and Fish Commission Oversight Committee
29 at the same rate as is provided by law for members of joint interim
30 committees.

31 (2) The per diem and mileage shall be paid from funds
32 appropriated for payment of per diem and mileage of members of joint interim
33 committees.

34 (c) This section shall expire on December 31, 2016.

35
36 SECTION 13. Arkansas Code § 10-3-1903 is amended to read as follows:

1 10-3-1903. Duties.

2 (a) The Arkansas State Game and Fish Commission Oversight Committee
3 shall examine possible methods to increase the potential revenue for the
4 Arkansas State Game and Fish Commission and make recommendations for
5 legislation to the Governor and to the General Assembly.

6 (b) This section shall expire on December 31, 2016.

7
8 SECTION 14. Arkansas Code § 10-3-2301 is amended to read as follows:
9 10-3-2301. Title.

10 (a) This subchapter shall be known as the “Arkansas Legislative Task
11 Force on Abused and Neglected Children Act”.

12 (b) The Arkansas Legislative Task Force on Abused and Neglected
13 Children shall cease to exist on June 30, 2017, and this section shall expire
14 on June 30, 2017.

15
16 SECTION 15. Arkansas Code § 10-3-2302 is amended to read as follows:
17 10-3-2302. Creation.

18 (a) There is created the Arkansas Legislative Task Force on Abused and
19 Neglected Children.

20 (b) The task force shall consist of the following members:

- 21 (1) The Governor or the Governor’s designee;
- 22 (2) The Chair of the House Committee on Public Health, Welfare,
23 and Labor or the chair’s designee;
- 24 (3) The Chair of the Senate Committee on Public Health, Welfare,
25 and Labor or the chair’s designee;
- 26 (4) The Chair of the Senate Interim Committee on Children and
27 Youth or the chair’s designee;
- 28 (5) The Chair of the House Committee on Aging, Children and
29 Youth, Legislative and Military Affairs or the chair’s designee;
- 30 (6) The Director of the Division of Children and Family Services
31 of the Department of Human Services or the director’s designee;
- 32 (7) The Director of the Division of Behavioral Health Services
33 of the Department of Human Services or the director’s designee;
- 34 (8) The Director of the Division of Youth Services of the
35 Department of Human Services or the director’s designee;
- 36 (9) The Director of the Division of Child Care and Early

1 Childhood Education of the Department of Human Services or the director's
2 designee;

3 (10) The Director of the Administrative Office of the Courts or
4 the director's designee;

5 (11) The Chair of the Arkansas Coalition for Juvenile Justice
6 Board or the chair's designee;

7 (12) A sheriff to be appointed by the ~~President of the Arkansas~~
8 ~~Sheriffs' Association~~ Speaker of the House of Representatives and recommended
9 by the President of the Arkansas Sheriffs' Association;

10 (13) The Director of the Department of Arkansas State Police or
11 the director's designee;

12 (14) The Chair of the State Child Abuse and Neglect Prevention
13 Board or the chair's designee;

14 (15) One (1) member of the Arkansas Child Abuse/Rape/Domestic
15 Violence Commission to be appointed by the ~~Chancellor of the University of~~
16 ~~Arkansas for Medical Sciences~~ President Pro Tempore of the Senate and
17 recommended by the Chancellor of the University of Arkansas for Medical
18 Sciences;

19 (16) A public defender who regularly appears in the juvenile
20 division of a circuit court in the State of Arkansas to be appointed by the
21 ~~Executive Director of the Arkansas Public Defender Commission~~ Speaker of the
22 House of Representatives and recommended by the Executive Director of the
23 Arkansas Public Defender Commission;

24 (17) A prosecutor who regularly appears in the juvenile division
25 of a circuit court in the State of Arkansas to be appointed by the ~~Prosecutor~~
26 ~~Coordinator~~ President Pro Tempore of the Senate and recommended by the
27 Prosecutor Coordinator;

28 (18) An attorney ad litem to be appointed by the ~~Director of the~~
29 ~~Administrative Office of the Courts~~ Speaker of the House of Representatives
30 and recommended by the Director of the Administrative Office of the Courts;

31 (19) A physician with special knowledge and experience in the
32 treatment of children who have been abused or neglected to be appointed by
33 the President Pro Tempore of the Senate;

34 (20) The Chief of Staff of Arkansas Children's Hospital or his
35 or her designee;

36 (21) Two (2) members to be appointed by the President Pro

1 Tempore of the Senate with specialized knowledge, skills, or experience in
2 the area of child welfare or the prevention of child abuse and neglect;

3 (22) Two (2) members to be appointed by the Speaker of the House
4 of Representatives with specialized knowledge, skills, or experience in the
5 area of child welfare or the prevention of child abuse and neglect;

6 (23) Four (4) members to be appointed by the Governor;

7 (24) Chief Counsel of the Department of Human Services or his
8 or her designee;

9 (25) A representative or an employee of a child advocacy center
10 in the state to be appointed by the Speaker of the House of Representatives;

11 (26) A representative of the Arkansas Bar Association ~~chosen by~~
12 ~~the Arkansas Bar Association~~ to be appointed by the President Pro Tempore of
13 the Senate and recommended by the Arkansas Bar Association; and

14 (27) The President of the Arkansas Counseling Association or his
15 or her designee who shall be a member of the Arkansas Counseling Association.

16 (c)(1) The Chair of the Senate Interim Committee on Children and Youth
17 or the chair's designee shall call the first meeting within ninety (90) days
18 of the adjournment of the regular session of the General Assembly and shall
19 serve as chair at the first meeting.

20 (2) At the first meeting, the members of the task force shall
21 elect from its membership a chair and other officers as needed for the
22 transaction of its business.

23 (3)(A) The task force shall conduct its meetings in Pulaski
24 County at the State Capitol unless another location is approved by the
25 Speaker of the House of Representatives and the President Pro Tempore of the
26 Senate.

27 (B) Meetings shall be held at least one (1) time every
28 three (3) months, but may occur more often at the call of the chair.

29 (d) If any vacancy occurs on the task force, the vacancy shall be
30 filled by the same process as the original appointment.

31 (e) The task force shall establish rules and procedures for conducting
32 its business.

33 (f)(1) Nonlegislator members of the task force shall serve without
34 compensation.

35 (2) Legislator members shall be entitled to reimbursement for
36 per diem and mileage at the same rate and from the same source as provided by

1 law for members of the General Assembly attending meetings of interim
2 committees.

3 (3) The task force may be allowed study expenses for the calling
4 of expert witnesses to testify, if the expenditure is approved by the
5 Legislative Council. If the expenditure is approved, payment shall be made by
6 the Bureau of Legislative Research from the appropriation for interim
7 committee study expenses.

8 (g) A majority of the members of the task force shall constitute a
9 quorum for transacting any business of the task force.

10 (h) The bureau shall provide staff for the task force.

11 (i) The task force shall submit its final report to the House
12 Committee on Public Health, Welfare, and Labor; the Senate Committee on
13 Public Health, Welfare, and Labor; the House Committee on Aging, Children and
14 Youth, Legislative and Military Affairs; and the Senate Interim Committee on
15 Children and Youth. The final report shall be submitted no later than
16 November 30, 2008.

17 (j) The task force shall cease to exist on June 30, 2017, and this
18 section shall expire on June 30, 2017.

19

20 SECTION 16. Arkansas Code § 10-3-2303 is amended to read as follows:
21 10-3-2303. Duties.

22 (a) The Arkansas Legislative Task Force on Abused and Neglected
23 Children shall:

24 (1) Examine how the State of Arkansas responds to child abuse
25 and neglect with a focus on the following main areas using a child-centered
26 approach:

27 (A) Reporting, investigating, and multidisciplinary
28 cooperation;

29 (B) Legal advocacy for children in courts;

30 (C) Foster care and adoption;

31 (D) Training and workforce needs;

32 (E) Criminal justice and public safety;

33 (F) Neglect and family support; and

34 (G) Accountability;

35 (2) Determine the best practices to prevent child abuse and
36 neglect and to improve child welfare by conducting national research or by

1 using other methods;

2 (3) Recommend more efficient methods of distributing and
3 spending limited public moneys to prevent child abuse and neglect and to
4 improve child welfare;

5 (4) Recommend how to obtain more federal funds to prevent child
6 abuse and neglect and to improve child welfare;

7 (5) Recommend to the General Assembly specific changes to the
8 law that will improve child safety and welfare in the State of Arkansas in
9 the form of bill drafts; and

10 (6) Provide the General Assembly with a written explanation of
11 the recommended legislative changes.

12 (b) The task force shall cease to exist on June 30, 2017, and this
13 section shall expire on June 30, 2017.

14
15 SECTION 17. Arkansas Code § 10-3-2501 is repealed.

16 ~~10-3-2501.—Title.~~

17 ~~This subchapter shall be known as the “Arkansas Cyberinfrastructure~~
18 ~~Task Force Act”.~~

19
20 SECTION 18. Arkansas Code § 10-3-2502 is repealed.

21 ~~10-3-2502.—Findings.~~

22 ~~In establishing the Arkansas Cyberinfrastructure Task Force, the~~
23 ~~General Assembly finds that:~~

24 ~~(1) Implementation and sustainment of the 2008~~
25 ~~Cyberinfrastructure Strategic Plan and associated policy development for~~
26 ~~cyberinfrastructure are crucial to the future of the state and its citizens~~
27 ~~and that the General Assembly must approach cyberinfrastructure policy~~
28 ~~development thoughtfully and consider both near-term and strategic goals in~~
29 ~~its deliberations; and~~

30 ~~(2) The state will benefit from an improved understanding of~~
31 ~~cyberinfrastructure and the recommendation of cyberinfrastructure policies to~~
32 ~~leverage technology investments in order to:~~

33 ~~(A) Energize the economic development system of the state;~~
34 ~~and~~

35 ~~(B) Evolve cyberinfrastructure for the benefit of~~
36 ~~education, research, and business creation, including specifically~~

~~commercialization of value added products and services that increase gross state product, per capita income, and job and wealth creation in the state's economic development strategies.~~

SECTION 19. Arkansas Code § 10-3-2503 is repealed.

~~10-3-2503. Definition.~~

~~As used in this subchapter, "cyberinfrastructure" means shared high-performance computing, data storage systems, data repositories, advanced instruments, data center facilities, visualization environments, and people, all linked together by software and an advanced statewide optical network to improve and enable breakthroughs not otherwise possible.~~

SECTION 20. Arkansas Code § 10-3-2504 is repealed.

~~10-3-2504. Arkansas Cyberinfrastructure Task Force Creation—Members.~~

~~(a) There is created a legislative committee to be known as the "Arkansas Cyberinfrastructure Task Force", to be composed of:~~

~~(1) The Director of the Department of Finance and Administration or his or her designee;~~

~~(2) The Director of the Department of Information Systems or his or her designee;~~

~~(3) The Executive Director of the Arkansas Economic Development Commission or his or her designee;~~

~~(4) The chair or his or her designee and the vice chair or his or her designee of the Senate Committee on Public Transportation, Technology, and Legislative Affairs;~~

~~(5) The chair or his or her designee and the vice chair or his or her designee of the Committee on Advanced Communications and Information Technology;~~

~~(6)(A) Four (4) members appointed by the President Pro Tempore of the Senate from a list of ten (10) persons submitted by the Arkansas Broadband Council.~~

~~(B) The members selected under subdivision (a)(6)(A) of this section shall include:~~

~~(i) One (1) member with expertise in optical networks;~~

~~(ii) One (1) member with expertise in high-~~

1 ~~performance computing;~~

2 ~~(iii) One (1) member with expertise in data center~~
3 ~~operation and management; and~~

4 ~~(iv) One (1) member with expertise in at least one~~
5 ~~(1) of the following areas:~~

6 ~~(a) Large scale data storage;~~

7 ~~(b) Computer visualization;~~

8 ~~(c) Distributed authentication and~~

9 ~~authorization architectures;~~

10 ~~(d) Distributed collaboration environments; or~~

11 ~~(e) Other software architectures relevant to~~
12 ~~advanced cyberinfrastructure; and~~

13 ~~(7)(A) Four (4) members appointed by the Speaker of the House of~~
14 ~~Representatives from a list of ten (10) persons from higher education in the~~
15 ~~State of Arkansas submitted by the Arkansas Higher Education Coordinating~~
16 ~~Board.~~

17 ~~(B) The members selected under subdivision (a)(7)(A) of~~
18 ~~this section shall include:~~

19 ~~(i) One (1) member with expertise in optical~~
20 ~~networks;~~

21 ~~(ii) One (1) member with expertise in high-~~
22 ~~performance computing;~~

23 ~~(iii) One (1) member with expertise in data center~~
24 ~~operation and management; and~~

25 ~~(iv) One (1) member with expertise in at least one~~
26 ~~(1) of the following areas:~~

27 ~~(a) Large scale data storage;~~

28 ~~(b) Computer visualization;~~

29 ~~(c) Distributed authentication and~~

30 ~~authorization architectures;~~

31 ~~(d) Distributed collaboration environments; or~~

32 ~~(e) Other software architectures relevant to~~
33 ~~advanced cyberinfrastructure.~~

34 ~~(b) If a vacancy occurs on the task force, the vacancy shall be filled~~
35 ~~in the same manner as the original appointment.~~

36 ~~(c) The cochairs of the Joint Committee on Advanced Communications and~~

1 ~~Information Technology or the designee of a cochair of the Joint Committee on~~
2 ~~Advanced Communications and Information Technology shall serve as cochairs of~~
3 ~~the task force and shall call meetings as appropriate.~~

4 ~~(d)(1)(A) The task force may create by written resolution technical~~
5 ~~work groups.~~

6 ~~(B) The written resolution for the creation of a technical~~
7 ~~work group shall specify the:~~

8 ~~(i) Duties and objectives of the technical work~~
9 ~~group; and~~

10 ~~(ii) Date the technical work group shall expire.~~

11 ~~(2) The membership of a technical work group may include:~~

12 ~~(A) Members and staff of the task force; and~~

13 ~~(B) Individuals not affiliated with the task force.~~

14 ~~(3) Members of the technical work groups shall serve at the~~
15 ~~pleasure of the task force without compensation.~~

16 ~~(4) Technical work groups may be created without limitation in~~
17 ~~areas such as research applications, technology transfer, emergency~~
18 ~~management, telemedicine, educational outreach, student technologists, and~~
19 ~~other technical work groups as appropriate.~~

21 SECTION 21. Arkansas Code § 10-3-2505 is repealed.

22 ~~10-3-2505. Purpose.~~

23 ~~The purpose of the General Assembly in establishing the Arkansas~~
24 ~~Cyberinfrastructure Task Force is to:~~

25 ~~(1) Create, implement, and sustain a globally competitive~~
26 ~~cyberinfrastructure strategy for the state; and~~

27 ~~(2) Propose and recommend legislation for the General Assembly~~
28 ~~each year.~~

30 SECTION 22. Arkansas Code § 10-3-2506 is repealed.

31 ~~10-3-2506. Report.~~

32 ~~The Arkansas Cyberinfrastructure Task Force shall submit a report and~~
33 ~~its recommendations for any proposed legislation to the Joint Committee on~~
34 ~~Advanced Communications and Information Technology and the Legislative~~
35 ~~Council annually on or before August 1, beginning in 2010.~~

1 SECTION 23. Arkansas Code § 10-3-2507 is repealed.

2 ~~10-3-2507. Staff support.~~

3 ~~(a) Staff support for the Arkansas Cyberinfrastructure Task Force~~
4 ~~shall be provided by the Bureau of Legislative Research.~~

5 ~~(b) Upon written request of the cochairs of the Arkansas~~
6 ~~Cyberinfrastructure Task Force, additional support shall be provided by~~
7 ~~agencies of state government.~~

8
9 SECTION 24. Arkansas Code § 10-3-2508 is repealed.

10 ~~10-3-2508. Per diem.~~

11 ~~(a) Legislative members of the Arkansas Cyberinfrastructure Task Force~~
12 ~~shall be paid per diem and mileage in the manner authorized by law for~~
13 ~~attendance at meetings of interim committees of the General Assembly.~~

14 ~~(b) Nonlegislative members of the task force shall receive per diem~~
15 ~~and mileage at the rate authorized by law for attendance at meetings of~~
16 ~~interim committees of the General Assembly if funds are available and~~
17 ~~appropriated by the General Assembly to pay per diem and mileage to~~
18 ~~nonlegislative members of the task force.~~

19
20 SECTION 25. Arkansas Code § 10-3-2801, concerning the Legislative
21 Criminal Justice Oversight Task Force, is amended to add an additional
22 subsection to read as follows:

23 (e) This section shall expire on September 30, 2017.

24
25 SECTION 26. Arkansas Code § 10-3-3001 is amended to read as follows:

26 10-3-3001. Behavioral Health Treatment Access Legislative Task Force.

27 (a)(1) There is created a Behavioral Health Treatment Access
28 Legislative Task Force responsible for ensuring that persons in the criminal
29 justice system who have a demonstrated need for behavioral health treatment
30 have access to treatment.

31 (2) The Bureau of Legislative Research shall provide staff
32 support for the task force.

33 (b) The task force is composed of no more than nine (9) members, as
34 follows:

35 (1) No more than four (4) members may be appointed by the
36 Governor from the following persons:

1 (A) No more than one (1) member who is engaged in
2 providing substance abuse treatment in the private sector;

3 (B) No more than one (1) member who is engaged in
4 providing mental health treatment in the private sector; and

5 (C) No more than two (2) members of the general public who
6 advocate for access to behavioral health services;

7 (2) The Director of the Department of Community Correction or
8 his or her designee;

9 (3) The Deputy Chief Counsel of the ~~General Counsel Section for~~
10 Office of Chief Counsel of the Department of Human Services or his or her
11 designee;

12 (4) The Insurance Commissioner or his or her designee;

13 (5) One (1) member of the General Assembly to be appointed by
14 the President Pro Tempore of the Senate; and

15 (6) One (1) member of the General Assembly to be appointed by
16 the Speaker of the House of Representatives.

17 (c)(1) The task force shall ~~meet on or before the thirtieth day after~~
18 ~~April 1, 2015, at the call of the member of the General Assembly appointed by~~
19 ~~the President Pro Tempore of the Senate, and~~ organize itself by electing such
20 other officers as the task force may consider necessary.

21 (2) ~~Thereafter, the~~ The task force is to meet at least quarterly
22 and as often as necessary and at the call of the Chair of the Behavioral
23 Health Treatment Access Legislative Task Force or a majority of the members.

24 (3) A quorum of the task force consists of five (5) members.

25 (d) The task force has the following powers and duties:

26 (1) To facilitate access to behavioral health treatment
27 programs;

28 (2) To coordinate with other public and private entities to
29 develop and promote access;

30 (3) To take steps to reduce costs and encourage evidence-based
31 care;

32 (4) To assess feasibility and make recommendation for changes to
33 state programs to improve access; and

34 (5) To prepare and submit an annual report by December 1 of each
35 year to the Governor and the Legislative Council.

36 (e) This section shall expire on September 30, 2017.

1
2 SECTION 27. Arkansas Code § 14-2-305 is amended to read as follows:
3 14-2-305. Administration and standards.

4 (a)(1) An Electronic Recording Commission consisting of eleven (11)
5 members appointed by the Governor is created to adopt standards to implement
6 this subchapter.

7 (2) A majority of the members of the commission must be county
8 recorders.

9 (3) A member of the commission must be an active state
10 legislator.

11 (4) A member of the commission shall serve a term of two (2)
12 years.

13 (5) The terms of the current commission members on July 31,
14 2009, shall expire on September 1, 2009.

15 (6) Each member of the commission may receive expense
16 reimbursement in accordance with § 25-16-901 et seq.

17 (b) To keep the standards and practices of county recorders in this
18 state in harmony with the standards and practices of recording offices in
19 other jurisdictions that enact substantially this subchapter and to keep the
20 technology used by county recorders in this state compatible with technology
21 used by recording offices in other jurisdictions that enact substantially
22 this subchapter, the Electronic Recording Commission, so far as is consistent
23 with the purposes, policies, and provisions of this subchapter, in adopting,
24 amending, and repealing standards shall consider:

25 (1) ~~standards~~ Standards and practices of other jurisdictions;

26 (2) ~~the~~ The most recent standards promulgated by national
27 standard-setting bodies, such as the Property Records Industry Association;

28 (3) ~~the~~ The views of interested persons and governmental
29 officials and entities;

30 (4) ~~the~~ The needs of counties of varying size, population, and
31 resources; and

32 (5) ~~standards~~ Standards requiring adequate information security
33 protection to ensure that electronic documents are accurate, authentic,
34 adequately preserved, and resistant to tampering.

35 (c)(1) A staff member of the ~~Bureau of Legislative Research~~
36 Association of Arkansas Counties ~~will~~ shall be assigned to assist the

1 Electronic Recording Commission.

2 (2) The staff member ~~will~~ shall coordinate meetings, accumulate
3 information, and provide general support to the commission.

4

5 SECTION 28. Arkansas Code § 14-272-101 is amended to read as follows:
6 14-272-101. Creation.

7 (a) There is hereby created the Rural Fire Departments Study Committee
8 to be composed of:

9 (1) Two (2) members of the House Committee on Insurance and
10 Commerce to be appointed by the ~~chair of the committee~~ Speaker of the House
11 of Representatives;

12 (2) One (1) member of the Senate Committee on Insurance and
13 Commerce to be appointed by the ~~chair of the committee~~ President Pro Tempore
14 of the Senate;

15 (3) One (1) member of the House Committee on Agriculture,
16 Forestry, and Economic Development to be appointed by the ~~chair of the~~
17 ~~committee~~ Speaker of the House of Representatives;

18 (4) One (1) member of the Senate Committee on Agriculture,
19 Forestry, and Economic Development to be appointed by the ~~chair of the~~
20 ~~committee~~ President Pro Tempore of the Senate;

21 (5) One (1) member of the House Committee on City, County, and
22 Local Affairs to be appointed by the ~~chair of the committee~~ Speaker of the
23 House of Representatives;

24 (6) One (1) member of the Senate Committee on City, County, and
25 Local Affairs to be appointed by the ~~chair of the committee~~ President Pro
26 Tempore of the Senate;

27 (7) Three (3) members of the House of Representatives to be
28 appointed by the Speaker of the House of Representatives; and

29 (8) Three (3) members of the Senate to be appointed by the
30 President Pro Tempore of the Senate.

31 (b)(1) The following shall be nonvoting ex officio members of the
32 Rural Fire Departments Study Committee:

33 (A) One (1) member representing the Arkansas Farm Bureau
34 Federation, to be recommended by the Arkansas Farm Bureau Federation and
35 appointed by the Speaker of the House of Representatives;

36 (B) One (1) member representing the Independent Insurance

1 Agents of Arkansas, to be recommended by the Independent Insurance Agents of
2 Arkansas and appointed by the Speaker of the House of Representatives;

3 (C) One (1) member representing the ~~Arkansas County Judges~~
4 ~~Association~~ County Judges Association of Arkansas, to be recommended by the
5 Arkansas County Judges Association and appointed by the Speaker of the House
6 of Representatives;

7 (D) One (1) member representing the Arkansas Rural and
8 Volunteer Firefighters Association, to be recommended by the Arkansas Rural
9 and Volunteer Firefighters Association and appointed by the Speaker of the
10 House of Representatives;

11 (E) One (1) member representing the Arkansas Professional
12 Fire Fighters Association, to be recommended by the Arkansas Professional
13 Fire Fighters Association and appointed by the Speaker of the House of
14 Representatives;

15 (F) One (1) member representing the Arkansas Municipal
16 League, to be recommended by the Arkansas Municipal League and appointed by
17 the Speaker of the House of Representatives;

18 (G) One (1) member appointed by the Speaker of the House
19 of Representatives to be recommended by the Arkansas State Firefighters
20 Association;

21 (H) The Director of the Arkansas Forestry Commission or
22 his or her designee;

23 (I) The Executive Director of the Arkansas Economic
24 Development Commission or his or her designee;

25 (J) The Manager of the Rural Fire Protection Program of
26 the Arkansas Association of Resource Conservation and Development Councils,
27 Inc.;

28 (K) The State Fire Marshal or his or her designee;

29 (L) The Insurance Commissioner or his or her designee;

30 (M) The State Fire Service Coordinator of the Arkansas
31 Department of Emergency Management or his or her designee;

32 (N) The President of the Arkansas Forestry Association or
33 his or her designee;

34 (O) The State Geographic Information Officer or his or her
35 designee;

36 (P) Two (2) firefighters representing volunteer fire

1 departments, to be recommended by the cochairs of the Rural Fire Departments
2 Study Committee and appointed by the Speaker of the House of Representatives;

3 (Q) Two (2) fire chiefs representing volunteer fire
4 departments, to be recommended by the Arkansas Association of Fire Chiefs and
5 appointed by the Speaker of the House of Representatives;

6 (R) One (1) member representing nonprofit fire
7 departments, to be recommended by the cochairs of the Rural Fire Departments
8 Study Committee and appointed by the Speaker of the House of Representatives;

9 (S) A fire department consultant, to be recommended by the
10 cochairs of the Rural Fire Departments Study Committee and appointed by the
11 Speaker of the House of Representatives; and

12 (T) One (1) member representing the Insurance Services
13 Office, Inc., to be recommended by the cochairs of the Rural Fire Departments
14 Study Committee and appointed by the Speaker of the House of Representatives.

15 (2) If an ex officio nonvoting member no longer represents the
16 organization from which he or she was selected, a vacancy shall exist and the
17 vacancy shall be filled in the same manner as the original appointment.

18 (c) The Speaker of the House of Representatives shall select one (1)
19 of the Representatives as a cochair, and the President Pro Tempore of the
20 Senate shall select one (1) of the Senators as a cochair.

21 (d)(1) A member of the committee shall continue to serve on the
22 committee until he or she no longer wishes to serve or no longer qualifies to
23 represent or no longer is a member of the committee, body, or organization
24 which he or she was appointed to represent.

25 (2) Any vacancy on the committee shall be filled by the original
26 appointing authority with another qualifying member of the committee, body,
27 or organization.

28 (e) This section shall expire on September 30, 2017.

29
30 SECTION 29. Arkansas Code § 14-272-102, concerning the compensation of
31 the Rural Fire Departments Study Committee, is amended to add an additional
32 subsection to read as follows:

33 (c) This section shall expire on September 30, 2017.

34
35 SECTION 30. Arkansas Code § 14-272-103, concerning the findings of the
36 Rural Fire Departments Study Committee, is amended to add an additional

1 subsection to read as follows:

2 (d) This section shall expire on September 30, 2017.

3

4 SECTION 31. Arkansas Code § 14-272-104 is amended to read as follows:
5 14-272-104. Biennial reports.

6 (a) The Rural Fire Departments Study Committee on or before September
7 1 of each even-numbered year shall submit a biennial report and its
8 recommendations for any proposed legislation to the:

- 9 (1) House Committee on Insurance and Commerce;
10 (2) Senate Committee on Insurance and Commerce;
11 (3) House Committee on City, County, and Local Affairs;
12 (4) Senate Committee on City, County, and Local Affairs; and
13 (5) House Committee on Agriculture, Forestry, and Economic

14 Development.

15 (b) This section shall expire on September 30, 2017.

16

17 SECTION 32. Arkansas Code § 15-10-801 is amended to read as follows:
18 15-10-801. Arkansas Alternative Energy Commission.

19 (a) There is created the Arkansas Alternative Energy Commission.

20 (b) The commission shall consist of fifteen (15) diverse members
21 appointed as follows:

22 (1) Five (5) members appointed by the Governor as follows:

23 (A) Two (2) members to represent utility companies that
24 are concerned with alternative energy development; and

25 (B) Three (3) members who are consumers concerned with
26 alternative energy development;

27 (2) Five (5) members appointed by the Speaker of the House of
28 Representatives as follows:

29 (A) Two (2) members to represent utility companies that
30 are concerned with alternative energy development; and

31 (B) Three (3) members who are consumers concerned with
32 alternative energy development; and

33 (3) Five (5) members appointed by the President Pro Tempore of
34 the Senate as follows:

35 (A) Two (2) members to represent utility companies that
36 are concerned with alternative energy development; and

1 (B) Three (3) members who are consumers concerned with
2 alternative energy development.

3 (c)~~(1)~~ The Governor shall appoint a chair for the commission.

4 ~~(2) The chair shall call the first meeting of the commission~~
5 ~~within sixty (60) days after July 31, 2009.~~

6 (d)(1) A majority of the membership of the commission shall constitute
7 a quorum.

8 (2) A majority vote of those members present shall be required
9 for any action of the commission.

10 (e) The commission shall meet at least one (1) time every three (3)
11 months but may meet more often at the call of the chair.

12 (f) A vacancy arising in the membership of the commission for any
13 reason other than expiration of the regular terms for which the members are
14 appointed shall be filled by appointment by the person or persons who
15 appointed the vacating member.

16 (g)(1) The Bureau of Legislative Research shall provide staff for the
17 commission.

18 (2) The commission shall conduct its meetings in Pulaski County
19 at the State Capitol or at other locations that the commission considers
20 appropriate.

21 (f) This section shall expire on September 30, 2017.

22
23 SECTION 33. Arkansas Code § 15-10-802 is amended to read as follows:
24 15-10-802. Duties.

25 (a) The Arkansas Alternative Energy Commission shall study:

26 (1) The feasibility of creating or expanding alternative energy
27 sources in Arkansas, including without limitation:

28 (A)(i) Bioenergy, including without limitation energy from
29 biomass.

30 (ii) As used in subdivision (a)(1)(A)(i) of this
31 section:

32 (a) "Biomass" includes agricultural waste,
33 wood waste, poultry litter, and animal waste; and

34 (b) "Poultry litter" means poultry manure
35 combined with wood shavings, straw, rice hulls, and other bedding material;

36 (B) Ethanol;

1 (C) Solar power;
2 (D) Energy derived from animal waste;
3 (E) Wind power; and
4 (F) Other energy sources identified by the
5 commission;

6 (2) The effects of the use of alternative energy sources on the
7 economic development of the state; and

8 (3) Other issues related to alternative energy production and
9 use and the economic impact of alternative energy that the commission
10 considers appropriate.

11 (b) This section shall expire on September 30, 2017.

12
13 SECTION 34. Arkansas Code § 20-8-505(f), concerning the Arkansas
14 Commission for the Newborn Umbilical Cord Blood Initiative, is amended to
15 read as follows:

16 (f) The commission shall meet at least ~~quarterly~~ one (1) time per
17 year.

18
19 SECTION 35. Arkansas Code § 20-8-601 is amended to read as follows:
20 20-8-601. Findings.

21 (a) The General Assembly finds that:

22 (1) Alzheimer's disease is a progressive and fatal brain disease
23 that destroys brain cells and causes problems with memory, thinking, and
24 behavior;

25 (2) More than five million four hundred thousand (5,400,000)
26 Americans now have Alzheimer's disease;

27 (3) Alzheimer's disease is the most common form of dementia and
28 is the sixth leading cause of death in the United States; and

29 (4) No cure exists for Alzheimer's disease, but treatments for
30 symptoms used in conjunction with appropriate services and support can
31 improve the quality of life for those living with the disease.

32 (b) This section shall expire on September 30, 2017.

33
34 SECTION 36. Arkansas Code § 20-8-602, concerning the Alzheimer's
35 Advisory Council, is amended to add an additional subsection to read as
36 follows:

1 (i) This section shall expire on September 30, 2017.

2
3 SECTION 37. Arkansas Code § 20-8-603 is amended to read as follows:
4 20-8-603. Duties.

5 (a) The Alzheimer’s Advisory Council shall:

6 (1) Assess the current and future impact of Alzheimer’s disease
7 and other types of dementia on the residents of the State of Arkansas;

8 (2) Examine the existing industries, services, and resources
9 addressing the needs of persons living with Alzheimer’s disease, their
10 families, and caregivers; and

11 (3) Develop a strategy to mobilize a state response to the
12 public health crisis created by Alzheimer’s disease and other types of
13 dementia.

14 (b) This section shall expire on September 30, 2017.

15
16 SECTION 38. Arkansas Code § 20-8-604 is repealed.
17 20-8-604. Reports.

18 (a) The Alzheimer’s Advisory Council shall present a draft of
19 assessments and recommendations for meeting the Alzheimer’s disease needs in
20 the State of Arkansas to the House Committee on Public Health, Welfare, and
21 Labor and the Senate Committee on Public Health, Welfare, and Labor on or
22 before October 1 of each even-numbered year.

23 (b) This section shall expire on September 30, 2017.

24
25 SECTION 39. Arkansas Code § 20-10-233 is repealed.
26 ~~20-10-233. Oversight subcommittees.~~

27 ~~(a) The operation of the community-based intermediate care facility~~
28 ~~for individuals with developmental disabilities program shall be subject to~~
29 ~~the oversight of a five-member subcommittee composed of three (3) members of~~
30 ~~the House of Representatives appointed by the Speaker of the House of~~
31 ~~Representatives and two (2) members of the Senate appointed by the President~~
32 ~~Pro Tempore of the Senate.~~

33 ~~(b) The subcommittee shall provide oversight for the operation of the~~
34 ~~small intermediate care facility for individuals with developmental~~
35 ~~disabilities program and make recommendations, within the appropriate federal~~
36 ~~regulations and guidelines, to the Division of Developmental Disabilities~~

1 ~~Services of the Department of Human Services and the Office of Long Term Care~~
2 ~~to establish and clarify the mission, goals, levels of services, and scope of~~
3 ~~the program and to provide consistency in state regulations, guidelines,~~
4 ~~standards, and policies.~~

5 ~~(c) The subcommittee shall also make recommendations for adequate~~
6 ~~funding to ensure the fiscal integrity of the program in order to allow it to~~
7 ~~be operated pursuant to the state and federal regulations, guidelines,~~
8 ~~standards, and policies.~~

9

10 SECTION 40. Arkansas Code § 20-13-105 is repealed.

11 ~~20-13-105. Antony Hobbs III Task Force on Automated External~~
12 ~~Defibrillators.~~

13 ~~(a) There is created the Antony Hobbs III Task Force on Automated~~
14 ~~External Defibrillators.~~

15 ~~(b) The task force shall consist of seven (7) members appointed as~~
16 ~~follows:~~

17 ~~(1) Two (2) members appointed by the Speaker of the House of~~
18 ~~Representatives;~~

19 ~~(2) Two (2) members appointed by the President Pro Tempore of~~
20 ~~the Senate; and~~

21 ~~(3) Three (3) members appointed by the Governor.~~

22 ~~(c) The Governor shall appoint a chair of the task force from among~~
23 ~~his or her appointees.~~

24 ~~(d)(1) A majority of the membership of the task force shall constitute~~
25 ~~a quorum.~~

26 ~~(2) A majority vote of those members present shall be required~~
27 ~~for any action of the task force.~~

28 ~~(e) A vacancy arising in the membership of the task force shall be~~
29 ~~filled by appointment by the person or persons who appointed the vacating~~
30 ~~member.~~

31 ~~(f) The Bureau of Legislative Research shall provide staff for the~~
32 ~~task force.~~

33 ~~(g) The members of the task force shall serve without remuneration but~~
34 ~~may receive expense reimbursement and stipends under § 25-16-902, if funds~~
35 ~~are appropriated for that purpose by the General Assembly.~~

36 ~~(h) The task force shall work with the Department of Education and the~~

1 ~~Department of Health to recommend rules for:~~

2 ~~(1) Training and use of automated external defibrillators; and~~

3 ~~(2) Other areas of need related to automated external~~

4 ~~defibrillators.~~

5
6 SECTION 41. Arkansas Code § 20-15-2201, concerning the purpose of the
7 Task Force on Alpha-gal, is amended to add an additional subsection to read
8 as follows:

9 (c) This section shall expire on December 31, 2016.

10
11 SECTION 42. Arkansas Code § 20-15-2202 is amended to read as follows:
12 20-15-2202. Task Force on Alpha-gal – Creation.

13 (a) The Task Force on Alpha-gal is created.

14 (b) The task force shall be composed of the following sixteen (16)
15 members:

16 (1) One (1) senator appointed by the President Pro Tempore of
17 the Senate;

18 (2) Two (2) members of the House of Representatives appointed by
19 the Speaker of the House of Representatives;

20 (3) The Director of the Department of Health or his or her
21 designee, serving as an ex-officio, nonvoting member;

22 (4) The Insurance Commissioner or his or her designee, serving
23 as an ex-officio, nonvoting member;

24 (5) The Secretary of the Arkansas Agriculture Department or his
25 or her designee, serving as an ex-officio, nonvoting member;

26 (6) Three (3) members who are employed by the Department of
27 Health and designated by the Director of the Department of Health:

28 (7) One (1) member who is designated by the Arkansas Hospitality
29 Association;

30 (8) One (1) member who is designated by the Arkansas State Board
31 of Nursing;

32 (9) One (1) member who is designated by the Arkansas Pharmacists
33 Association;

34 (10) One (1) member who is designated by the American Academy of
35 Allergy, Asthma, and Immunology;

36 (11) One (1) member who is designated by the American College of

1 Allergy, Asthma, and Immunology; and

2 (12) Two (2) members who are designated by the Division of
3 Agriculture of the University of Arkansas.

4 (c) The terms of the legislative members of the task force shall
5 expire on December 31, 2016.

6 (d) Nonlegislative members shall serve at the pleasure of the
7 organizations they represent.

8 (e) Vacancies on the task force shall be filled in the same manner as
9 provided for the initial appointment.

10 (f) The chair shall be one (1) of the legislative members of the task
11 force and shall be selected by the legislative members of the task force.

12 (g) The task force shall meet as often as is deemed necessary by the
13 chair.

14 ~~(h) The chair shall call the first meeting, which shall be held no
15 later than sixty (60) days after July 31, 2015.~~

16 ~~(i)~~(h) The members of the task force shall serve without compensation
17 and shall not receive per diem, mileage, or stipends.

18 ~~(j)~~(i) The task force shall receive staff support from the Bureau of
19 Legislative Research.

20 (j) This section shall expire on December 31, 2016.

21
22 SECTION 43. Arkansas Code § 20-15-2203, concerning the duties of the
23 Task Force on Alpha-gal, is amended to add an additional subsection to read
24 as follows:

25 (c) This section shall expire on December 31, 2016.

26
27 SECTION 44. Arkansas Code § 20-64-910 is amended to read as follows:
28 20-64-910. Task Force on Substance Abuse Treatment Services.

29 (a) There is created the "Task Force on Substance Abuse Treatment
30 Services".

31 (b) The task force shall be composed of the following members:

32 (1) Four (4) senators appointed by the President Pro Tempore of
33 the Senate; and

34 (2) Four (4) members of the House of Representatives appointed
35 by the Speaker of the House of Representatives.

36 (c) The task force shall also have sixteen (16) advisory members to be

1 appointed as follows:

2 (1) Six (6) members appointed by the Speaker of the House of
3 Representatives and recommended by the Arkansas Association of Substance
4 Abuse Treatment Providers, Inc.;

5 (2) Two (2) members appointed by the President Pro Tempore of
6 the Senate and recommended by the Arkansas Association of Alcoholism and Drug
7 Abuse Counselors;

8 (3) One (1) member appointed by the President Pro Tempore of the
9 Senate and recommended by the Arkansas Substance Abuse Certification Board;

10 (4) One (1) member appointed by the President Pro Tempore of the
11 Senate and recommended by the State Board of Examiners of Alcoholism and Drug
12 Abuse Counselors;

13 (5) One (1) member appointed by the President Pro Tempore of the
14 Senate and recommended by the Arkansas Alcohol and Drug Abuse Coordinating
15 Council;

16 (6) One (1) member appointed by the President Pro Tempore of the
17 Senate and recommended by the Division of Behavioral Health Services;

18 (7) Two (2) members appointed by the President Pro Tempore of
19 the Senate; and

20 (8) Two (2) members appointed by the Speaker of the House of
21 Representatives.

22 (d)(1) The terms of the legislative members of the task force shall
23 expire on December 31 of each even-numbered year.

24 (2) Advisory members shall serve at the pleasure of the
25 organizations they represent.

26 (e) Vacancies on the task force shall be filled in the same manner as
27 provided for the initial appointment.

28 (f) The chair shall be one (1) of the legislative members of the task
29 force and shall be selected by the legislative members of the task force.

30 ~~(g)(1)~~(g) The task force shall meet as often as is deemed necessary by
31 the chair.

32 ~~(2) The chair shall call the first meeting, which shall be held~~
33 ~~no later than sixty (60) days after July 16, 2003.~~

34 (h)(1) Legislative members of the task force shall be entitled to per
35 diem and mileage at the same rate authorized by law for attendance at
36 meetings of interim committees of the General Assembly.

1 (2) Advisory members of the task force shall serve without
2 compensation and shall not receive per diem, mileage, or stipends.

3 (i) The task force shall receive staff support from the Bureau of
4 Legislative Research.

5 (j) This section shall expire on September 30, 2017.

6
7 SECTION 45. Arkansas Code § 20-64-911, concerning the duties of the
8 Task Force on Substance Abuse Treatment Services, is amended to add an
9 additional subsection to read as follows:

10 (d) This section shall expire on September 30, 2017.

11
12 SECTION 46. Arkansas Code § 20-64-1101, concerning the purpose of the
13 Task Force on Substance Abuse Prevention, is amended to add an additional
14 subsection to read as follows:

15 (c) This section shall expire on September 30, 2017.

16
17 SECTION 47. Arkansas Code § 20-64-1102 is amended to read as follows:
18 20-64-1102. Task Force on Substance Abuse Prevention – Creation.

19 (a) The Task Force on Substance Abuse Prevention is created.

20 (b) The task force shall be composed of the following twenty-one (21)
21 members:

22 (1) Two (2) senators appointed by the President Pro Tempore of
23 the Senate;

24 (2) Two (2) members of the House of Representatives appointed by
25 the Speaker of the House of Representatives;

26 (3) One (1) member appointed by the President Pro Tempore of the
27 Senate and recommended by the Arkansas Prevention Certification Board;

28 (4) Three (3) members appointed by the Speaker of the House of
29 Representatives and recommended by the Division of Behavioral Health
30 Services, to include one (1) member representative of substance abuse
31 prevention providers;

32 (5) One (1) member appointed by the President Pro Tempore of the
33 Senate and recommended by the Regional Prevention Resource Centers;

34 (6) Two (2) members appointed by the Speaker of the House of
35 Representatives and recommended by the Arkansas Prevention Network;

36 (7) Two (2) members appointed by the President Pro Tempore of

1 the Senate and recommended by the Department of Education-Safe and Drug Free
2 Schools Program, to include one (1) member who is a Department of Education-
3 Safe and Drug Free Schools Program state-level coordinator and one (1) member
4 who is a Department of Education-Safe and Drug Free Schools Program
5 coordinator of a local education agency;

6 (8) One (1) member appointed by the Speaker of the House of
7 Representatives and recommended by the Arkansas Collegiate Drug Education
8 Committee;

9 (9) One (1) member appointed by the President Pro Tempore of the
10 Senate and recommended by the Arkansas regional office of Mothers Against
11 Drunk Driving;

12 (10) One (1) member appointed by the Speaker of the House of
13 Representatives and recommended by the University of Arkansas at Little Rock
14 MidSOUTH Prevention Institute;

15 (11) One (1) member appointed by the President Pro Tempore of
16 the Senate and recommended by the Hometown Health Improvement Office of the
17 Department of Health;

18 (12) One (1) member appointed by the Speaker of the House of
19 Representatives and recommended by the Arkansas Child Abuse/Rape/Domestic
20 Violence Commission;

21 (13) One (1) member appointed by the President Pro Tempore of
22 the Senate and recommended by the College of Health and Behavioral Sciences
23 of the University of Central Arkansas;

24 (14) One (1) member appointed by the Speaker of the House of
25 Representatives and recommended by the Arkansas Drug Director; and

26 (15) One (1) member appointed by the President Pro Tempore of
27 the Senate and recommended by the Office of Head Start of the Department of
28 Human Services.

29 (c) The terms of the legislative members of the task force shall
30 expire on December 31 of each even-numbered year.

31 (d) Nonlegislative members shall serve at the pleasure of the
32 ~~organizations they represent~~ appointing authority.

33 (e) Vacancies on the task force shall be filled in the same manner as
34 provided for the initial appointment.

35 (f) The chair shall be one (1) of the legislative members of the task
36 force and shall be selected by the legislative members of the task force.

1 (g) The task force shall meet as often as is deemed necessary by the
2 chair.

3 ~~(h) The chair shall call the first meeting, which shall be held no
4 later than sixty (60) days after July 31, 2007.~~

5 ~~(i)~~(h) The members of the task force shall serve without compensation
6 and shall not receive per diem, mileage, or stipends.

7 ~~(j)~~(i) The task force shall receive staff support from the Bureau of
8 Legislative Research.

9 (j) This section shall expire on September 30, 2017.

10
11 SECTION 48. Arkansas Code § 20-64-1103, concerning the duties of the
12 Task Force on Substance Abuse Prevention, is amended to add an additional
13 subsection to read as follows:

14 (c) This section shall expire on September 30, 2017.

15
16 SECTION 49. Arkansas Code Title 20, Chapter 76, Subchapter 6,
17 concerning the Community Services Oversight and Planning Council, is
18 repealed.

19
20 ~~Subchapter 6 — Community Services Oversight and Planning Council~~

21
22 ~~20-76-601. Community Services Oversight and Planning Council — Created~~
23 ~~—Duty.~~

24 ~~(a) There is created the Community Services Oversight and Planning~~
25 ~~Council.~~

26 ~~(b) The Community Services Oversight and Planning Council shall serve~~
27 ~~in an advisory capacity to the Legislative Council and to the Joint Budget~~
28 ~~Committee.~~

29
30 ~~20-76-602. Community Services Oversight and Planning Council —~~
31 ~~Membership.~~

32 ~~(a) The Community Services Oversight and Planning Council shall be~~
33 ~~composed of the following eleven (11) members appointed by the Legislative~~
34 ~~Council as follows:~~

35 ~~(1) Three (3) members of the Senate recommended by the President~~
36 ~~Pro Tempore of the Senate;~~

1 ~~(2) Three (3) members of the House of Representatives~~
 2 ~~recommended by the Speaker of the House of Representatives; and~~

3 ~~(3) Five (5) members to be appointed by the House of~~
 4 ~~Representatives and Senate cochairs of the Legislative Council as follows:~~

5 ~~(A) Two (2) providers of community-based developmental~~
 6 ~~disability services licensed by the Division of Developmental Disabilities~~
 7 ~~Services of the Department of Human Services appointed as follows:~~

8 ~~(i) One (1) member to represent the Developmental~~
 9 ~~Disabilities Provider Association from a list provided by the association;~~
 10 ~~and~~

11 ~~(ii) One (1) member to represent the Community~~
 12 ~~Developmental Disabilities Provider Network from a list provided by the~~
 13 ~~network;~~

14 ~~(B) One (1) member who is a provider of community-based~~
 15 ~~services for individuals with behavioral health needs from a list provided by~~
 16 ~~the Mental Health Council of Arkansas;~~

17 ~~(C) One (1) member who is a provider of community-based~~
 18 ~~services for youth from a list provided by the Arkansas Youth Services~~
 19 ~~Providers Association; and~~

20 ~~(D) One (1) member who is a provider of community-based~~
 21 ~~services to the aging from a list provided by the Arkansas Association of~~
 22 ~~Area Agencies on Aging.~~

23 ~~(b) The members of the Community Services Oversight and Planning~~
 24 ~~Council shall serve two year terms and may be reappointed.~~

25 ~~(c)(1) The House of Representatives and Senate cochairs of the~~
 26 ~~Legislative Council shall call the first meeting of the Community Services~~
 27 ~~Oversight and Planning Council within sixty (60) days of August 12, 2005.~~

28 ~~(2) The House of Representatives and Senate cochairs of the~~
 29 ~~Legislative Council shall appoint a chair and vice chair from among the~~
 30 ~~members of the Community Services Oversight and Planning Council.~~

31 ~~(d) The Community Services Oversight and Planning Council shall:~~

32 ~~(1) Set the date, place, and time of meetings as necessary to~~
 33 ~~perform its duties; and~~

34 ~~(2)(A) Provide information regarding scheduled meetings to the~~
 35 ~~Bureau of Legislative Research.~~

36 ~~(B) The bureau shall publish the information on the~~

1 bureau's website.

2 (e) ~~The bureau shall provide coordination and staff support to the~~
3 ~~Community Services Oversight and Planning Council.~~

4
5 20-76-603. ~~Powers and duties.~~

6 (a)(1) ~~The Community Services Oversight and Planning Council shall~~
7 ~~gather information and data regarding the community-based service needs of~~
8 ~~citizens with developmental disabilities, behavioral health service needs,~~
9 ~~aging services needs, and youth services needs that are to be delivered by~~
10 ~~community-based programs operated by licensed providers through contractual~~
11 ~~relationships with the State of Arkansas.~~

12 (2) ~~The Department of Human Services and service providers~~
13 ~~operating under contract with the State of Arkansas shall provide to the~~
14 ~~Community Services Oversight and Planning Council on request information~~
15 ~~regarding service needs and funding to meet the needs of individuals through~~
16 ~~community-based options.~~

17 (3) ~~This information and data shall be the basis for~~
18 ~~recommendations for community-based service budget appropriations, special~~
19 ~~language, and funding for the community-based programs.~~

20 (b) ~~The Community Services Oversight and Planning Council shall report~~
21 ~~at least quarterly to the Legislative Council and the Joint Budget Committee.~~

22 (c) ~~In deliberations concerning the department's proposed budget, the~~
23 ~~Legislative Council or the Joint Budget Committee shall take into~~
24 ~~consideration the recommendations of the Community Services Oversight and~~
25 ~~Planning Council.~~

26
27 SECTION 50. Arkansas Code § 22-2-106, concerning the Building
28 Authority Council, is repealed.

29 22-2-106. ~~Building Authority Council.~~

30 (a) ~~The Building Authority Council is created.~~

31 (b)(1) ~~The council shall have eleven (11) members as follows:~~

32 (A) ~~Six (6) members shall be appointed by the Governor and~~
33 ~~confirmed by the Senate, one (1) of whom shall be from each congressional~~
34 ~~district and two (2) of whom shall be representative of the state at large;~~

35 (B) ~~One (1) member shall be designated by the Speaker of~~
36 ~~the House of Representatives and one (1) member shall be designated by the~~

1 ~~President Pro Tempore of the Senate, but no member so designated by the~~
2 ~~Speaker of the House of Representatives or the President Pro Tempore of the~~
3 ~~Senate shall be a member of the General Assembly;~~

4 ~~(C) The Secretary of State or a designee shall be a full~~
5 ~~voting member of the council; and~~

6 ~~(D)(i) From among its members, the House of~~
7 ~~Representatives shall select one (1) member who shall be a nonvoting ex~~
8 ~~officio member of the council, and from among its members, the Senate shall~~
9 ~~select one (1) member who shall be a nonvoting ex officio member of the~~
10 ~~council.~~

11 ~~(ii) Such ex officio members shall serve two-year~~
12 ~~terms.~~

13 ~~(2) All appointees or designees shall serve three-year staggered~~
14 ~~terms, and all appointees or designees may be subject to reappointment or~~
15 ~~redesignation.~~

16 ~~(3) The members of the council appointed by the Governor and~~
17 ~~designated by the Speaker of the House of Representatives and the President~~
18 ~~Pro Tempore of the Senate shall be reflective of the economic, geographic,~~
19 ~~and social characteristics of the state.~~

20 ~~(c) The Governor shall designate one (1) of the members of the council~~
21 ~~as chair, except that no ex officio member shall be so designated.~~

22 ~~(d) Members of the council shall receive no pay for their services,~~
23 ~~but those members who are not government officials may receive expense~~
24 ~~reimbursement and stipends in accordance with § 25-16-901 et seq.~~

25
26 SECTION 51. Arkansas Code § 22-2-102(2), concerning definitions
27 applicable to the Building Authority Division of the Department of Finance
28 and Administration, is amended to read as follows:

29 (2) "Minimum standards and criteria" and other like phrases mean
30 those standards and criteria relating to construction, design, maintenance,
31 and leasing of state agencies' capital improvements as adopted by the
32 Building Authority Council Building Authority Division of the Department of
33 Finance and Administration after appropriate public hearings and notice to
34 the public and interested persons and organizations; and

35
36 SECTION 52. Arkansas Code § 22-2-104 is amended to read as follows:

1 22-2-104. Creation.

2 The Building Authority Division of the Department of Finance and
3 Administration is created. The division shall carry out the duties and
4 responsibilities set out in § 22-2-108 under the policies, guidelines,
5 standards, and procedures established by the Department of Finance and
6 Administration ~~with the advice of the Building Authority Council.~~

7
8 SECTION 53. Arkansas Code § 22-2-105(b), concerning the duties of the
9 Director of the Department of Finance and Administration, is amended to read
10 as follows:

11 (b) The director shall be responsible for administering the rules,
12 regulations, and policies adopted by the Department of Finance and
13 Administration ~~with the advice of the Building Authority Council~~ pursuant to
14 the provisions of this chapter.

15
16 SECTION 54. Arkansas Code § 22-2-107(a)(1), concerning the
17 Construction Section of the Building Authority Division of the Department of
18 Finance and Administration, is amended to read as follows:

19 (a) There are created within the Building Authority Division of the
20 Department of Finance and Administration the following sections which shall
21 have the duties and responsibilities designated by the Director of the
22 Department of Finance and Administration ~~with the advice of the Building
23 Authority Council~~ and which may include, in relation to other provisions of
24 this chapter, the duties and responsibilities respectively designated in this
25 section:

26 (1) Construction Section. The Construction Section shall:

27 (A) Supervise the bidding and awarding of contracts for
28 new construction and renovations for or by state agencies' capital
29 improvements;

30 (B) Establish and maintain complete construction files on
31 all jobs, including plans and specifications for alterations, renovations,
32 and repairs of all capital improvements;

33 (C) Approve all proposed contracts, change orders, and
34 final payments requests;

35 (D) Ensure that on-site observation of all construction
36 projects, alterations, and repairs is accomplished on a regular basis and

1 maintain records of those observations;

2 (E) Obtain and maintain construction inspection and
3 observation reports from architects or engineers or their consultants from
4 state agencies and institutions for all capital improvement construction
5 projects;

6 (F)(i) Conduct visits with the design professional to
7 determine the responsibility and performance required by the contract
8 documents.

9 (ii) On-site observations by design professionals
10 shall concur with the contractor's payment request and shall be submitted in
11 written form with the pay request.

12 (iii) The inspection and observation reports shall
13 be as adopted by the director ~~with the advice of the council.~~

14 (iv) State agencies shall engage the services of
15 licensed architects or engineers for all projects covered by the Arkansas
16 Architectural Act, § 17-15-101 et seq., and the Arkansas Engineering Act, §
17 17-30-101 et seq.; and

18 (G) Ensure that the construction of all projects complies
19 with the contract documents;

20

21 SECTION 55. Arkansas Code § 22-2-108 is amended to read as follows:

22 22-2-108. Powers and duties generally.

23 As may be provided, allowed, or limited by the provisions of this
24 chapter, the Director of the Department of Finance and Administration ~~with~~
25 ~~the advice of the Building Authority Council~~ may establish policies,
26 guidelines, standards, and procedures which shall guide and govern the
27 Building Authority Division of the Department of Finance and Administration
28 with regard to the following responsibilities, duties, powers, and
29 activities:

30 (1) To investigate and obtain information concerning the various
31 boards, commissions, authorities, agencies, departments, and offices of the
32 state, which are the "state agencies", in relation to:

33 (A) Where they are housed;

34 (B) Their present and projected needs for space and
35 facilities;

36 (C) The rental being paid and the rental that state

1 agencies could reasonably pay for space and facilities in public and private
2 buildings; and

3 (D) The public building space and facilities that can be
4 feasibly financed from appropriated funds available to the division;

5 (2)(A) To construct and equip buildings or to acquire by gift or
6 purchase existing buildings and the sites upon which they are situated for
7 use as public buildings.

8 (B) However, before the division may construct and equip
9 buildings or acquire by purchase existing buildings and the sites upon which
10 they are situated for use as public buildings, requests for the construction
11 and equipping of those buildings or the acquisition of those existing
12 buildings shall have been first submitted to the General Assembly, or to the
13 Legislative Council when the General Assembly is not in session, and the
14 General Assembly shall have reviewed and appropriated the funds therefor or
15 specifically approved the method of funding their construction, equipping, or
16 acquisition thereof;

17 (3)(A) To provide for the operation and management of the public
18 buildings so constructed or acquired and arrange for the housing of state
19 agencies as space and facilities permit and to rent and lease space and
20 facilities upon such terms and conditions and for such rentals as the
21 division may determine.

22 (B) Should there be any surplus space in a public building
23 above the requirements of the state agencies that can be feasibly housed in
24 the building, then the division may lease or rent the surplus space to
25 individuals and organizations other than state agencies until it is needed by
26 state agencies;

27 (4) To use the lands acquired by the Arkansas Revenue Department
28 Building Commission which were transferred to State Building Services under
29 Acts 1975, No. 716, § 6, as sites for public buildings and acquire additional
30 sites as provided in § 22-2-109;

31 (5) To wreck, remove, and dispose of or salvage buildings or
32 other improvements as necessary for the construction and equipping of public
33 buildings or for future use of an unspecified project;

34 (6) To purchase, lease, or rent and receive devises, bequests,
35 or donations of and sell or otherwise dispose of any property, real,
36 personal, or mixed, on ~~its~~ the division's own behalf and without the approval

1 of any other board, commission, agency, department, or officer, and the
2 ~~Building Authority Council~~ division may convert into money any property
3 bequeathed or donated to ~~it~~ the division or not needed or which cannot be
4 used in the form received;

5 (7)(A) To execute contracts necessary to accomplish the purposes
6 of this chapter.

7 (B) However, no contract shall be entered into for the
8 purchase of any real property unless the division submits the contract for
9 review to the General Assembly, or to the Legislative Council when the
10 General Assembly is not in session, a request to purchase the property, and
11 the General Assembly provides the funds for or approves the method of funding
12 the purchase;

13 (8) To apply for, receive, accept, and use any moneys and
14 properties from:

15 (A) The United States or any state, or any department or
16 agency thereof;

17 (B) Any public or private corporation of any nature; and

18 (C) Any individual or group;

19 (9)(A) To establish, promulgate, and enforce minimum design and
20 construction standards and criteria for all capital improvements undertaken
21 by any state agency, including without limitation procedures regarding flood
22 plain management and the bidding and awarding of capital improvements
23 regarding projects under the jurisdiction of the division.

24 (B) However, the division shall not engage in the
25 production of architectural plans and specifications, with the exception that
26 the architects and engineers employed by the division may provide and make
27 available technical assistance to the division's sections listed in § 22-2-
28 107 and other agencies regarding capital improvements involving roofing
29 projects, repairs, alterations, or renovations;

30 (10) To establish and enforce minimum standards and criteria for
31 the management, maintenance, and operation of all public buildings and
32 capital improvements;

33 (11) To establish and enforce minimum standards and criteria for
34 the leasing and renting of space for and by state agencies;

35 (12) To provide for the management, maintenance, and operation
36 of those public buildings as may be required by this chapter or otherwise by

1 law to be managed, maintained, or operated by the division and provide
2 technical advice on management, maintenance, and operation to agencies with
3 existing capital improvements;

4 (13) To provide monthly reports to the Legislative Council and
5 to the Governor, or as otherwise may be requested by the Legislative Council,
6 the Governor, or the General Assembly;

7 (14) To obtain and keep on file copies of architectural and
8 engineering plans and construction documents for all public buildings and
9 capital improvements, including those plans and documents for all existing
10 public buildings and capital improvements for which plans and documents
11 exist;

12 (15)(A)(i) To assume all duties and responsibilities for minor
13 alterations and repairs of existing public buildings and capital improvements
14 previously vested within the Office of State Procurement by Acts 1955, No.
15 313 [repealed], as amended by Acts 1959, No. 29 [repealed], as implemented
16 and developed by the Construction Section.

17 (ii) These duties and responsibilities of the office
18 are transferred to the division.

19 (B) It is the intent of this chapter that the above-
20 mentioned and all other duties and responsibilities of the Construction
21 Section shall be transferred to the division, including approval authority
22 for real property purchases by any agency, board, commission, or department;
23 and

24 (16) To promulgate reasonable rules, regulations, and procedures
25 as may be required to carry out its duties, responsibilities, powers, and
26 authorities under this chapter which are consistent with the purposes and
27 intent of this chapter.

28
29 SECTION 56. Arkansas Code § 22-2-112 is amended to read as follows:

30 22-2-112. Schedule of supervision – Type two – Designated funds.

31 (a) From the funds appropriated by the General Assembly to the
32 Building Authority Division of the Department of Finance and Administration
33 for the construction or purchase of a particular building or capital
34 improvement which is specifically designated to be purchased, constructed, or
35 improved for a particular state agency, the division shall carry out the
36 powers, authorities, and responsibilities in respect to that construction or

1 purchase as designated in § 22-2-111.

2 (b) The division shall review and approve architectural and
3 engineering design plans and construction plans to ensure compliance with
4 minimum design and construction standards and criteria promulgated by the
5 Director of the Department of Finance and Administration ~~with the advice of~~
6 ~~the Building Authority Council~~ pursuant to this chapter.

7 (c) The division shall negotiate all contracts for architectural and
8 engineering and construction services and revisions and modifications to
9 those contracts.

10
11 SECTION 57. Arkansas Code § 22-2-113(a)(3), concerning schedules of
12 supervision, is amended to read as follows:

13 (3) Review and approve architectural and engineering plans and designs
14 to ensure compliance with minimum design and construction standards and
15 criteria promulgated by the Director of the Department of Finance and
16 Administration ~~with the advice of the Building Authority Council~~ pursuant to
17 this chapter;

18
19 SECTION 58. Arkansas Code § 22-2-114(a)(3), concerning leasing
20 responsibilities, is amended to read as follows:

21 (3) Any state agency or component part thereof needing new or
22 additional space shall notify the division, and the division shall prepare a
23 lease for the space based upon the standards and criteria as adopted by the
24 Director of the Department of Finance and Administration ~~with the advice of~~
25 ~~the Building Authority Council~~. If space is available in a public building,
26 the lease will be negotiated for placement in the public building;

27
28 SECTION 59. Arkansas Code § 22-2-115(a), concerning lease-purchase
29 agreements, is amended to read as follows:

30 (a) For the express purpose of providing adequate office facilities,
31 the Director of the Department of Finance and Administration, acting as the
32 primary lessor ~~and with the advice of the Building Authority Council~~, may
33 enter into lease-purchase agreements to obtain facilities for state agencies.
34 Each lease-purchase agreement shall contain a provision whereby the agreement
35 shall be cancelled at the close of each fiscal biennium, if necessary, if
36 funds for the payment of the rent under the lease-purchase agreement will not

1 be available.

2

3 SECTION 60. Arkansas Code § 22-2-120(b), concerning exemptions from
4 statutes concerning the Capitol Zoning District, is amended to read as
5 follows:

6 (b) The Director of the Department of Finance and Administration ~~with~~
7 ~~the advice of the Building Authority Council~~ shall endeavor to cooperate with
8 the Capitol Zoning District Commission so as to establish coordinated
9 physical development in the State Capitol area and to promote the uniform and
10 appropriate regulation and development of the State Capitol area.

11

12 SECTION 61. Arkansas Code § 22-3-1203(4)(A), concerning definitions
13 applicable to public facilities financing, is amended to read as follows:

14 (4)(A) "Construct" or "construction" means to acquire,
15 construct, reconstruct, remodel, expand, install, or equip all lands,
16 buildings, structures, improvements, or other property, either real,
17 personal, or mixed, which is useful in connection with the building, and to
18 make other necessary expenditures in connection therewith by such methods and
19 in such manner as the ~~Arkansas Building Authority~~ Building Authority Division
20 of the Department of Finance and Administration shall determine to be
21 necessary or desirable to accomplish the powers, purposes, and authorities
22 set forth in this subchapter.

23

24 SECTION 62. Arkansas Code § 22-3-1203(6), concerning definitions
25 applicable to public facilities financing, is repealed.

26 ~~(6) "Division" means any division, bureau, section, office, or~~
27 ~~officer of the Department of Correction;~~

28

29 SECTION 63. Arkansas Code § 22-3-1203(12), concerning definitions
30 applicable to public facilities financing, is repealed.

31 ~~(12) "The Arkansas Building Authority" means the Arkansas~~
32 ~~Building Authority, being the agency created by § 22-2-104, or any successor~~
33 ~~agency.~~

34

35 SECTION 64. Arkansas Code § 22-3-1205 is amended to read as follows:

36 22-3-1205. Powers of ~~Arkansas Building Authority~~ Building Authority

1 Division of the Department of Finance and Administration generally.

2 (a) In addition to the powers, purposes, and authorities set forth
3 elsewhere in this subchapter or in other laws, the ~~Arkansas Building~~
4 Authority Building Authority Division of the Department of Finance and
5 Administration is authorized and empowered to:

6 (1) Acquire, construct, repair, renovate, alter, maintain, and
7 equip existing or new buildings and capital improvements and the sites upon
8 which they are situated for use by the Department of Correction for the
9 housing, treatment, care, and rehabilitation of inmates committed to or in
10 the custody of the department;

11 (2) Acquire, construct, repair, renovate, alter, maintain, and
12 equip existing or new buildings and capital improvements and the sites upon
13 which they are situated for use by the department for the prison agriculture
14 and industry programs;

15 (3) Acquire, construct, repair, renovate, alter, maintain, and
16 equip existing or new buildings and capital improvements and the sites upon
17 which they are situated for use by state-supported institutions of higher
18 education;

19 (4) Redeem or pay and discharge, or provide therefor, the
20 outstanding 1977 Bonds and 1979 Bonds;

21 (5) Obtain the necessary funds for accomplishing its powers,
22 purposes, and authorities from any source, including, without limitation, the
23 proceeds of certificates of indebtedness issued under this subchapter; funds
24 appropriated and made available under chapter 2 of this title; and funds, if
25 any, appropriated for the buildings defined in this subchapter;

26 (6) Purchase, lease or rent, and receive the bequests or
27 donations of, or otherwise acquire, sell, trade, or barter any property
28 either real, personal, or mixed, and convert such property into money or
29 other property;

30 (7) Contract and be contracted with;

31 (8) Apply for, receive, accept, and use any moneys and property
32 from the United States Government, any agency, any state or governmental body
33 or political subdivision, any public or private corporation or organization
34 of any nature, or any individual;

35 (9) Invest and reinvest any of its moneys in securities selected
36 by it; and

1 (10) Take such other action, not inconsistent with law, as may
2 be necessary or desirable to carry out the powers, purposes, and authorities
3 set forth in this subchapter and to carry out the intent of this subchapter.

4 (b) The powers, purposes, and authorities set forth in subsection (a)
5 of this section shall be carried out in accordance with the duly promulgated
6 policies of the ~~Arkansas Building Authority Council~~ division, under and
7 pursuant to chapter 2 of this title.

8
9 SECTION 65. Arkansas Code § 22-3-1206(a), concerning plans for
10 proposed construction, is amended to read as follows:

11 (a) Before certificates of indebtedness as authorized by this
12 subchapter may be issued by the ~~Arkansas Building Authority~~ Building
13 Authority Division of the Department of Finance and Administration and
14 purchased by the State Board of Finance, the ~~authority~~ division shall develop
15 a plan for all proposed construction work to be performed, the location at
16 which the work is to be performed, and the proposed use of the improvements
17 to be carried out under the construction, together with the estimated cost
18 thereof, and shall file a copy thereof with the Legislative Council, the
19 Governor, and the Chief Fiscal Officer of the State at least sixty (60) days
20 prior to the issuance of the certificates of indebtedness.

21
22 SECTION 66. Arkansas Code § 22-3-1207(a)(1), concerning certificates
23 of indebtedness, is amended to read as follows:

24 (a)(1) For the purpose of providing funds for the construction of
25 buildings as authorized in this subchapter, the ~~Arkansas Building Authority~~
26 Building Authority Division of the Department of Finance and Administration,
27 with the approval of the Governor, is authorized and empowered to issue, and
28 the State Board of Finance is authorized and empowered to purchase, ~~authority~~
29 division certificates of indebtedness of a total principal amount not to
30 exceed twenty-five million dollars (\$25,000,000).

31
32 SECTION 67. Arkansas Code § 22-3-1208 is amended to read as follows:
33 22-3-1208. Certificates of indebtedness – Terms and execution.

34 (a)(1) The certificates of indebtedness shall be in such form and
35 denomination, and shall have such dates and maturities, and may be issued in
36 such series, as the ~~Arkansas Building Authority~~ Building Authority Division

1 of the Department of Finance and Administration shall determine.

2 (2) The schedule of principal and interest maturities shall be
3 arranged so that the aggregate amount maturing each year, except for the
4 initial year or portion thereof, shall be equal, to the nearest hundred
5 dollars, to each other annual installment, and that not more than twenty-one
6 (21) years from date of issue will be required to retire all the certificates
7 of any one (1) issue or series of certificates of indebtedness.

8 (b) The certificates shall contain a provision providing for their
9 redemption in advance of maturity, at par, in inverse number order, at the
10 option of the authority division.

11 (c)(1) The certificates shall bear interest from the date of issuance
12 at the rate of eight and one-half percent (8½%) per annum, payable
13 semiannually on January 1 and July 1; the payment of the interest is to be
14 evidenced by endorsement on the certificates by the Treasurer of State.

15 (2) Payment of the principal of and interest on the certificates
16 shall be made in lawful money of the United States at the office of the
17 Treasurer of State.

18 (d) The certificates of indebtedness shall be executed on behalf of
19 the authority division by the ~~Chair and the Secretary of the Arkansas~~
20 ~~Building Authority Council~~ Director of the Department of Finance and
21 Administration.

22
23 SECTION 68. Arkansas Code § 22-3-1209 is amended to read as follows:

24 22-3-1209. Certificates of indebtedness – Pledge of revenues and
25 restrictions generally.

26 (a) The certificates shall be the obligations of the ~~Arkansas Building~~
27 ~~Authority~~ Building Authority Division of the Department of Finance and
28 Administration, and the nontax revenues available to the authority division
29 under the provisions of § 22-3-1210, as distinguished from any tax moneys
30 which may be made available for the operation of the authority division, are
31 pledged to secure the payment of the certificates.

32 (b) The certificates shall contain a provision that neither the faith
33 nor credit of the State of Arkansas nor any of its revenues are pledged to
34 the payment of the certificates and that the debt is not the obligation of
35 the ~~individual members of the Arkansas Building Authority Council nor of the~~
36 ~~Director of the Arkansas Building Authority~~ division.

1
2 SECTION 69. Arkansas Code § 22-3-1210 is amended to read as follows:

3 22-3-1210. Certificates of indebtedness – Public Facilities Debt
4 Service Fund.

5 (a) The principal of and interest on the certificates of indebtedness
6 issued under this subchapter shall be secured, except as stated in
7 subdivision (c)(1) of this section, by a lien on and pledge of:

8 (1) All revenue derived from payments by the Arkansas
9 Development Finance Authority pursuant to § 22-3-1225(b) which is a portion
10 of the funds received by the authority from the sale of certificates for the
11 inspection of motor vehicles;

12 (2) All moneys from the sale of or disposition of farm products,
13 livestock, or other products produced in connection with the agriculture and
14 livestock activities at any institution under the control of the Board of
15 Corrections or any successor entity, excluding those moneys that may be
16 accountable from, or the value of, products consumed within the Department of
17 Correction and from rental of farm properties under the control of the board
18 or any successor entity;

19 (3) All moneys from the sale or disposition of articles and
20 products manufactured or produced by prison labor through the operations of
21 the prison industry program, excluding those moneys that may be accountable
22 from, or the value of, articles and products used or consumed within the
23 ~~department~~ Department of Correction; and

24 (4) Fifty percent (50%) of the gross revenue, if any, derived
25 from the leasing or renting to tenants, other than state agencies, of space
26 in any new facility constructed or acquired with proceeds of any certificates
27 issued under this subchapter.

28 (b) The pledging of the revenues enumerated in subsection (a) of this
29 section, which are, collectively, the pledged revenues, is authorized. All
30 pledged revenues are specifically declared to be nontax revenues restricted
31 in their use and dedicated to be used solely as provided and authorized in
32 this subchapter.

33 (c)(1)(A) Moneys described in subdivision (a)(2) of this section are
34 declared to be cash funds restricted in their use and dedicated and are to be
35 used solely as authorized in § 15-5-213. The cash funds when received by the
36 ~~department~~ Department of Correction shall not be deposited in or deemed to be

1 a part of the State Treasury for purposes of Arkansas Constitution, Article
2 5, § 29, Arkansas Constitution, Article 16, § 12, Arkansas Constitution,
3 Amendment 20, or any other constitutional or statutory provision related
4 thereto. The ~~department~~ Department of Correction shall pay such cash funds to
5 the Arkansas Development Finance Authority for deposit in the Correction
6 Facilities Privatization Account of the Correction Facilities Construction
7 Fund for the purposes authorized by § 15-5-213. The cash funds described in
8 this subsection shall not be subject to appropriation to the extent required
9 for debt service.

10 (B) Commencing on the first day of the month next
11 succeeding the issuance of certificates of indebtedness under this
12 subchapter, but not before July 1, 1983, and so long as any certificates are
13 outstanding under this subchapter, the pledged revenues, except as provided
14 herein, shall be deposited into the State Treasury as and when received by
15 the ~~department~~ Department of Correction, by the ~~Arkansas Building Authority~~
16 Building Authority Division of the Department of Finance and Administration,
17 by state-supported institutions of higher education, or by any other state
18 agency, as the case may be, to the credit of a fund to be designated the
19 "Public Facilities Debt Service Fund".

20 (2) So long as any certificates of indebtedness are outstanding
21 under this subchapter, all moneys in the Public Facilities Debt Service Fund
22 shall be used solely for payment and redemption of the outstanding 1977 Bonds
23 and the 1979 Bonds, as authorized in this subchapter, for the payment of the
24 principal of and interest on the certificates of indebtedness as authorized
25 in this subchapter, for transfer of such amounts designated in subsection (a)
26 of this section from time to time, as deemed necessary by the Chief Fiscal
27 Officer of the State, to the Correction Facilities Privatization Account of
28 the Correction Facilities Construction Fund established in § 15-5-213, and
29 for the transfer of surplus moneys as defined in the authorizing resolution
30 in the State Treasury for credit to the designated ~~department~~ Department of
31 Correction funds, in accordance with the provisions of this subchapter.

32 (d)(1) The principal of and interest on the certificates of
33 indebtedness shall be payable solely from the Public Facilities Debt Service
34 Fund and from the moneys required by this subchapter to be deposited in the
35 Public Facilities Debt Service Fund.

36 (2) The ~~Arkansas Building Authority~~ division is directed to

1 insert appropriate provisions in the authorizing resolution for the investing
2 and reinvesting of moneys in the Public Facilities Debt Service Fund in
3 securities selected by the ~~Arkansas Building Authority~~ division, and all
4 income derived therefrom shall be and become a part of such fund.

5 (e) So long as there are outstanding certificates of indebtedness
6 issued under this subchapter, the General Assembly may eliminate or change
7 any source of revenue pledged in connection with the certificates but only on
8 the condition that there is always maintained in effect and made available
9 for the payment of outstanding certificates sources of nontax revenues and
10 fees which produce revenues, as distinguished from tax revenues, at least
11 sufficient in amount to provide for the payment when due of the principal of
12 and interest on the outstanding certificates of indebtedness and to comply
13 with all covenants provided in this subchapter.

14 (f) Nothing in this section is intended to prohibit the ~~Arkansas~~
15 ~~Building Authority~~ division from investing moneys received under this
16 section, as provided in this subchapter.

17
18 SECTION 70. Arkansas Code § 22-3-1213, concerning certificates of
19 indebtedness, is amended to read as follows:

20 22-3-1213. Certificates of indebtedness - Alternative method of
21 payment.

22 (a) In the event it shall be determined that the procedure set forth
23 in § 22-3-1212 for the retirement of the certificates is unconstitutional or
24 invalid for any reason, the ~~Arkansas Building Authority~~ Building Authority
25 Division of the Department of Finance and Administration is authorized and
26 directed to establish an account in its name in a bank to be approved by the
27 State Board of Finance and to deposit therein so much of the first moneys
28 received by it each year under the provisions of § 22-3-1210 as shall be
29 required to meet the next ensuing principal and interest maturities of its
30 outstanding certificates, together with such additional amounts as may be
31 necessary to pay any certificates which it shall determine to retire in
32 advance of maturity.

33 (b) The ~~authority~~ division is authorized and directed to reimburse the
34 funds so deposited for the purpose of paying the principal of and interest on
35 ~~its~~ the division's outstanding certificates of indebtedness authorized under
36 this subchapter.

1
2 SECTION 71. Arkansas Code § 22-3-1216, concerning authorizing
3 resolutions as enforceable contracts, is amended to read as follows:

4 22-3-1216. Authorizing resolution as enforceable contract – Covenants.

5 Any authorizing resolution shall, together with this subchapter,
6 constitute a contract between the ~~Arkansas Building Authority~~ Building
7 Authority Division of the Department of Finance and Administration, and the
8 State Board of Finance, and the Treasurer of State, which contract and all
9 covenants, agreements, and obligations therein shall be promptly performed in
10 strict compliance with its terms and provisions, and the covenants,
11 agreements, and obligations of the ~~authority division~~ authority division may be enforced by
12 mandamus or other appropriate proceeding at law or in equity. In this regard,
13 the ~~authority division~~ authority division is expressly authorized to include in any authorizing
14 resolution all or part of the following covenants:

15 (1) That, to the fullest extent possible, it will continuously
16 operate any and all facilities constructed pursuant to the authority of this
17 subchapter as revenue-producing undertakings, including the maintenance,
18 occupancy, and use of facilities and space so as to avoid any impairment of
19 the security for the certificates of indebtedness; and

20 (2) That, to the fullest extent possible, it will always charge,
21 impose, and collect sufficient revenues, including, without limitation,
22 rentals to meet as due all debt service requirements, and otherwise comply
23 with any provisions of authorizing resolutions concerning revenues and funds.

24
25 SECTION 72. Arkansas Code § 22-3-1217(b)(2), concerning disposition of
26 revenues from agricultural and livestock activities of correctional
27 facilities, is amended to read as follows:

28 (2) Any surplus prison farm moneys in the Public Facilities Debt
29 Service Fund, as defined in the authorizing resolution, shall be transferred
30 to the Department of Correction Farm Fund, upon certification by the ~~Arkansas~~
31 ~~Building Authority~~ Building Authority Division of the Department of Finance
32 and Administration to the Chief Fiscal Officer of the State, to the Treasurer
33 of State, and to the Auditor of State, to be used for the maintenance,
34 operation, and improvement of the agriculture and farm programs of the
35 ~~department~~ Department of Correction, as provided by law.

36

1 SECTION 73. Arkansas Code § 22-3-1218(b)(2), concerning disposition of
 2 revenues from prison labor, is amended to read as follows:

3 (2) Any surplus prison industries moneys in the Public Facilities Debt
 4 Service Fund, as defined in the authorizing resolution, shall be transferred
 5 into the Department of Correction Prison Industries Fund upon certification
 6 by the ~~Arkansas Building Authority~~ Building Authority Division of the
 7 Department of Finance and Administration to the Chief Fiscal Officer of the
 8 State, to the Treasurer of State, and to the Auditor of State. The moneys are
 9 to be used for the maintenance, operation, and improvement of the prison
 10 industries programs of the ~~department~~ Department of Correction, as provided
 11 by law.

12
 13 SECTION 74. Arkansas Code § 22-3-1219 is amended to read as follows:
 14 22-3-1219. Employment of architects and other professionals - Notice
 15 for bids for construction.

16 (a) The ~~Arkansas Building Authority~~ Building Authority Division of the
 17 Department of Finance and Administration is authorized to employ architects
 18 to prepare plans, specifications, and estimates of costs for the construction
 19 of any and all facilities authorized by the provisions of this subchapter and
 20 to supervise and inspect the construction.

21 (b) After the ~~authority shall have~~ division has approved the plans and
 22 specifications prepared by the architect, ~~it~~ the division shall proceed to
 23 advertise for bids and contract for the construction of ~~any and all~~
 24 facilities in accordance with applicable laws governing the construction of
 25 public buildings.

26 (c) The ~~authority~~ division is authorized to engage and pay such
 27 professional, technical, and other help as ~~it shall determine~~ the division
 28 determines to be necessary or desirable in assisting ~~it~~ the division to carry
 29 out effectively the authorities, functions, powers, and duties conferred and
 30 imposed upon ~~it~~ the division by this subchapter.

31
 32 SECTION 75. Arkansas Code § 22-3-1225(e), concerning the Prison
 33 Construction Trust Fund, is amended to read as follows:

34 (e) The Arkansas Development Finance Authority shall not fund or
 35 provide for the funding of any facility described in subsection (c) of this
 36 section to be operated or utilized by the Department of Correction unless the

1 project, the plans therefor, and the construction thereof have been reviewed
2 and approved by the ~~Arkansas Building Authority~~ Building Authority Division
3 of the Department of Finance and Administration. The Arkansas Development
4 Finance Authority shall not fund or provide for the funding of any other
5 regional jail facility not utilized by the Department of Correction unless
6 the project is in compliance with the minimum standards for jail facilities
7 adopted by the state.

8

9 SECTION 76. Arkansas Code § 22-3-1403(4), concerning the definition of
10 "Building Authority Division of the Department of Finance and
11 Administration", is repealed.

12 ~~(4) "Building Authority Division of the Department of Finance~~
13 ~~and Administration" means the public agency known as the "Building Authority~~
14 ~~Division of the Department of Finance and Administration" and the "Building~~
15 ~~Authority Council", as established under § 22-2-101 et seq.; and~~

16

17 SECTION 77. Arkansas Code § 22-3-1404(8), concerning powers under the
18 State Agencies Facilities Acquisition Act, is amended to read as follows:

19 (8) Take such other actions not inconsistent with law as may be
20 necessary or desirable to carry out the powers, purposes, and authority as
21 set forth in this section in accordance with the policies promulgated by the
22 Director of the Department of Finance and Administration ~~with the advice of~~
23 ~~the Building Authority Council.~~

24

25 SECTION 78. Arkansas Code § 22-3-1405(4), concerning duties under the
26 State Agencies Facilities Acquisition Act, is amended to read as follows:

27 (4) Take such other actions not inconsistent with law as may be
28 necessary or desirable to carry out the powers, purposes, and authority set
29 forth herein, in accordance with the policies promulgated by the Director of
30 the Department of Finance and Administration ~~with the advice of the Building~~
31 ~~Authority Council~~ as authorized by law.

32

33 SECTION 79. Arkansas Code § 22-3-1416 is repealed.

34 ~~22-3-1416. Liability.~~

35 ~~No member of the Arkansas Building Authority Council shall be held~~
36 ~~personally liable for any act taken by the council or for any damages~~

1 ~~sustained by anyone in any contract entered into in carrying out the purposes~~
2 ~~and intent of this subchapter, unless he or she shall have acted with a~~
3 ~~corrupt intent.~~

4
5 SECTION 80. Arkansas Code § 22-3-1902(a), concerning rules under the
6 Sustainable Building Design Program for State Agencies, is amended to read as
7 follows:

8 (a) The Director of the Department of Finance and Administration ~~with~~
9 ~~the advice of the Building Authority Council~~ shall promulgate rules for the
10 implementation of the Sustainable Building Design Program for State Agencies.
11

12 SECTION 81. Arkansas Code § 22-9-208(a)(3), concerning the renovation
13 of historic sites, is amended to read as follows:

14 (3) The procedures provided in subdivision (a)(2) of this section
15 should be applicable for specific projects only after review and approval by
16 the Chief Fiscal Officer of the State, the ~~Building Authority Council~~
17 Building Authority Division of the Department of Finance and Administration,
18 and the Legislative Council. Provided, however, projects undertaken by public
19 institutions of higher education exempt from review and approval of the
20 ~~Building Authority Division of the Department of Finance and Administration~~
21 division shall not require review and approval by the Director of the
22 Department of Finance and Administration ~~or the Building Authority Council~~.
23

24 SECTION 82. Arkansas Code § 22-9-209(d), concerning the renovation of
25 historic sites, is amended to read as follows:

26 (d)(1) No agency shall advertise for bids under the provisions of this
27 section and §§ 22-9-208, 22-9-210, and 22-9-211 without seeking the advice of
28 the Legislative Council ~~and the Building Authority Council~~.

29 (2)(A) ~~Provided, however, public institutions of higher~~
30 ~~education exempt from review and approval of the Building Authority Division~~
31 ~~of the Department of Finance and Administration shall not be required to seek~~
32 ~~advice of the Building Authority Council.~~

33 (B) Provided further, nothing in this section shall
34 prevent an institution of higher education exempt from review and approval of
35 the authority from entering into an agreement with the authority to provide
36 such advice.

1
2 SECTION 83. Arkansas Code § 25-1-302(a)(20), concerning members of
3 specified executive branch board and commissions not to be members of the
4 General Assembly, is repealed.

5 ~~(20) Building Authority Council, § 22-2-106,~~
6

7 SECTION 84. Arkansas Code § 25-16-903(52), concerning authorization
8 for the payment of certain stipends, is repealed.

9 ~~(52) Building Authority Council,~~
10

11 SECTION 85. Arkansas Code § 22-3-804 is amended to read as follows:

12 22-3-804. Arkansas Governor's Mansion Commission – Creation, members,
13 and proceedings.

14 (a)(1) There is created the Arkansas Governor's Mansion Commission,
15 hereinafter referred to as "~~the commission~~", to be composed of ~~eight (8)~~ nine
16 (9) members.

17 (2)(A) Eight (8) of the members shall:

18 (i) Be appointed by the Governor, at least one (1)
19 of whom shall reside in each congressional district as the districts shall be
20 established by law; and

21 (ii) Serve at the pleasure of the Governor.

22 (B) Each congressional district shall be represented by
23 membership on the commission.

24 ~~(2) The members serving on March 1, 1997, shall continue to~~
25 ~~serve the remainder of their terms.~~

26 ~~(3) The Governor shall appoint three (3) at-large members~~
27 ~~immediately.~~

28 (3) The Director of the Department of Arkansas Heritage shall
29 serve as an ex officio voting member of the commission.

30 (b) The Governor shall designate one (1) member of the commission as
31 chair, ~~and the member so designated shall retain the position of chair for~~
32 ~~the duration of his or her term on the commission.~~

33 ~~(c) At-large members of the commission shall serve at the pleasure of~~
34 ~~the Governor. Members of the commission who are not at-large members shall~~
35 ~~serve for terms of five (5) years.~~

36 ~~(d) If a vacancy occurs by reason of resignation or otherwise, the~~

1 Governor shall appoint a member to fill that vacancy ~~for the unexpired term~~
2 ~~of the member whose position has become vacant.~~

3 ~~(e)~~(d) The members of the commission shall receive no salary or other
4 compensation for their services except that ~~they~~ members appointed by the
5 Governor may receive expense reimbursement in accordance with § 25-16-901 et
6 seq. for attending meetings of the commission.

7 ~~(f)~~(e) Meetings of the commission may be called by the chair or the
8 Governor upon at least three (3) days' written notice to the other members of
9 the commission, to the Governor, and to the members of the Mansion Advisory
10 Council created by § 22-3-806.

11 ~~(g)~~(f) The commission shall meet at least once each year.

12 ~~(h)~~ ~~The commission shall adopt such procedural or parliamentary rules~~
13 ~~for the conduct of its business as it deems proper and may from time to time~~
14 ~~amend or repeal the rules whenever it sees fit.~~

15 ~~(i)~~ ~~The Director of the Department of Arkansas Heritage shall serve as~~
16 ~~an ex officio nonvoting member of the commission.~~

17

18 SECTION 86. Arkansas Code § 22-3-805 is amended to read as follows:

19 22-3-805. Arkansas Governor's Mansion Commission – Powers and duties.

20 (a) The Arkansas Governor's Mansion Commission shall have the
21 following powers and duties:

22 (1) To survey and investigate the condition of the ~~mansion~~
23 Governor's Mansion, its appurtenant buildings, its grounds, and its contents,
24 including furniture and fixtures;

25 ~~(2) To make rules and regulations governing any improvements,~~
26 ~~repairs, replacements, or reconstruction of the mansion, its appurtenant~~
27 ~~buildings, its grounds, and its contents, including furniture and fixtures;~~

28 ~~(3)~~(2) To prepare and file with the Governor and the Legislative
29 Council an annual ~~mansion~~ Governor's Mansion report, to be filed on or before
30 November 1 of each year, summarizing the results of ~~its~~ the commission's
31 surveys and investigations made under subdivision (a)(1) of this section and
32 recommending any necessary repairs, improvements, replacements, or
33 reconstruction of the ~~mansion~~ Governor's Mansion, its appurtenant buildings,
34 grounds, and contents, together with an itemized and detailed estimate of the
35 costs thereof; and

36 ~~(4)~~(A)~~(3)~~(A) To solicit and accept gifts, grants, or donations

1 of or for the purchase of furnishings, fixtures, works of art, trees, shrubs,
2 landscaping, and similar contents and appurtenances.

3 (B) However, no such gift, grant, or donation may be
4 accepted without the approval of ~~the commission and~~ the Governor.

5 (b) The Governor shall consult the commission before taking any action
6 that would affect the historic value of the Governor's Mansion.

7 ~~(b)(c)~~ Any individual, corporation, or nonprofit association may
8 solicit funds or engage in fundraising activities on behalf of the commission
9 upon written permission by the commission and the Governor.

10
11 SECTION 87. Arkansas Code § 22-3-1806 is repealed.

12 ~~22-3-1806. Legislative Task Force on Sustainable Building Design and~~
13 ~~Practices.~~

14 ~~(a) The Legislative Task Force on Sustainable Building Design and~~
15 ~~Practices is established to:~~

16 ~~(1) Continue to review, discuss, and advise on issues related to~~
17 ~~sustainable design and practices for buildings;~~

18 ~~(2) Monitor case study projects and evaluate performance and~~
19 ~~outcomes relevant to high performance building strategies;~~

20 ~~(3) Serve as a reference for educational resources;~~

21 ~~(4) Ask for a review of sustainable building design and~~
22 ~~practices performed by state agencies;~~

23 ~~(5) Develop goals and strategies to promote energy efficiency in~~
24 ~~state buildings; and~~

25 ~~(6) Identify and promote new and innovative air conditioning and~~
26 ~~heating products or services that conserve energy and reduce energy usage.~~

27 ~~(b)(1) The task force shall be composed of no more than twenty (20)~~
28 ~~members. The number of members shall be determined by agreement between the~~
29 ~~Chair of the Senate Committee on Public Health, Welfare, and Labor and the~~
30 ~~Chair of the House Committee on Public Health, Welfare, and Labor.~~

31 ~~(2) The Chair of the Senate Committee on Public Health, Welfare,~~
32 ~~and Labor and the Chair of the House Committee on Public Health, Welfare, and~~
33 ~~Labor shall appoint the membership pursuant to procedure agreed upon by the~~
34 ~~chairs.~~

35 ~~(3) The task force shall include members of the General Assembly~~
36 ~~and members of the public.~~

1 ~~(4) The cochairs of the task force shall be members of the~~
2 ~~General Assembly. One (1) cochair shall be a member of the Senate and one (1)~~
3 ~~cochair shall be a member of the House of Representatives.~~

4 ~~(c) The legislative members of the task force shall be entitled to~~
5 ~~mileage and per diem at the same rate as for attending other legislative~~
6 ~~committees.~~

7 ~~(d) The task force shall receive staff support from the Bureau of~~
8 ~~Legislative Research.~~

9
10 SECTION 88. Arkansas Code § 25-38-207(a)(1), concerning the membership
11 of the Arkansas Agriculture Board, is amended to read as follows:

12 (a) The Arkansas Agriculture Board is created to consist of ~~twenty-one~~
13 ~~(21)~~ twenty (20) voting members and eight (8) nonvoting ex officio members,
14 as follows:

15 (1) ~~Ten (10)~~ Nine (9) members, appointed by their respective
16 boards, who sit on one (1) of the following boards or commissions:

17 (A) Two (2) members, at least one (1) of whom shall be
18 actively engaged in farming, from the State Plant Board;

19 (B) Two (2) members, at least one (1) of whom shall be
20 actively engaged in farming, from the Arkansas Livestock and Poultry
21 Commission;

22 (C) Two (2) members from the Arkansas Natural Resources
23 Commission;

24 (D) Two (2) members from the Arkansas Forestry Commission;

25 and

26 (E) One (1) member actively engaged in farming from the
27 Arkansas Rural Development Commission; ~~and~~

28 ~~(F) One (1) member from the Arkansas Young and Beginning~~
29 ~~Farmer Advisory Board chosen by the Arkansas Young and Beginning Farmer~~
30 ~~Advisory Board;~~

31 (2) Eleven (11) members, appointed by the Governor with the
32 consent of the Senate as follows:

33 (A) Three (3) members who are actively engaged in growing
34 rice, cotton, or small grains, including, but not limited to, corn, sorghum,
35 soybeans, and wheat;

36 (B) Three (3) members who are actively involved in at

1 least one (1) of the following areas of the agricultural industry:

2 (i) Plant food, agricultural chemicals, or seed
3 merchandising;

4 (ii) Meat processing;

5 (iii) Grain processing;

6 (iv) Domestic food products, processing, and global
7 marketing;

8 (v) Aquaculture; and

9 (vi) The Arkansas Livestock Marketing Association;

10 and

11 (C) Five (5) members as follows:

12 (i) One (1) member who is actively engaged in
13 producing beef;

14 (ii) One (1) member who is actively engaged in
15 producing swine;

16 (iii) One (1) member who is actively engaged in
17 dairy farming;

18 (iv) One (1) member who is actively engaged in
19 producing poultry; and

20 (v) One (1) member who is actively engaged in
21 producing wine, grapes, fruits, or vegetables; and

22 (3) Eight (8) nonvoting ex officio members, as follows:

23 (A) The Vice President for Agriculture of the University
24 of Arkansas System;

25 (B) The Dean of Agriculture and Technology of Arkansas
26 State University;

27 (C) The Dean of Agriculture of the University of Arkansas
28 at Pine Bluff;

29 (D) A representative of the University of Arkansas for
30 Medical Sciences who is actively involved in nutrition teaching or research,
31 or both;

32 (E) A representative of the University of Arkansas at
33 Monticello;

34 (F) The President of the Arkansas Association of
35 Conservation Districts;

36 (G) A representative of Southern Arkansas University; and

1 (H) A representative of Arkansas Tech University.

2

3 SECTION 89. Uncodified Section 1 of Act 1298 of 2013 is amended to
4 read as follows:

5 (a) There is established the "Arkansas Legislative Task Force for
6 Child Abuse Prevention".

7 (b) The purposes of the task force are to:

8 (1) Gather information concerning the prevalence of child
9 sexual abuse throughout Arkansas;

10 (2) Receive reports and testimony from individuals, state
11 and local agencies, community-based organizations, and other public and
12 private organizations;

13 (3) Make recommendations to the Governor, the Speaker of
14 the House of Representatives, the President Pro Tempore of the Senate, and
15 the State Board of Education concerning evidence-based ways to prevent child
16 sexual abuse through education; and

17 (4) Make recommendations to the Governor, the Speaker of
18 the House of Representatives, the President Pro Tempore of the Senate, and
19 the State Board of Education regarding curricula directed at preventing child
20 sexual abuse through education.

21 (5) Study any issue related to child abuse deemed relevant
22 by the task force.

23 (c) The task force shall consist of:

24 (1) The Commissioner of Education, or his or her designee;

25 (2) The Director of the Division of Children and Family
26 Services of the Department of Human Services, or his or her designee;

27 (3) The Director of the Department of Arkansas State
28 Police, or his or her designee;

29 (4) One (1) member appointed by the Governor;

30 (5) One (1) member appointed by the Speaker of the House
31 of Representatives;

32 (6) One (1) member appointed by the President Pro Tempore
33 of the Senate;

34 (7) The Executive Director of the Arkansas Association of
35 Educational Administrators, or his or her designee;

36 (8) The Executive Director of the Arkansas School Boards

1 Association, or his or her designee;

2 (9) The Executive Director of the Arkansas Education
3 Association, or his or her designee;

4 (10) The Executive Director of the Arkansas Rural
5 Education Association, or his or her designee;

6 (11) A representative from Arkansas Advocates for Children
7 and Families appointed by the Speaker of the House of Representatives;

8 (12) A representative from Arkansas Children's Hospital
9 appointed by the Governor;

10 (13) A representative from the State Child Abuse and
11 Neglect Prevention Board appointed by the Speaker of the House of
12 Representatives;

13 (14) A representative from the Arkansas Prosecuting
14 Attorneys Association appointed by the President Pro Tempore of the Senate;

15 (15) A representative from the ~~Arkansas Commission on~~
16 ~~Rape/Child Abuse/Domestic Violence~~ Arkansas Child Abuse/Rape/Domestic
17 Violence Commission appointed by the Speaker of the House of Representatives;

18 (16) A representative from the Arkansas State CASA
19 Association appointed by the President Pro Tempore of the Senate; ~~and~~

20 (17) A representative of children's advocacy centers
21 appointed by the Speaker of the House of Representatives;

22 (18) The President of the Centers for Youth and Families
23 or his or her designee; and

24 (19) The Director of the Division of Child Care and Early
25 Childhood Education of the Department of Human Services, or his or her
26 designee.

27 (d)(1) The chair of the task force shall be elected by majority vote
28 at the first meeting of the task force.

29 (2) All changes in task force chairmanship shall be
30 decided by majority vote of the task force.

31 (e)(1) The task force shall meet at the times and places that the
32 chair deems necessary but not less than four (4) times per year.

33 (2) A simple majority of members of the task force shall
34 constitute a quorum for the purpose of transacting business.

35 (3) All actions of the task force are by quorum.

36 (f) The Department of Education shall staff the task force.

1 (g) All members of the task force may receive expense reimbursement as
 2 provided under § 25-16-902 to be paid by the Department of Education if funds
 3 are available.

4 (h)(1) Annually, beginning October 1, 2014, the chair of the task
 5 force shall provide a report to the Governor, the Speaker of the House of
 6 Representatives, the President Pro Tempore of the Senate, and the State Board
 7 of Education.

8 (2) The report shall identify:

9 (A) Findings of the task force concerning the prevalence
 10 of child sexual abuse in Arkansas;

11 (B) Recommendations of the task force toward adopting and
 12 implementing age-appropriate curricula for students in kindergarten through
 13 grade five (K-5) concerning child sexual abuse prevention;

14 (C) Recommendations of the task force concerning the
 15 training of licensed and classified school personnel on the prevention and
 16 detection of child sexual abuse;

17 (D) Recommendations of the task force concerning the
 18 training of parents and guardians on the warning signs of child sexual abuse;

19 (E) Recommendations for the publication of counseling,
 20 assistance, services, and other resources for students affected by child
 21 sexual abuse; and

22 (F) Recommendations of the task force for the emotional
 23 and educational support for a victim of child sexual abuse.

24 (i) The task force shall expire on May 1, 2017.

25
 26 SECTION 90. Uncodified Section 1 of Act 1326 of 2013 is repealed.

27 ~~(a) The General Assembly finds that:~~

28 ~~(1) The children of Arkansas are our future and will provide~~
 29 ~~leadership, creativity, and productivity to strengthen and sustain the~~
 30 ~~quality of life in our communities;~~

31 ~~(2) ASCD, founded as the Association for Supervision and~~
 32 ~~Curriculum Development, launched the Whole Child Initiative in 2007 and has~~
 33 ~~since been joined by seventy (70) leading education, health, arts, and civic~~
 34 ~~organizations to advance the Whole Child Initiative;~~

35 ~~(3) The Eighty-Seventh Arkansas General Assembly unanimously~~
 36 ~~passed a joint resolution in support of the Arkansas Association of~~

1 ~~Supervision and Curriculum Development Whole Child Initiative to ensure that~~
 2 ~~all Arkansas children are safe, healthy, engaged, supported, and~~
 3 ~~intellectually stimulated;~~

4 ~~(4) Each Arkansas community should ensure that our children have~~
 5 ~~comprehensive community support to realize their whole potential to~~
 6 ~~experience the fullness of life through high quality access to the following~~
 7 ~~tenets:~~

8 ~~(A) Healthy options;~~

9 ~~(B) Safety;~~

10 ~~(C) Active engagement;~~

11 ~~(D) Adult support; and~~

12 ~~(E) An intellectually stimulating environment; and~~

13 ~~(5) Whole Child communities should be recognized and applauded~~
 14 ~~for their work to engage the entire community in support of the whole child.~~

15 ~~(b) The purpose of the Whole Child — Whole Community Initiative is to:~~

16 ~~(1) Track how well educators, parents, other community members,~~
 17 ~~and state and local policy makers are meeting the comprehensive needs of~~
 18 ~~Arkansas children at each stage of a child's development from birth to~~
 19 ~~postsecondary education or career;~~

20 ~~(2) Provide a fuller picture of the well-being of Arkansas~~
 21 ~~children that extends well beyond test scores, school and school district~~
 22 ~~labels, graduation rates, and other stand-alone descriptions;~~

23 ~~(3) Evaluate the relationship of the whole community's social~~
 24 ~~and economic determinants to the successful development of the whole child;~~
 25 ~~and~~

26 ~~(4) Help create pathways and opportunities to spur systemic~~
 27 ~~cooperation, collaboration, and coordination within and beyond schoolhouse~~
 28 ~~doors and promote a shift from the narrowly defined student achievement and~~
 29 ~~traditional education reform to broader, more comprehensive efforts that~~
 30 ~~recognize:~~

31 ~~(A) Crucial out-of-school factors that influence teaching~~
 32 ~~and learning; and~~

33 ~~(B) Arkansas's progress in supporting the full potential~~
 34 ~~of its students with a whole child approach.~~

35 ~~(c) There is established a Whole Child — Whole Community Recognition~~
 36 ~~Working Group to create a framework for recognizing community and state~~

1 ~~efforts to ensure all children receive comprehensive support of the whole~~
 2 ~~community by highlighting the work of:~~

3 ~~(1) Educators;~~

4 ~~(2) Parents and community members; and~~

5 ~~(3) Policymakers, elected and appointed.~~

6 ~~(d) The working group shall consist of:~~

7 ~~(1) Two (2) parents appointed by the Arkansas Parent Teacher~~
 8 ~~Association;~~

9 ~~(2) Two (2) persons appointed by the President of the Arkansas~~
 10 ~~Association for Supervision and Curriculum Development;~~

11 ~~(3) Two (2) educators appointed by the Arkansas Education~~
 12 ~~Association;~~

13 ~~(4) Two (2) educators appointed by the Arkansas Association of~~
 14 ~~Educational Administrators;~~

15 ~~(5) One (1) person representing early childhood education~~
 16 ~~appointed by the Director of the Department of Human Services;~~

17 ~~(6) Two (2) members who are directors of two (2) different~~
 18 ~~school districts appointed by the Arkansas School Boards Association;~~

19 ~~(7) Two (2) persons representing charitable foundations:~~

20 ~~(A) One (1) who is appointed by the chair of the Senate~~
 21 ~~Committee on Education; and~~

22 ~~(B) One (1) who is appointed by the chair of the House~~
 23 ~~Committee on Education;~~

24 ~~(8) Two (2) persons representing grassroots advocacy groups:~~

25 ~~(A) One (1) who is appointed by the chair of the Senate~~
 26 ~~Committee on Education; and~~

27 ~~(B) One (1) who is appointed by the chair of the House~~
 28 ~~Committee on Education;~~

29 ~~(9) Two (2) persons who are city or county policy makers~~
 30 ~~appointed by the Arkansas Municipal League;~~

31 ~~(10) Two (2) members of the Arkansas General Assembly:~~

32 ~~(A) One (1) who is appointed by the chair of the Senate~~
 33 ~~Committee on Education; and~~

34 ~~(B) One (1) who is appointed by the chair of the House~~
 35 ~~Committee on Education;~~

36 ~~(11) The President of the Arkansas State Chamber of Commerce, or~~

1 ~~his or her designee;~~

2 ~~(12) The President of the Arkansas American Federation of Labor~~
3 ~~and Congress of Industrial Organizations, or his or her designee;~~

4 ~~(13) The Commissioner of Education, or his or her designee;~~

5 ~~(14) The Director of the Department of Higher Education, or his~~
6 ~~or her designee; and~~

7 ~~(15) The Director of the Arkansas Economic Development~~
8 ~~Commission, or his or her designee.~~

9 ~~(e) State agencies shall provide assistance or as ex-officio members~~
10 ~~for the working group upon the working group's request or upon the request of~~
11 ~~the state agency, including without limitation:~~

12 ~~(1) Department of Rural Services;~~

13 ~~(2) Arkansas Planning and Development Districts;~~

14 ~~(3) Department of Health;~~

15 ~~(4) Local law enforcement agencies;~~

16 ~~(5) Department of Arkansas State Police;~~

17 ~~(6) The University of Arkansas for Medical Sciences School of~~
18 ~~Public Health;~~

19 ~~(7) Department of Parks and Tourism; and~~

20 ~~(8) Arkansas State Game and Fish Commission.~~

21 ~~(f)(1) By September 1, 2013, the Commissioner of Education, or his or~~
22 ~~her designee, shall call the first meeting of the working group.~~

23 ~~(2) At the first meeting, the working group shall elect a chair~~
24 ~~by majority vote.~~

25 ~~(3) All changes in working group chairmanship shall be decided~~
26 ~~by majority vote of the working group.~~

27 ~~(g)(1) The working group shall meet at the times that the chair deems~~
28 ~~necessary but not less than four (4) times per year.~~

29 ~~(B) All meetings shall take place in Little Rock unless~~
30 ~~the working group votes to select another city.~~

31 ~~(2) A simple majority of the working group shall constitute a~~
32 ~~quorum for the purpose of transacting business.~~

33 ~~(3) All actions of the working group are by quorum.~~

34 ~~(h) The Bureau of Legislative Research shall staff the working group.~~

35 ~~(i) All members of the working group may receive expense reimbursement~~
36 ~~as provided under § 25-16-902 to be paid by the Department of Education if~~

1 ~~funds are available.~~

2 ~~(j)(1) The working group shall recommend to the Ninetieth Arkansas~~
3 ~~General Assembly a process and procedures for application, evaluation, and~~
4 ~~recognition of exemplary Whole Child—Whole Community successes.~~

5 ~~(2) The process and procedures may allow for:~~

6 ~~(A) Solicitation of communities to participate in the~~
7 ~~Whole Child—Whole Community initiative, but participation by a community is~~
8 ~~voluntary; and~~

9 ~~(B) An individual citizen of Arkansas to nominate a~~
10 ~~community for recognition.~~

11 ~~(k) In developing its recommendations, the working group shall~~
12 ~~consider the following indicators for educators, parents, community members,~~
13 ~~and legislators in each of the five (5) tenets:~~

14 ~~(1)(A) Each student enters school healthy and learns about and~~
15 ~~practices a healthy lifestyle.~~

16 ~~(B) Under this tenet of healthy options, the indicators are~~
17 ~~that:~~

18 ~~(i) Educators:~~

19 ~~(a) Establish a school health advisory council with~~
20 ~~students, family, community, and business members;~~

21 ~~(b) Provide elementary and middle school students~~
22 ~~with a daily recess that is at least twenty (20) minutes in duration;~~

23 ~~(c) Provide quality instruction in health and~~
24 ~~physical education that addresses the physical, mental, emotional, and social~~
25 ~~dimensions of health as well as lifetime fitness knowledge, attitudes,~~
26 ~~behaviors, and skills;~~

27 ~~(d) Facilitate students' access to health, mental~~
28 ~~health, and dental services;~~

29 ~~(e) Reinforce healthy eating patterns by offering~~
30 ~~students nutritious and fresh food choices as part of both routine food~~
31 ~~services, and special programming and events;~~

32 ~~(f) Offer opportunities for elementary, middle, and~~
33 ~~high school students of all abilities to participate in a wide variety of~~
34 ~~intramural and extracurricular activities that provide them with positive~~
35 ~~physical, social, and emotional experiences; and~~

36 ~~(g) Integrate movement into lessons and across the~~

1 ~~school day;~~

2 ~~(ii) Parents and community members:~~

3 ~~(a) Ensure that children receive immunizations and~~
 4 ~~are routinely screened for vision, hearing, dental, speech, and orthopedic~~
 5 ~~concerns.~~

6 ~~(b) Take children to preventive medical and dental~~
 7 ~~care visits on a regular basis;~~

8 ~~(c) Ensure that school-age children accumulate at~~
 9 ~~least sixty (60) minutes of age-appropriate physical activity every day;~~

10 ~~(d) Expose children to a variety of sports and~~
 11 ~~physical activity experiences offered through the school and community;~~

12 ~~(e) Maintain and promote the communities' sports and~~
 13 ~~recreation programming, green spaces, community gardens, and farmers markets,~~
 14 ~~ensuring that underserved families in the community have access to them;~~

15 ~~(f) Encourage walking or biking to and from school;~~
 16 ~~and~~

17 ~~(g) Collaborate with schools to ensure free and low-~~
 18 ~~cost community health services are offered to the students and families who~~
 19 ~~need them; and~~

20 ~~(iii) Policy makers:~~

21 ~~(a) Support school-based health clinics,~~
 22 ~~particularly in underserved areas, that provide necessary and convenient~~
 23 ~~health services to students, their families, and the community;~~

24 ~~(b) Promote a well-rounded curriculum that includes~~
 25 ~~physical and health education as part of the core academics that every~~
 26 ~~student should master before they graduate;~~

27 ~~(c) Facilitate connections between schools and~~
 28 ~~community-based health services, beginning with collaboration between the~~
 29 ~~Department of Education and the Department of Health; and~~

30 ~~(d) Support community health initiatives, resources,~~
 31 ~~and programming that help to instill healthy habits in children and families;~~

32 ~~(2)(A) Each student learns in an environment that is physically~~
 33 ~~and emotionally safe for students and adults.~~

34 ~~(B) Under this tenet of safety, the indicators are that:~~

35 ~~(i) Educators:~~

36 ~~(a) Model and provide opportunities for~~

1 ~~students to practice social-emotional skills, including effective listening,~~
2 ~~conflict resolution, problem solving, personal reflection and responsibility,~~
3 ~~respect for individual differences, and ethical decision making;~~

4 ~~(b) Consistently reinforce school and~~
5 ~~classroom expectations, rules, and routines and work with families to teach~~
6 ~~students how to manage their own behavior;~~

7 ~~(c) Establish a classroom and school climate~~
8 ~~where everyone feels safe and that is conducive to teaching and learning;~~

9 ~~(d) Establish a bullying prevention program~~
10 ~~and reporting system and promote these anti-bullying efforts among students,~~
11 ~~staff, families, and community members;~~

12 ~~(e) Get to know students and connect students~~
13 ~~to necessary community services when they are struggling with substance~~
14 ~~abuse, homelessness, or family violence; and~~

15 ~~(f) Establish a positive school climate that~~
16 ~~is friendly and student-centered, ensuring that students and staff feel~~
17 ~~valued, respected, cared for, and motivated to learn;~~

18 ~~(ii) Parents and community members:~~

19 ~~(a) Work within the community to provide~~
20 ~~children with safe transportation to and from school, including chaperoning~~
21 ~~bus stops and establishing safe walking routes;~~

22 ~~(b) Know Arkansas's anti-bullying law and the~~
23 ~~school's anti-bullying and anti-harassment policies, including how to report~~
24 ~~bullying incidents;~~

25 ~~(c) Monitor children's use of social~~
26 ~~networking sites and establish appropriate security settings on a family's~~
27 ~~computers and other electronic devices;~~

28 ~~(d) Encourage school and community~~
29 ~~organizations to provide safe, chaperoned activities for students before and~~
30 ~~after school; and~~

31 ~~(e) Collaborate with homeowners' associations,~~
32 ~~neighborhood watches, municipal services, park authorities, faith-based~~
33 ~~institutions and other community organizations to ensure neighborhoods,~~
34 ~~parks, and other public spaces are clean, well-lit, and well-maintained;~~

35 ~~(iii) Policy makers:~~

36 ~~(a) Establish anti-bullying legislation that~~

1 ~~specifically defines incidents of intimidation, bullying, and harassment and~~
 2 ~~requires schools to develop anti-bullying policies;~~

3 ~~(b) Establish social-emotional learning and~~
 4 ~~character development programs;~~

5 ~~(c) Support before and after school~~
 6 ~~programming that provides students with safe places to extend their learning~~
 7 ~~and to interact with peers; and~~

8 ~~(d) Facilitate connections between schools and~~
 9 ~~community-based recreational offerings and social services;~~

10 ~~(3)(A) Each student is actively engaged in learning and is~~
 11 ~~connected to the school and broader community.~~

12 ~~(B) Under this tenet of active engagement, the indicators~~
 13 ~~are that:~~

14 ~~(i) Educators:~~

15 ~~(a) Develop student-centered academic plans~~
 16 ~~and a process for students to provide input on these plans throughout their~~
 17 ~~academic careers;~~

18 ~~(b) Use active learning strategies, such as~~
 19 ~~cooperative learning and project-based learning;~~

20 ~~(c) Include students in schoolwide decision~~
 21 ~~making and governance;~~

22 ~~(d) Offer students academic credit for hands-~~
 23 ~~on, community-based learning opportunities and provide flexible scheduling~~
 24 ~~that allows students to participate in these opportunities during the school~~
 25 ~~day;~~

26 ~~(e) Partner with the community to offer~~
 27 ~~students a full complement of extracurricular, cocurricular, and after-school~~
 28 ~~activities as well as service-learning opportunities that incorporate~~
 29 ~~community experiences and reflect students' interests and goals;~~

30 ~~(f) Allow time and space for student~~
 31 ~~discussions; and~~

32 ~~(g) Promote the development of student-led~~
 33 ~~initiatives;~~

34 ~~(ii) Parents and community members:~~

35 ~~(a) Limit television viewing and video game~~
 36 ~~use to no more than two hours per day, instead encouraging children to~~

1 ~~participate in extracurricular activities or volunteer experiences in which~~
 2 ~~they are interested;~~

3 ~~(b) Ask children's teachers and principals~~
 4 ~~what they do to make classroom learning relevant and engaging for students;~~

5 ~~(c) Ensure that children attend school~~
 6 ~~regularly, and ask what they learned or did each day, such as the best thing,~~
 7 ~~funniest moment, new activity;~~

8 ~~(d) Collaborate with schools, neighborhoods,~~
 9 ~~homeowners' associations, businesses, and other community institutions to~~
 10 ~~provide students with experiential learning opportunities, such as service~~
 11 ~~learning, internships, and apprenticeships with local businesses; and~~

12 ~~(e) Provide children with age-appropriate~~
 13 ~~decision-making opportunities at home and increase children's household~~
 14 ~~responsibilities; and~~

15 ~~(iii) Policy-makers:~~

16 ~~(a) Require schools, school districts, and~~
 17 ~~communities to measure and report activities and outcomes related to student~~
 18 ~~and family engagement, such as volunteer rates, parent involvement data, and~~
 19 ~~participation in after-school programming, community-based learning~~
 20 ~~opportunities, and extracurricular activities; and~~

21 ~~(b) Recognize and reward schools and~~
 22 ~~communities that offer students rich and relevant real-world learning~~
 23 ~~experiences;~~

24 ~~(4)(A) Each student has access to personalized learning and is~~
 25 ~~supported by qualified, caring adults.~~

26 ~~(B) Under this tenet of adult support, the indicators are~~
 27 ~~that:~~

28 ~~(i) Educators:~~

29 ~~(a) Make sure each student is well-known by at~~
 30 ~~least one (1) adult in the school, such as an advisor or mentor;~~

31 ~~(b) Provide each student with access to school~~
 32 ~~counselors, social workers, and structured academic, social, and emotional~~
 33 ~~support systems;~~

34 ~~(c) Personalize learning, including the~~
 35 ~~flexible use of time and scheduling to meet academic and social goals for~~
 36 ~~each student;~~

1 ~~(d) Welcome and include all families as~~
2 ~~partners in their children's education, helping them to understand available~~
3 ~~services, advocate for their children's needs, and support their children's~~
4 ~~learning; and~~

5 ~~(e) Participate in ongoing, relevant~~
6 ~~professional development that enhances the educator's ability to deliver~~
7 ~~differentiated instruction that meets students' varying academic and social-~~
8 ~~emotional needs;~~

9 ~~(ii) Parents and community members:~~

10 ~~(a) Talk with children for at least fifteen~~
11 ~~(15) minutes each day, communicating openly and encouraging them to share~~
12 ~~their successes, thoughts, and concerns;~~

13 ~~(b) Partner with children's school to support~~
14 ~~children's academic goals and to give extra help where needed;~~

15 ~~(c) Attend parent-teacher conferences and~~
16 ~~volunteer at the school;~~

17 ~~(d) Monitor children's performance over time~~
18 ~~and take an active role in their progress; and~~

19 ~~(e) Get to know children's teachers, coaches,~~
20 ~~and other adult mentors and collaborate with them on shared goals for each~~
21 ~~child; and~~

22 ~~(iii) Policy makers:~~

23 ~~(a) Require schools to provide adequate~~
24 ~~counseling and support services to students, ensuring that every school meets~~
25 ~~the recommended ratio of at least one (1) counselor for every two hundred~~
26 ~~fifty (250) students;~~

27 ~~(b) Support parent education and family~~
28 ~~literacy programs;~~

29 ~~(c) Require educator evaluation systems to~~
30 ~~drive opportunities for individualized professional growth and support~~
31 ~~schools in providing relevant and quality training to teachers during the~~
32 ~~school day;~~

33 ~~(d) Align assessment requirements to maximize~~
34 ~~the impact on instruction;~~

35 ~~(e) Provide multiple pathways to graduation;~~
36 ~~and~~

1 ~~curricula, instruction, education experiences, and extracurricular activities~~
2 ~~prepare students with the knowledge and skills they need for success in the~~
3 ~~workplace and in further education; and~~

4 ~~(d) Reinforce the importance of education for~~
5 ~~future social, economic, and civic success; and~~

6 ~~(iii) Policy makers;~~

7 ~~(a) Provide relevant and challenging coursework in a~~
8 ~~wide array of subjects through a variety of pathways (e.g., Advanced~~
9 ~~Placement, International Baccalaureate, dual enrollment programs, early~~
10 ~~college programs), and offer these advanced courses to all interested~~
11 ~~students;~~

12 ~~(b) Recognize and reward schools that are successful~~
13 ~~in helping students of all backgrounds master challenging coursework;~~

14 ~~(c) Hold schools accountable for student achievement~~
15 ~~using multiple measures of performance and growth across all core academic~~
16 ~~subjects and establish meaningful and transparent public reporting of this~~
17 ~~information;~~

18 ~~(d) Foster coordination and communication across~~
19 ~~early childhood education, elementary education, middle school, high school,~~
20 ~~and postsecondary education so that each stage of a student's educational~~
21 ~~career prepares him or her for the next; and~~

22 ~~(e) Promote alternative ways of assessing progress~~
23 ~~and achievement, such as portfolios and presentations.~~

24 ~~(1) By November 1, 2014, the Whole Child—Whole Community Recognition~~
25 ~~Working Group shall file its report with the House Committee on Education,~~
26 ~~Senate Committee on Education, and Legislative Council.~~

27
28 SECTION 91. Identical uncodified Acts 2013 (1st Ex. Sess.), Nos. 3 and
29 6, § 3(f), concerning the State and Public School Life and Health Insurance
30 Program Legislative Task Force, as amended by Acts 2015, No. 912, § 2, is
31 amended to read as follows:

32 (f) The task force expires ~~June 30, 2016, or before if the task force~~
33 ~~decides it has met the goals of the task force under subsection (e) of this~~
34 ~~section December 31, 2018.~~

35
36 SECTION 92. Uncodified Section 1 of Act 839 of 2015 is amended to read

1 as follows:

2 (a) There is created the Legislative Task Force on the Best Practices
 3 for Special Education.

4 (b) The task force shall consist of the following twenty-two (22)
 5 members:

6 (1) The Governor or his or her designee;

7 (2) One (1) member of the General Assembly from the First
 8 Congressional District, appointed by the President Pro Tempore of the Senate;

9 (3) One (1) member of the General Assembly from the Second
 10 Congressional District, appointed by the Speaker of the House of
 11 Representatives;

12 (4) One (1) member of the General Assembly from the Third
 13 Congressional District, appointed by the President Pro Tempore of the Senate;

14 (5) One (1) member of the General Assembly from the Fourth
 15 Congressional District, appointed by the Speaker of the House of
 16 Representatives;

17 (6) One (1) representative from Arkansas Advocates for Children
 18 and Families appointed by the Speaker of the House of Representatives;

19 (7) One (1) representative from the Arkansas Association of
 20 Educational Administrators appointed by the President Pro Tempore of the
 21 Senate;

22 (8) One (1) representative from the Arkansas Education
 23 Association who is a teacher specializing in special education appointed by
 24 the Speaker of the House of Representatives;

25 (9) One (1) representative from the Arkansas Public Policy Panel
 26 appointed by the President Pro Tempore of the Senate;

27 (10) One (1) representative from the Arkansas School Boards
 28 Association appointed by the Speaker of the House of Representatives;

29 (11) One (1) representative from the Department of Education
 30 appointed by the President Pro Tempore of the Senate;

31 (12) One (1) representative from the Disability Rights
 32 Association appointed by the Speaker of the House of Representatives;

33 (13) One (1) representative from the Arkansas Association of
 34 Special Education Administrators appointed by the President Pro Tempore of
 35 the Senate;

36 (14) One (1) representative from a charter school origination or

1 support group for charter schools appointed by the Speaker of the House of
2 Representatives;

3 (15) One (1) representative from an institution of higher
4 education who works in a teacher preparation program specializing in special
5 education appointed by the President Pro Tempore of the Senate;

6 (16) One (1) special education teacher appointed by the
7 ~~Department of Education~~ Speaker of the House of Representatives;

8 (17) Four (4) parents of special education students with ~~one (1)~~
9 ~~parent to be appointed by each legislative member of the task force~~ two (2)
10 parents to be appointed by the President Pro Tempore of the Senate and two
11 (2) parents to be appointed by the Speaker of the House of Representatives;
12 and

13 (18) Two (2) special education students with one (1) student to
14 be appointed by the President Pro Tempore of the Senate and one (1) student
15 to be appointed by the Speaker of the House of Representatives.

16 (c)(1) The Governor or his or her designee shall call the first
17 meeting of the task force within sixty (60) days of the effective date of
18 this act and shall serve as the chair of the task force at the first meeting.

19 (2) At the first meeting of the task force, the members of the
20 task force shall elect from its membership a chair and other officers as
21 needed for the transaction of business.

22 (3)(A) The task force shall conduct its meetings at the State
23 Capitol or another site selected by the chair.

24 (B) Meetings of the task force shall be held at least one
25 (1) time every three (3) months but may occur more often at the call of the
26 chair.

27 (4) The task force shall establish rules and procedures for
28 conducting its business.

29 (5) If a vacancy occurs on the task force, the vacancy shall be
30 filled in the same manner as the original appointment.

31 (6)(A) Legislative members of the task force shall be paid per
32 diem and mileage as authorized by law for attendance at meetings of interim
33 committees of the General Assembly.

34 (B) Non-legislative members of the task force shall serve
35 without compensation but may receive reimbursement under § 25-16-902.

36 (7)(A) A majority of the members of the task force shall

1 constitute a quorum for transacting business of the task force.

2 (B) No action may be taken by the task force except by a
3 majority vote at a meeting at which a quorum is present.

4 (8) The task force may expend funds and resources in carrying
5 out its purpose and responsibilities that are appropriated or funded to the
6 commission by the General Assembly or a third party.

7 (9) The Bureau of Legislative Research shall provide staff for
8 the task force.

9 (d)(1) The task force shall study and research ways to improve special
10 education and how special education can positively impact student education
11 and achievement outcomes.

12 (2) In executing the duties and responsibilities of the task
13 force, the task force shall:

14 (A) Review the current practice for identifying students
15 for special education services and programs in public schools in Arkansas and
16 other states;

17 (B) Compare outcomes of students participating in special
18 education services in programs in Arkansas with those in other states;

19 (C) Review the requirements for teacher preparation and
20 licensure of special education teachers in Arkansas and other states;

21 (D) Review the requirements for professional development
22 related to special education, including anticipated changes to professional
23 development in Arkansas and other states;

24 (E) Review support staff and staffing ratios for special
25 education services and programs, including nurses, teacher aides, and
26 personal student aids;

27 (F) Review discipline practices for students in special
28 education programs in Arkansas and other states;

29 (G) Review Response to Intervention (RTI) practices in
30 Arkansas, including identifying RTI programs in public schools that are
31 successful and can be identified as best practices;

32 (H) Review the current practice for screening students for
33 learning disabilities and the services provided for students with learning
34 disabilities;

35 (I) Review the availability of support services for
36 special education programs, students, and families, including without

1 limitation behavioral health services and social services with an effort made
2 to identify best practices;

3 (J) Review the practices of school districts regarding
4 self-contained classrooms, inclusion programs, and resource rooms, including
5 model policies and programs in Arkansas and other states;

6 (K) Review the use of outside services and organizations
7 by school districts that provide the best level of support for students
8 receiving special education services or participating in special education
9 programs;

10 (L) Review the facilities, equipment, and materials
11 available in school districts for special education services and programs;

12 (M) Compare the amount of academic instruction with the
13 training time for independent function and career development;

14 (N) Review special education services and programs
15 currently in Arkansas public charter schools and public charter schools
16 outside of Arkansas;

17 (O) Identify exemplary school district special education
18 programs in Arkansas and other states; and

19 (P) Review the research and findings of national
20 organizations that support students receiving special education services or
21 students participating in special education programs.

22 (3) For each item under subdivision (d)(2) of this section, the
23 task force shall consider the separate strengths and challenges for children
24 who:

25 (A) Are developmentally delayed;

26 (B) Have severe behavioral challenges; or

27 (C) Have severe physical disabilities.

28 (4)(A) The task force also shall review the financial support
29 provided for special education services and programs, including whether or
30 not the financial support provided is adequate to meet the needs of the
31 students in special education programs or receiving special education
32 services.

33 (B) The review under subdivision (d)(4)(A) shall include a
34 review of the financial practices of school districts in Arkansas for the
35 support of special education services and programs.

36 (e)(1) On or before February 1, 2016, the task force shall file with

1 the Governor, the Speaker of the House of Representatives, the President Pro
2 Tempore of the Senate, and the chairs of the House and Senate Committees on
3 Education a written, preliminary report of the task force's activities,
4 findings, and recommendations.

5 (2)(A) On or before September 1, 2016, the task force shall file
6 with the Governor, the Speaker of the House of Representatives, the President
7 Pro Tempore of the Senate, and the chairs of the House Committee on Education
8 and Senate Committee on Education a written, final report of the task force's
9 activities, findings, and recommendations.

10 (B) The task force may file an updated final report on or
11 before July 1, 2017.

12 (f) The task force expires on July 1, 2017.

13
14 SECTION 93. DO NOT CODIFY. Transfer of the Arkansas History
15 Commission to the Department of Arkansas Heritage.

16 (a)(1) The Arkansas History Commission within the Department of Parks
17 and Tourism is transferred to the Department of Arkansas Heritage by a type 2
18 transfer under § 25-2-105.

19 (2) For the purposes of this act, the Department of Arkansas
20 Heritage shall be considered a principal department established by Acts 1971,
21 No. 38.

22 (b) All authority, powers, duties, functions, records, personnel,
23 property, unexpended balances of appropriations, allocations, and other
24 funds, including the functions of budgeting or purchasing, are transferred to
25 the Department of Arkansas Heritage except as specified by this act.

26 (c) All powers, duties, and functions, including rulemaking,
27 regulation, and licensing, promulgation of rules, rates, regulations, and
28 standards, and the rendering of findings, orders, and adjudications are
29 transferred to the Director of the Department of Arkansas Heritage.

30 (d) After the transfer under subsections (a) - (c) of this section,
31 the Arkansas History Commission formerly within the Department of Parks and
32 Tourism shall be renamed the Arkansas State Archives.

33 (e) The members of the Arkansas History Commission appointed under §
34 13-3-102 and their successors shall continue to be selected in the manner and
35 serve for the terms provided by the statutes applicable to the Arkansas
36 History Commission except as specified in this act.

1
2 SECTION 94. Arkansas Code § 6-20-205(a), concerning the sale of an
3 Arkansas history textbook, is amended to read as follows:

4 (a) The State Board of Education is authorized to publish and offer
5 for sale an Arkansas history textbook copyrighted in the name of the state
6 board and the Arkansas ~~History Commission~~ State Archives.

7
8 SECTION 95. Arkansas Code § 7-6-207(d)(1)(B), concerning retention of
9 certain campaign contribution reports, is amended to read as follows:

10 (B)(i) After the eight-year period, the Secretary of State
11 shall turn the reports over to the Arkansas ~~History Commission~~ State Archives
12 for maintenance and continued public inspection.

13 (ii) After the eight-year period, the Arkansas
14 ~~History Commission~~ State Archives is the official custodian of the records of
15 the reports filed under this section.

16
17 SECTION 96. Arkansas Code § 12-61-123(b), concerning retention of
18 items by the Bureau of War Records, is amended to read as follows:

19 (b) The Bureau of War Records shall function in close connection with
20 the Arkansas ~~History Commission~~ State Archives and shall gather items of
21 military history of the Arkansas Militia for exhibition.

22
23 SECTION 97. Arkansas Code § 13-2-202(b), concerning the effect of
24 Title 13, Chapter 2, Subchapter 2, on the powers, duties, and responsibility
25 of the Arkansas State Library, is amended to read as follows:

26 (b) Nothing in this subchapter shall repeal, alter, or change the
27 powers, duties, and responsibilities of the Arkansas ~~History Commission~~ State
28 Archives as defined by law.

29
30 SECTION 98. Arkansas Code § 13-2-209 is amended to read as follows:

31 13-2-209. Agreements with Arkansas ~~History Commission~~ State Archives
32 and Secretary of State.

33 (a) The Arkansas State Library, acting through the State Library
34 Board, is authorized to enter into necessary agreements with the Arkansas
35 ~~History Commission~~ State Archives, with respect to an overall plan and design
36 to assure that the functions and materials of the Arkansas State Library and

1 the ~~commission~~ Arkansas State Archives may be convenient to the public and
 2 public officials of this state and to its political subdivisions, and to
 3 assure that unnecessary duplication of services and facilities is minimized.

4 (b)(1)(A) In addition, the library is authorized to enter into
 5 contracts and agreements with the Secretary of State for the custody,
 6 storage, cataloging, or display in the library or Arkansas State Archives of
 7 any books, records, documents, or other papers in the custody of the
 8 Secretary of State.

9 (B) This shall be done under such terms and conditions as
 10 may be mutually agreed to by the parties.

11 (2) The library is also authorized to accept custody and control
 12 over any books, records, and documents which the Secretary of State is now
 13 required by law to keep or maintain in his or her official files or volumes,
 14 if:

15 (A) The Secretary of State shall determine that the
 16 records could be properly cataloged, stored, and preserved in the Arkansas
 17 State Library or Arkansas State Archives; and

18 (B) The Governor agrees in writing for the transfer of the
 19 books, records, and documents from the Secretary of State to the Arkansas
 20 State Library or Arkansas State Archives, in accordance with the terms of the
 21 agreement made in writing signed by the Secretary of State and the State
 22 Librarian or the State Historian for the custody, cataloging, preservation,
 23 and care of the records.

24
 25 SECTION 99. Arkansas Code Title 13, Chapter 3, the title of Subchapter
 26 1 is amended to read as follows:

27
 28 Subchapter 1

29 - Arkansas ~~History Commission~~ State Archives

30
 31 SECTION 100. Arkansas Code § 13-3-101 is amended to read as follows:
 32 13-3-101. Creation - Purpose.

33 (a) The Arkansas ~~History Commission~~ State Archives is created and
 34 established at the seat of government of this state for the purposes of:

- 35 (1) Keeping and caring for the official archives of this state;
 36 (2) Collecting materials bearing on the history of Arkansas from

1 the earliest times;

2 (3) Copying and editing official records and other historical
3 materials;

4 (4) Encouraging historical work and research; and

5 (5) Performing work in relation to the foregoing.

6 (b) The ~~commission~~ Department of Arkansas Heritage and the Building
7 Authority Division of the Department of Finance and Administration shall
8 determine the facility needs of the ~~commission~~ Arkansas State Archives.

9 (c) The ~~division~~ Building Authority Division of the Department of
10 Finance and Administration may locate and negotiate an appropriate facility
11 for the ~~commission~~ Arkansas State Archives, but the ~~commission~~ Department of
12 Arkansas Heritage shall have final approval of the facility's location.

13
14 SECTION 101. Arkansas Code § 13-3-102, concerning the membership of
15 the Arkansas History Commission, is amended to add an additional subsection
16 to read as follows:

17 (g) The commission shall advise and assist the Director of the
18 Department of Arkansas Heritage in the performance of his or her duties under
19 this subchapter.

20
21 SECTION 102. Arkansas Code § 13-3-103 is amended to read as follows:

22 13-3-103. Meetings – Records.

23 (a)(1) The Arkansas History Commission shall meet ~~at such times and~~
24 ~~places as in each instance may suit the commission's convenience, and all~~
25 ~~meetings;~~

26 (A) Upon the request of the Director of the Department of
27 Arkansas Heritage; and

28 (B) At a time and place that is convenient to the
29 commission.

30 (2) Meetings of the commission shall be open to the public.

31 (b) The commission shall adopt and may modify rules for the conduct of
32 its business. The commission shall keep a record of its transactions,
33 findings, and determinations, which record shall be public.

34 (c) ~~The rules shall provide for regular meetings and for special~~
35 ~~meetings at the call of the chair or the vice chair if he or she is, for any~~
36 ~~reason, the acting chair, either at his or her own instance, or upon the~~

1 ~~written request of at least four (4) members.~~

2 ~~(d)~~ The State Historian provided for in this chapter shall be ex
3 officio secretary of the commission but shall have no vote on matters coming
4 before it.

5 ~~(e)~~(d) A quorum shall consist of not less than four (4) members
6 present at any regular or special meeting. The affirmative vote of that
7 number shall be necessary for the disposition of any business.

8
9 SECTION 103. Arkansas Code § 13-3-104 is amended to read as follows:
10 13-3-104. Powers and duties.

11 (a) All records, papers, archives, and historical material at any time
12 in the possession of the Arkansas ~~History Commission~~ State Archives,
13 excepting such as it may have on loan, shall be and remain the property of
14 the State of Arkansas. It shall also be the function, power, and duty of the
15 ~~commission~~ Arkansas State Archives to:

16 (1) Receive, classify, and preserve, through the making of
17 photographic copies or by other means, all official archives of Arkansas, its
18 counties, its municipalities, and its other subdivisions, which may come
19 either permanently or temporarily into the ~~commission's~~ Arkansas State
20 Archives's custody;

21 (2) Collect, classify, and preserve, through the making of
22 photographic copies or by other means, all records, manuscripts, maps,
23 diaries, letters, war service records, journals, and papers of historical
24 value, pertaining to Arkansas and Arkansans;

25 (3) Collect and preserve, through the making of photographic
26 copies or by other means, all files of such Arkansas newspapers as it may
27 acquire either permanently or temporarily;

28 (4) Collect and preserve portraits, photographs, sketches,
29 drawings, and other likenesses of eminent Arkansans, historic places, houses,
30 buildings, and scenes in Arkansas;

31 (5) Select and publish any state papers and other source
32 material of Arkansas history it shall deem appropriate and its funds will
33 permit;

34 (6) Build up and maintain at its headquarters a reference
35 library of the source material of Arkansas history;

36 (7) Establish and maintain at its headquarters any permanent or

1 temporary displays of historic relics and other articles and objects of
2 historic interest, which it shall determine to be desirable or feasible; and

3 (8) Ascertain the location of battlefields within the state on
4 which battles were fought in the War Between the States, prepare data as to
5 the troops employed in such engagements, ascertain which battlefields should
6 be marked by suitable markers, accept designs for the markers, and, within
7 the limit of funds available for the purpose, acquire and place markers in
8 suitable positions on those battlefields, subject, in each instance, to the
9 approval of the owners of the land.

10 (b) The ~~commission~~ Arkansas State Archives may:

11 (1) Adopt and use a seal;

12 (2) Destroy, exchange, or otherwise dispose of any materials in
13 its possession, except borrowed materials, that it may find to be surplus to
14 its needs;

15 (3)(A) Establish and make reasonable charges for furnishing
16 research services, archival services, or copies of materials in its
17 possession.

18 (B) The funds collected shall be deposited to the credit
19 of the ~~commission's~~ Arkansas State Archive's account in a bank and from time
20 to time withdrawn for the maintenance and operation of the ~~commission~~
21 Arkansas State Archives;

22 (4)(A) Receive and expend any moneys arising from grants,
23 contributions, or gratuities, receive bequests or donations of real or
24 personal property, convert into money any property that cannot be used in the
25 form received, and expend the money for any of the functions performable by
26 it.

27 (B) The Chief Fiscal Officer of the State shall prescribe
28 rules for the handling of these moneys;

29 (5) Cooperate with, and receive the cooperation of, historical
30 associations and other nonprofit organizations devoted to the history of this
31 state;

32 (6) Contract and be contracted with; and

33 (7) Take other action not inconsistent with law that it
34 considers necessary in the performance of any of its functions.

35
36 SECTION 104. Arkansas Code § 13-3-105 is amended to read as follows:

1 13-3-105. Delegation to State Historian.

2 ~~By resolution duly adopted, the Arkansas History Commission~~ The
3 Director of the Department of Arkansas Heritage may delegate ~~to the State~~
4 Historian any of the his or her powers and duties ~~vested in or imposed upon~~
5 ~~it by law. These delegated powers and duties may be exercised by the State~~
6 Historian in the name of the commission concerning the Arkansas State
7 Archives to the State Historian.

8
9 SECTION 105. Arkansas Code § 13-3-106 is amended to read as follows:

10 13-3-106. State Historian – Powers and duties.

11 (a) ~~The State Historian shall be elected by and serve:~~

12 (1) Serve at the pleasure of the ~~Arkansas History Commission~~
13 Director of the Department of Arkansas Heritage; and ~~shall devote~~

14 (2) Devote his or her entire time of employment to the duties of
15 his or her employment.

16 (b)~~(1)~~ ~~The person elected~~ State Historian shall have ~~been granted a:~~

17 (1) A doctoral degree in the field of history ~~by a duly from an~~
18 ~~accredited institution of higher education, or the commission may elect a~~
19 ~~person who, as determined by the commission, has the equivalent of a doctoral~~
20 ~~degree.; or~~

21 ~~(2) This determination shall be based upon the~~ Been determined
22 by the Director of the Department of Arkansas Heritage to be qualified to
23 perform the duties of State Historian after considering:

24 (A) The person's academic background ~~of the person, his or~~
25 ~~her;~~

26 (B) The person's editorial ability, ~~his or her;~~

27 (C) The person's knowledge of and interest in history, ~~and~~
28 ~~his or her;~~

29 (D) The person's experience in ~~that~~ the field of history;
30 and

31 (E) Any other factor the director determines to be
32 relevant to performing the functions of the position.

33 ~~(c) The compensation of the State Historian shall be fixed by the~~
34 ~~commission within the limit provided by law.~~

35 ~~(d) The State Historian shall be custodian of all property of the~~
36 ~~commission and of the office and archives space, and he or she shall be, ex~~

1 ~~officio, the disbursing agent of all funds available for the commission's~~
2 ~~use.~~

3 ~~(e)(1)(A)(c)(1)(A)~~ The State Historian shall furnish bond to the
4 state, with a corporate surety thereon, in the penal sum of five thousand
5 dollars (\$5,000).

6 (B) This bond shall be conditioned that he or she will
7 faithfully perform his or her duties of employment and properly account for
8 all funds received and disbursed by him or her.

9 (2) The State Historian shall not be required to furnish
10 additional bond as disbursing agent, nor shall he or she be required to
11 furnish additional bond as disbursing agent of other appropriations for which
12 he or she may be designated disbursing agent under or pursuant to any law of
13 this state unless so directed by the General Assembly.

14 (3) The bond so furnished shall be filed with the Secretary of
15 State.

16 (4) An executed counterpart of the bond shall be filed with the
17 Auditor of State.

18 ~~(f)(d)~~ The State Historian shall ~~be charged with the duty of~~
19 ~~administering~~ administer the provisions of this chapter and the rules,
20 regulations, and orders established under this chapter as instructed by the
21 Director of the Department of Arkansas Heritage.

22 ~~(g)(e)~~ The State Historian shall employ such personnel as may be
23 authorized by law and fix their compensation within the limits provided by
24 law, subject in both respects, however, to approval by the ~~commission~~
25 Director of the Department of Arkansas Heritage.

26
27 SECTION 106. Arkansas Code § 13-3-107 is amended to read as follows:

28 13-3-107. Preservation of public officials' records.

29 (a)(1) At his or her discretion, any state, county, or other official
30 is authorized and empowered to turn over to the Arkansas ~~History Commission~~
31 State Archives, for permanent preservation, any official books, records,
32 documents, original papers, and newspaper files not in current use in his or
33 her office.

34 (2) When so surrendered, copies from the state, county, or other
35 official's office shall be made and certified by the ~~secretary of the~~
36 ~~commission~~ Director of the Department of Arkansas Heritage upon the

1 application of any person interested, which certification shall have the
2 force and effect as if made by the officer originally in the custody of them,
3 and for which the same fee shall be charged to be collected in advance.

4 (b)(1) All officers of this state and of its political subdivisions,
5 as requested by the ~~commission~~ Arkansas State Archives, shall make available
6 for copying or photographing such of their records and other materials as the
7 ~~commission shall deem~~ Arkansas State Archives deems advisable for historical
8 purposes.

9 (2) Before destroying or discarding outdated records, other than
10 ephemeral materials, each officer shall advise the ~~commission~~, Arkansas State
11 Archives in writing, of his or her intentions, and records that have a
12 historical value, as determined by the ~~commission~~ director, shall be given to
13 the ~~commission~~ Arkansas State Archives.

14
15 SECTION 107. Arkansas Code § 13-3-108 is amended to read as follows:

16 13-3-108. Preservation of state publications.

17 Two (2) copies of every publication of the State of Arkansas shall be
18 placed at the disposal of the Arkansas ~~History Commission~~ State Archives, and
19 shall be preserved, by photographic or other means, in the archives of the
20 ~~commission~~ Arkansas State Archives.

21
22 SECTION 108. Arkansas Code § 13-3-109 is amended to read as follows:

23 13-3-109. Permanent marker to commemorate B.B. King.

24 The Arkansas ~~History Commission~~ State Archives shall erect a permanent
25 marker in the town of Twist, Arkansas, to commemorate the legendary B.B. King
26 and the event that led to his naming his famous guitar "Lucille" while he was
27 performing there.

28
29 SECTION 109. Arkansas Code § 13-3-201 is amended to read as follows:

30 13-3-201. Purpose.

31 The Black History Commission of Arkansas is created and established at
32 the seat of government of this state for the purpose of:

33 (1) Advising the ~~Arkansas History Commission~~ Director of the
34 Department of Arkansas Heritage with respect to gathering, developing, and
35 keeping the history of a segment of Arkansas society whose history has been
36 overlooked and forgotten and has been simply neglected because of a lack of

1 concern;

2 (2) Collecting materials bearing on the history of black
3 Arkansans from the earliest times;

4 (3) Encouraging historical work and research in the background
5 of black Arkansans to help the young citizens of the state appreciate their
6 heritage; and

7 (4) Performing work in relation to the history of black
8 Arkansans.

9

10 SECTION 110. Arkansas Code § 13-3-203(b)(1), concerning adoption of
11 rules by the Black History Commission of Arkansas, is amended to read as
12 follows:

13 (b)(1) The Black History Commission of Arkansas shall adopt and may
14 modify rules and bylaws for the conduct of its business, subject to the
15 approval of the ~~Arkansas History Commission~~ Director of the Department of
16 Arkansas Heritage.

17

18 SECTION 111. Arkansas Code § 13-3-204(a), concerning the function,
19 power, and duty of the Black History Commission of Arkansas, is amended to
20 read as follows:

21 (a) It shall be the function, power, and duty of the Black History
22 Commission of Arkansas to assist the Arkansas History Commission and the
23 Arkansas State Archives to:

24 (1) Collect, classify, and preserve, through the making of
25 photographic copies or by other means, records, manuscripts, maps, diaries,
26 letters, war service records, journals, and papers of historical value,
27 pertaining to the black race in Arkansas and black Arkansans;

28 (2) Collect and preserve portraits, photographs, sketches,
29 drawings, and other likenesses of eminent black Arkansans and historic
30 places, houses, buildings, and scenes involving the black race in Arkansas;

31 (3) Select and publish any papers, research, and other source
32 material on the contribution of the black race in Arkansas history which it
33 shall deem appropriate and funds will permit;

34 (4) Build up and maintain a reference library of the source
35 material on the black race in Arkansas history; and

36 (5) Cooperate with, and receive the cooperation of, any

1 historical associations or any black historical associations and other
2 nonprofit organizations devoted to the history or the black history of this
3 state.

4
5 SECTION 112. Arkansas Code § 13-3-205(b), concerning the location of
6 the offices of the Black History Commission of Arkansas, is amended to read
7 as follows:

8 (b) The offices of the Black History Commission of Arkansas and the
9 archives of its records shall be located with ~~those~~ the records of the
10 Arkansas ~~History Commission~~ State Archives.

11
12 SECTION 113. Arkansas Code § 13-4-203(b)(4), concerning
13 representatives on the Records Retention Committee, is amended to read as
14 follows:

15 (4) The Arkansas ~~History Commission~~ State Archives;

16
17 SECTION 114. Arkansas Code § 13-4-204(a), concerning destruction of
18 original records, is amended to read as follows:

19 (a) When any document is recorded by the means prescribed by § 13-4-
20 201, the paper original may be destroyed unless the document is over fifty
21 (50) years old and handwritten or has been determined to be of historical
22 value by the Arkansas ~~History Commission~~ State Archives.

23
24 SECTION 115. Arkansas Code § 13-4-301(a)(2)(B), concerning retention
25 of records over fifty (50) years old, is amended to read as follows:

26 (B) No record of any kind over fifty (50) years old will
27 be destroyed before written notice by the custodian of the records in
28 question has been furnished to the Arkansas ~~History Commission~~ State
29 Archives, describing the scope and nature of the records, at least sixty (60)
30 days prior to the destruction of the records.

31
32 SECTION 116. Arkansas Code § 13-4-401(a)(2)(B), concerning retention
33 of records over fifty (50) years old, is amended to read as follows:

34 (B) Any record over fifty (50) years old will not be
35 destroyed before written notice by the custodian of the records in question
36 has been furnished to the Arkansas ~~History Commission~~ State Archives,

1 describing the scope and nature of the records, at least sixty (60) days
2 before the destruction of the records.

3
4 SECTION 117. Arkansas Code § 13-5-503(6), concerning powers and duties
5 of county museum commissions, is amended to read as follows:

6 (6) To enter into agreements with the ~~Arkansas History~~
7 ~~Commission, the~~ Department of Arkansas Heritage, and other public and private
8 agencies or persons, for the purpose of sharing services and facilities, with
9 the view that the historical and cultural resources of this state may be
10 coordinated at the county and state levels for the benefit of the public of
11 this state;

12
13 SECTION 118. Arkansas Code § 13-7-103 is amended to read as follows:
14 13-7-103. Construction.

15 Nothing in this subchapter shall be construed to repeal or diminish any
16 of the powers, functions, or responsibilities of the ~~Arkansas History~~
17 ~~Commission~~ Department of Arkansas Heritage, the State Parks, Recreation, and
18 Travel Commission, the Old State House Commission, and the Arkansas
19 Archeological Survey, as prescribed by law.

20
21 SECTION 119. Arkansas Code § 13-7-106(a)(9), concerning powers and
22 duties of the Arkansas Historic Preservation Program, is amended to read as
23 follows:

24 (9) To enlist the cooperation and assistance of the Old State
25 House Commission, the Arkansas ~~History Commission~~ State Archives, the State
26 Parks, Recreation, and Travel Commission, and all other agencies for
27 historical, architectural, and cultural purposes, to the end that all
28 activities shall be developed in accordance with the plan as contemplated by
29 this subchapter and 54 U.S.C. § 302301 et seq., and in accordance with
30 existing state laws pertaining to the duties and responsibilities of each of
31 the agencies indicated in this subdivision (a)(9);

32
33 SECTION 120. Arkansas Code § 13-13-102 is amended to read as follows:
34 13-13-102. Members.

35 (a) The Arkansas Civil War Sesquicentennial Commission shall consist
36 of ~~sixteen (16)~~ fifteen (15) members. The members shall elect a chair from

1 ~~among the commission members~~ the membership every four (4) years.

2 (b)(1) The Governor shall appoint four (4) members to serve four-year
3 terms.

4 (2) The Speaker of the House of Representatives and the
5 President Pro Tempore of the Senate each shall appoint two (2) members to
6 serve four-year terms.

7 (c)(1) These persons shall be residents of Arkansas who are recognized
8 as being learned and interested in the history and the archeology of this
9 state and who have demonstrated an interest in preserving the cultural
10 resources of the state.

11 (2) These persons also shall have a background in:

- 12 (A) Arkansas history;
- 13 (B) African-American history; or
- 14 (C) Civil War history.

15 (3)(A) Persons initially appointed by the Governor shall serve
16 two-year terms. Persons initially appointed by the Speaker of the House of
17 Representatives shall serve three-year terms and persons initially appointed
18 by the President Pro Tempore of the Senate shall serve four-year terms.

- 19 (B) Subsequent appointees shall serve four-year terms.
- 20 (C) Members may be reappointed.

21 (4) The remaining Arkansas Civil War Sesquicentennial Commission
22 membership shall consist of the following persons or their designees:

- 23 (A) Director of the Department of Arkansas Heritage;
- 24 (B) Director of the Department of Arkansas Parks and
25 Tourism;

26 ~~(C) Director of the Arkansas History Commission;~~

27 ~~(D) Director of the Old State House Museum;~~

28 ~~(E)~~(D) President of the Arkansas Historical Association;

29 ~~(F)~~(E) Director of the Arkansas State Library;

30 ~~(G)~~(F) Chair of the Martin Luther King, Jr. Commission;

31 and

32 ~~(H)~~(G) President of the Arkansas Civil War Heritage Trails
33 Foundation.

34 (5) The following persons shall serve in an advisory capacity:

- 35 (A) President of the Sons of Confederate Veterans;
- 36 (B) President of the United Daughters of the Confederacy;

1 (C) Superintendent of the Pea Ridge National Military
2 Park; and

3 (D) President of the Sons of Union Veterans of the Civil
4 War.

5 (d) Members of the Arkansas Civil War Sesquicentennial Commission
6 shall serve without pay but may receive reimbursement in accordance with §
7 25-16-902.

8
9 SECTION 121. Arkansas Code § 13-14-105(a), concerning studies of
10 prospective heritage trails, is amended to read as follows:

11 (a) The Department of Parks and Tourism, in consultation with the
12 Arkansas ~~History Commission~~ State Archives, the Arkansas Historic
13 Preservation Program, and the Arkansas State Highway and Transportation
14 Department, shall conduct studies to determine the feasibility of designating
15 additional trails as heritage trails.

16
17 SECTION 122. Arkansas Code § 14-39-102(b), concerning records of
18 revocation of a charter of an incorporated town or city of the second class
19 due to inactivity, is amended to read as follows:

20 (b) When the county court revokes the charter of any incorporated town
21 or city of the second class, the court shall order the clerk of the court to
22 make out and certify under the official seal of the clerk, a transcript of
23 the order, which the clerk shall forward to the Secretary of State, to be
24 kept on file in the office of the Secretary of State. The clerk shall also
25 forward a copy to the Arkansas ~~History Commission~~ State Archives.

26
27 SECTION 123. Arkansas Code § 19-4-906(a)(021), concerning motor
28 vehicle restrictions and authorizations, is amended to read as follows:

29 (021) Arkansas ~~History Commission~~ State Archives, ~~Department of~~
30 ~~Parks and Tourism~~ 3

31
32 SECTION 124. Arkansas Code § 19-5-302(3)(A), concerning the Parks and
33 Tourism Fund Account, is amended to read as follows:

34 (3)(A) Parks and Tourism Fund Account. The Parks and Tourism
35 Fund Account shall be used for the maintenance, operation, and improvement
36 required by the Department of Parks and Tourism as created by § 25-13-101, or

1 other duties imposed by law upon the Department of Parks and Tourism, the
2 State Parks, Recreation, and Travel Commission, the Prairie Grove Battlefield
3 State Park Advisory Commission, ~~the Arkansas History Commission,~~ or upon any
4 state park of Arkansas.

5
6 SECTION 125. Arkansas Code § 25-3-103 is repealed.

7 ~~25-3-103. Transfers into department.~~

8 ~~(a)(1) When any program or agency, or part thereof, is transferred to~~
9 ~~the Department of Arkansas Heritage, that program or agency, or part thereof,~~
10 ~~shall be administered under the direction and supervision of the department~~
11 ~~but shall retain exactly the same described statutory power, authority,~~
12 ~~duties, and functions.~~

13 ~~(2) The members, and their successors, of any statutory board or~~
14 ~~commission so transferred shall continue to be selected in the manner and~~
15 ~~serve for the terms now provided by the statutes applicable to such boards or~~
16 ~~commissions as those statutes may from time to time in the future be amended.~~

17 ~~(b) Notwithstanding subsection (a) of this section, all budgeting,~~
18 ~~purchasing, and related management functions of any transferred program or~~
19 ~~agency, or part thereof, shall be performed under the direction and~~
20 ~~supervision of the Director of the Department of Arkansas Heritage.~~

21
22 SECTION 126. DO NOT CODIFY. (a) Except as provided in this section,
23 provisions of this act altering the appointment structure of a task force,
24 commission, committee, or other governmental entity shall not shorten the
25 term of any member of the task force, commission, committee, or other
26 governmental entity but shall be implemented by the filling of vacancies.

27 (b) The Governor may remove a member of the Arkansas Governor's
28 Mansion Commission who was appointed to the commission before the effective
29 date of Section 85 of this act.

30
31 SECTION 127. DO NOT CODIFY. Sections of the Arkansas Code amended by
32 this act that expire on or before September 30, 2017, may be removed from the
33 Arkansas Code by the Arkansas Code Revision Commission after their respective
34 expiration date.

35
36 SECTION 128. DO NOT CODIFY. Sections 93 - 125 of this act shall

1 become effective on July 1, 2016.

2
3 SECTION 129. EMERGENCY CLAUSE. It is found and determined by the
4 General Assembly of the State of Arkansas that this act revises the
5 membership and duties of certain agencies, task forces, committees, and
6 commissions and repeals other governmental entities; that these revisions and
7 repeals of governmental entities impact the expenses and operations of state
8 government; and that the provisions of this act should become effective as
9 soon as possible to allow for implementation of the new provisions in advance
10 of the upcoming fiscal year. Therefore, an emergency is declared to exist,
11 and this act being immediately necessary for the preservation of the public
12 peace, health, and safety shall become effective on:

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

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

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

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21 APPROVED: 05/23/2016
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