

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

State of Arkansas
93rd General Assembly
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As Engrossed: H3/29/21 H3/30/21

A Bill

HOUSE BILL 1726

By: Representatives Shepherd, Wardlaw, Barker, Fielding, Womack, Bragg, McClure, M. McElroy
By: Senators T. Garner, Gilmore, Beckham, A. Clark

For An Act To Be Entitled

AN ACT TO TRANSFER THE OUACHITA RIVER COMMISSION FROM
THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF
*PARKS, HERITAGE, AND TOURISM; TO DECLARE AN
EMERGENCY; AND FOR OTHER PURPOSES.*

Subtitle

*TO TRANSFER THE OUACHITA RIVER COMMISSION
FROM THE DEPARTMENT OF AGRICULTURE TO THE
DEPARTMENT OF PARKS, HERITAGE, AND
TOURISM; AND TO DECLARE AN EMERGENCY.*

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

SECTION 1. Arkansas Code § 15-23-804(f), concerning members of the Ouachita River Commission, is amended to read as follows:

(f) Members of the Ouachita River Commission shall receive no pay for their services, but whenever the General Assembly shall have appropriated funds to the Ouachita River Waterways Project Trust Fund administered by the ~~Arkansas Natural Resources Commission through the Department of Agriculture~~ Department of Parks, Heritage, and Tourism, they may, upon proper application to the ~~Arkansas Natural Resources Commission~~ department, be reimbursed for expenses in accordance with § 25-16-902.

SECTION 2. Arkansas Code § 25-38-202(b)(3)(A)(ii)(q), concerning the creation of the Department of Agriculture and appointment of the Secretary of the Department of Agriculture, is repealed.



~~(q) — Ouachita River Commission;~~

SECTION 3. Arkansas Code § 25-38-206(a)(19), concerning the transfer of personnel, administrative functions, human resources, and accounting offices to the Department of Agriculture, is repealed.

~~(19) — The Ouachita River Commission;~~

SECTION 4. Arkansas Code § 25-43-202(a)(19), concerning state entities transferred to the Department of Agriculture, is repealed.

~~(19) — The Ouachita River Commission, created under § 15-23-803;~~

SECTION 5. Arkansas Code § 25-43-1302(a), concerning state entities transferred to the Department of Parks, Heritage, and Tourism, is amended to add an additional subdivision to read as follows:

(22) The Ouachita River Commission, created under § 15-23-803.

SECTION 6. DO NOT CODIFY. Transfer of Ouachita River Commission from Department of Agriculture to Department of Parks, Heritage, and Tourism.

(a) The Ouachita River Commission is transferred from the Department of Agriculture to the Department of Parks, Heritage, and Tourism.

(b) The administrative functions of the commission are transferred by a cabinet-level department transfer under § 25-43-1302 from the Department of Agriculture to the Department of Parks, Heritage, and Tourism.

(c) The statutory authority, powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting or purchasing of the commission, are transferred to the Department of Parks, Heritage, and Tourism.

(d)(1) The transfer of the commission does not affect the orders, rules, regulations, directives, or standards made or promulgated by the commission before the effective date of this act.

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

(e) The members of the commission, and their successors, shall continue to be selected in the manner and serve for the terms provided by the

statutes applicable to the commission.

(f) The Department of Agriculture shall grant access to and provide all information requested by the Department of Parks, Heritage, and Tourism to accomplish transfer of the commission and the mission of the commission.

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Ouachita River Commission preserves the public peace, health, and safety by studying, planning, and implementing needed improvements and projects to and along the main stem of the Ouachita River; that this act provides for the transfer of the Ouachita River Commission to the Department of Parks, Heritage, and Tourism; and that this act should become effective on July 1, 2021, to coincide with the appropriation bills of the Department of Agriculture and Department of Parks, Heritage, and Tourism and ensure that the Ouachita River Commission continues to provide its vital services as the transfer is implemented and does not experience any issues with funding under the transfer. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2021.

/s/Shepherd