

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 2082

By: Representative Lea

For An Act To Be Entitled

AN ACT TO ALTER THE DATES OF THE REGULAR SESSION AND FISCAL SESSION SO THAT REGULAR SESSIONS OCCUR IN EVEN-NUMBERED YEARS AND FISCAL SESSIONS OCCUR IN ODD-NUMBERED YEARS AS AUTHORIZED BY ARTICLE 5, SECTION 5, OF THE ARKANSAS CONSTITUTION; TO AMEND PROVISIONS OF ARKANSAS LAW RESULTING FROM INITIATED ACT 4 OF 1948 AND INITIATED ACT 1 OF 1956; AND FOR OTHER PURPOSES.

Subtitle

ALTERING THE REGULAR SESSION AND FISCAL SESSION SO THAT REGULAR SESSIONS OCCUR IN EVEN-NUMBERED YEARS AND FISCAL SESSIONS OCCUR IN ODD-NUMBERED YEARS AS AUTHORIZED BY ARTICLE 5, SECTION 5, OF THE ARKANSAS CONSTITUTION.

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

SECTION 1. Arkansas Code § 10-2-101 is amended to read as follows:

10-2-101. Time for meeting.

(a)~~(1)~~ The General Assembly shall meet in regular session at 12:00 noon on the second Monday in January in each ~~odd-numbered~~ even-numbered year.

~~(2)(A) However, in any odd-numbered year following the election of a nonincumbent governor, the General Assembly upon convening at 12:00 noon on the second Monday in January may remain in session only for such time not to exceed two (2) days as is necessary to open and publish the votes for various constitutional offices, to swear in the state constitutional officers~~



~~and members of the General Assembly, to organize and select officers, and to otherwise prepare for the regular session.~~

~~(B) The General Assembly may then stand in recess for a period not to exceed thirty (30) days.~~

(b)(1) The General Assembly shall meet in a fiscal session at 12:00 noon on the second Monday in February of each ~~even-numbered~~ odd-numbered year ~~to;~~

(A) To consider appropriation bills; and

(B) In an odd-numbered year following the election of a governor, to:

(i) Open and publish the votes for various constitutional offices;

(ii) Swear in the state constitutional officers and members of the General Assembly; and

(iii) Organize and select officers.

(2) A bill other than an appropriation bill may be considered in a fiscal session if two-thirds (2/3) of the members of each house of the General Assembly approve consideration of the nonappropriation bill.

SECTION 2. Arkansas Code § 6-20-2305(b)(4)(E)(i), concerning reports on the impact of national school lunch student categorical funding, is amended to read as follows:

(E)(i) The Department of Education shall provide a report on the impact of national school lunch student categorical funding provided under this subdivision (b)(4) on closing the achievement gap to the House Committee on Education and the Senate Committee on Education by May 31 each ~~even-numbered year~~ odd-numbered year, beginning in 2010.

SECTION 3. Arkansas Code § 6-21-112(f)(16), concerning the duties of the Division of Public School Academic Facilities and Transportation, is amended to read as follows:

(16) Report by October 1 of each ~~even-numbered~~ odd-numbered year to the Governor, the House Committee on Education, the Senate Committee on Education, and the Academic Facilities Oversight Committee on the state academic facilities master plan;

SECTION 4. Arkansas Code § 6-60-703(b)(2), concerning the Comprehensive Arkansas Higher Education Annual Report Act, is amended to read as follows:

- (2) Biennially, each ~~even-numbered~~ odd-numbered year:
- (A) Changes to Productivity Enhancement for Undergraduate Higher Education Program plans, § 6-61-1311;
 - (B) Uniform reporting standards, § 6-61-222;
 - (C) Changes to affirmative action program plans, § 6-63-103; and
 - (D) Economic development goals and educational efforts, § 6-61-207; and

SECTION 5. Arkansas Code § 6-61-222(b)(3), concerning uniform reporting standards established by the Arkansas Higher Education Coordinating Board, is amended to read as follows:

- (3) The board shall review the institutional reports and submit them to the House Interim Committee on Education and the Senate Interim Committee on Education by January 15 of each ~~odd-numbered~~ even-numbered year.

SECTION 6. Arkansas Code § 6-61-1311(4), concerning the duties of the Arkansas Higher Education Coordinating Board, is amended to read as follows:

- (4) Report on the status of the program, including recommendations for any changes to the program, to the Legislative Council, the House Interim Committee on Education, and the Senate Interim Committee on Education no later than December 1 of each ~~even-numbered~~ odd-numbered year, ~~beginning on December 1, 2008.~~

SECTION 7. Arkansas Code § 6-81-719 is amended to read as follows:

6-81-719. Tracking loan contract compliance.

The College of Medicine of the University of Arkansas for Medical Sciences shall track graduates who were recipients of rural medical practice loans for the length of their contractual obligations and shall report to the Legislative Council by October 1 of each ~~even-numbered~~ odd-numbered year regarding the compliance of those graduates with the terms of their contracts.

SECTION 8. Arkansas Code § 11-9-519(g)(2), concerning the impairment rating guide used in the assessment of anatomical impairment, is amended to read as follows:

(2) The impairment rating guide adopted by the commission shall be subject to review by the General Assembly before April 1 of every ~~odd-numbered~~ even-numbered year ~~beginning with the regular session of 1999.~~

SECTION 9. Arkansas Code § 11-9-521(h)(2), concerning the impairment rating guide to be used in the assessment of anatomical impairment, is amended to read as follows:

(2) The impairment rating guide adopted by the commission shall be subject to review by the General Assembly before April 1 of every ~~odd-numbered~~ even-numbered year ~~beginning with the regular session of 1999.~~

SECTION 10. Arkansas Code § 11-9-522(g)(2), concerning the impairment guide used in the assessment of anatomical impairment, is amended to read as follows:

(2) The impairment rating guide adopted by the commission shall be subject to review by the General Assembly before April 1 of every ~~odd-numbered~~ even-numbered year ~~beginning with the regular session of 1999.~~

SECTION 11. Arkansas Code § 14-272-104 is amended to read as follows:
14-272-104. Biennial reports.

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

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

Development.

SECTION 12. Arkansas Code § 15-3-206 is amended to read as follows:
15-3-206. Reporting.

The Arkansas Science and Technology Authority shall present to the

Governor's office and the General Assembly a report on the investment from the Arkansas Research Matching Fund by April 1 of each ~~even-numbered~~ odd-numbered year.

SECTION 13. Arkansas Code § 15-41-209(e)(1), concerning fines, fees, and costs of the Arkansas State Game and Fish Commission, is amended to read as follows:

(e)(1) The commission shall file a written report no later than October 1 of each ~~even-numbered~~ odd-numbered year with the Legislative Council and the Joint Budget Committee indicating the amount of fines deposited into the fund during the prior two (2) fiscal years and the amount of those funds transferred to the department under subsection (d) of this section.

SECTION 14. Arkansas Code § 16-10-501(c), concerning the development of criteria for new judgeships or redistricting, is amended to read as follows:

(c) The council shall meet on or before November 1 of each ~~even-numbered~~ odd-numbered year to finalize criteria for establishing additional judgeships or redistricting during the next regular session of the General Assembly.

SECTION 15. The introductory language of Arkansas Code § 19-4-304(a), concerning regular and fiscal session preparations, is amended to read as follows:

(a) Immediately after July 1 of each ~~even-numbered~~ odd-numbered calendar year, or earlier if determined necessary, the Director of the Department of Finance and Administration shall:

SECTION 16. Arkansas Code § 19-5-106(f)(3), concerning reports on the status of inactive funds, is amended to read as follows:

(3) The Chief Fiscal Officer of the State shall report to the Legislative Council and the Joint Budget Committee, during the month of November of each ~~even-numbered~~ odd-numbered year, the status of all inactive funds, along with his or her recommendation as to the disposition of such funds and balances maintained in them.

SECTION 17. Arkansas Code § 20-47-505(b)(6), concerning the duties of the Child and Adolescent Service System Program Coordinating Council, is amended to read as follows:

(6) Submit a statewide plan and budget recommendations to the ~~directors~~ commissioner and the director on or before March 15 of each ~~even-numbered~~ odd-numbered year thereafter preceding the legislative session;

SECTION 18. Arkansas Code § 20-47-506(f)(3), concerning the duties of the Regional Child and Adolescent Service System Program Coordinating Council planning teams, is amended to read as follows:

(3) Submit a regional plan and guidelines for interagency service delivery teams to the coordinating council on or before February 15 of each ~~even-numbered~~ odd-numbered year preceding the legislative session;

SECTION 19. Arkansas Code § 20-64-911(c)(2)(B), concerning the findings and recommendations of the Task Force on Substance Abuse Treatment Services, is amended to read as follows:

(B) The report shall be submitted no later than October 1 of each ~~even-numbered~~ odd-numbered year.

SECTION 20. Arkansas Code § 24-11-209(h)(2), concerning the report of the Arkansas Fire and Police Pension Review Board, is amended to read as follows:

(2) The report shall be due by December 31 of each ~~even-numbered~~ odd-numbered year.

SECTION 21. Arkansas Code § 25-1-106 is amended to read as follows:

25-1-106. Evaluation of necessity of various commissions and boards.

(a) Any part-time state board or commission that has not convened a meeting or has convened without a quorum for two (2) consecutive, regularly scheduled meeting dates within a two-year period shall vote to elect a new chair and vice chair.

(b)(1) If a part-time state board or commission has not convened a regularly scheduled meeting or has convened without a quorum for four (4) consecutive, regularly scheduled meeting dates within a two-year period, the

Joint Performance Review Committee shall reevaluate the purpose, need, and effectiveness of the board or commission.

(2) The Joint Performance Review Committee shall report its findings and any recommendations concerning the existence of the board or commission to the Legislative Council no later than December 1 of each ~~even-numbered~~ odd-numbered year and shall draft legislation to implement the recommendations.

(c) No later than August 1 of each ~~even-numbered~~ odd-numbered year, each part-time board and commission shall provide the committee with a list of the regularly scheduled meeting dates for the board or commission for the previous two (2) fiscal years, including the attendance record of each member and the number of meetings that were convened.

SECTION 22. Arkansas Code § 25-4-120 is amended to read as follows:

25-4-120. Revisions to budget, purchasing, and personnel process.

(a)(1) Prior to June 30 of each ~~even-numbered~~ odd-numbered year, the Legislative Council shall conduct a review of the state budget, purchasing, and personnel process used by state agencies regarding information technology.

(2) The Legislative Council shall prepare recommendations for changes in the information technology budget process for utilization in the development of state agency budgets for the next biennial budget cycle.

(b) All agencies of the executive branch shall cooperate fully with the Legislative Council to accomplish the purposes of this section.

(c) The Department of Information Systems shall make recommendations regarding revisions to the state budget, purchasing, and personnel process related to information technology to the Legislative Council by March 1 of each ~~even-numbered~~ odd-numbered year.