

10-99-905. Acts 1983, No. 764.

SECTION 1. PURPOSE. In the passage of this Act, the General Assembly is cognizant of the intent of Section 5 of Act 100 of 1977 and Section 3 of Act 883 of 1981, which provided for the termination of a number of state agencies on June 30, 1983 unless studies of said state agencies by joint interim committees of the General Assembly, who were assigned in said Acts to make "Sunset reviews" of said agencies, determine that the continuation of certain of said state agencies is in the public interest. During the interim between the adoption of Act 100 of 1977, and Act 883 of 1981, and the convening of the 1983 Regular Session of the General Assembly, the respective joint interim committees of the General Assembly have made studies and review of the purposes, activities, justifications, and needs for each of the state agencies enumerated in Section 5 of Act 100 of 1977, Section 3 of Act 883 of 1981, and have recommended the continuation of a number of said state agencies in their present form. It is, therefore, the purpose of this Act to provide for the continuation of certain state agencies, subsequent to June 30, 1981, and to provide that the provisions of Section 5 of Act 100 of 1977, and Section 3 of Act 883 of 1981, which would have provided for the termination of the state agencies enumerated herein on June 30, 1983, shall be of no effect, and that said state agencies be continued in their present form and under their present names, and such state agencies or their successor agencies shall continue to function the same as if the provisions of Act 100 of 1977 and Section 3 of Act 883 of 1981, which provided for the termination of the state agencies enumerated herein, had never been enacted.

SECTION 2. The following state agencies, which under the provisions of Section 5 of Act 100 of 1977 or Section 3 of Act 883 of 1981, were scheduled to terminate on June 30, 1983, are hereby continued in their present form and under their present names, and said state agencies, or their successor agencies, shall continue to function and shall perform the respective powers, functions, and duties assigned to them by law from and after June 30, 1983, the same as they would have functioned if Act 100 of 1977 and Section 3 of Act 883 of 1981 had never been enacted:

(1) the Advisory Council for Vocational-Technical Education, created by Section 1 of Act 483 of 1973, the same being Arkansas Statutes 80-2570;

(2) the Advisory Committee of the State Board of Education, created by Section 3 of Act 416 of 1965, as amended, the same being Arkansas Statutes 80-4302;

(3) the Quapaw Vocational-Technical School; the Pines Vocational-Technical School; the Rich Mountain Vocational-Technical School; the Southwest Vocational-Technical School; the Twin Lakes Vocational-Technical School; the White River Vocational-Technical School; the Northwest Vocational-Technical School; the Gateway Vocational-Technical School; the Petit Jean Vocational-Technical School; the Ozarka Vocational-Technical School; the Ouachita Vocational-Technical School; the Oil Belt Vocational-Technical School; the Little Rock Vocational-Technical School; the Great Rivers Vocational-Technical School; the Forest Echoes Vocational-Technical School; the Arkansas Valley Vocational-Technical School; the Black River Vocational-Technical School; the Cossatot Vocational-Technical School; the Cotton Boll Vocational-Technical School; the Crowley's Ridge Vocational-Technical School; the Delta Vocational-Technical School; the Foothills Vocational-Technical School; the Rice Belt Vocational-Technical School; and the Red River Vocational-Technical School, as authorized by Section 3 of Act 328 of 1957, as amended, the same being Arkansas Statutes 80-2559;

(4) the Westark Community College and the Phillips County Community College, authorized by Section 5 of Act 103 of 1973, as amended, the same being Arkansas Statutes 80-4205;

(5) the Advisory Council for Education of the Handicapped, created by Section 15 of Act 102 of 1973, as amended, the same being Arkansas Statutes 80-2129;

(6) the Arkansas Post-Secondary Education Planning Commission, created by Section 1 of Act 926 of 1975, the same being Arkansas Statutes 80-3349.1;

(7) the Department of Social and Rehabilitative Services, created by Section 12 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-912;

(8) the Division of Social Services of the Department of Social and Rehabilitative Services, created by Section 12 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-912;

(9) the State Hospital Board, created by Section 1 of Act 433 of 1971, the same being Arkansas Statutes 59-201, which was transferred to the Department of Social and Rehabilitative Services by Section 12 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-912;

(10) the Arkansas Children's Colony Board, created by Section 2 of Act 6 of 1955, the same being Arkansas Statutes 59-1102, and the Arkansas Children's Colony at Conway, McRae, Arkadelphia, Jonesboro, Booneville, and Warren, created pursuant to Section 1 of Act 186 of 1963, the same being Arkansas Statutes 59-1117, which were transferred to the Department of Social and Rehabilitative Services by Section 12 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-912;

(11) the Arkansas Department of Mental Retardation and the Arkansas Board of Mental Retardation, created by Section 2 of Act 265 of 1969, the same being Arkansas Statutes 59-1002, which were transferred to the Department of Social and Rehabilitative Services by Section 12 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-912;

(12) the Division of Rehabilitation of the Department of Social and Rehabilitative Services, created by Section 12 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-912;

(13) the State Department of Public Welfare, and Board of Public Welfare, created by Section 2 of Act 280 of 1939, as amended, the same being Arkansas Statutes 83-102, which were transferred to the Department of Social and Rehabilitative Services by Section 12 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-912;

(14) the Rehabilitation Service, created by Section 5 of Act 43 of 1955, as amended, the same being Arkansas Statutes 80-2544, and the Rehabilitation Services for the Blind, created by Section 1 of Act 180 of 1965, as amended, the same being Arkansas Statutes 80-2566, which were transferred to the Department of Social and Rehabilitative Services by Section 12 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-912;

(15) the Arkansas Juvenile Training School Department, and the Arkansas Juvenile Training School Board, created by Section 2 of Act 20 of 1968 (First Extraordinary Session), the same being Arkansas Statutes 46-302, which were transferred to the Department of Social and Rehabilitative Services by Section 12 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-912;

(16) the Division of Mental Retardation and Developmental Disabilities Services of the Department of Social and Rehabilitative Services, created by Section 2 of Act 340 of 1975, the same being Arkansas Statutes 5-912.2;

(17) the State Board of Health, created by Section 1 of Act 96 of 1913, as amended, the same being Arkansas Statutes 82-101, which was transferred to the Department of Health by Section 11 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-911;

(18) the State Medical Examiner Commission, created by Section 1 of Act 321 of 1969, the same being Arkansas Statutes 42-611;

(19) the Board of Massage, created by Section 6 of Act 180 of 1951, the same being Arkansas Statutes 72-1205;

(20) the Radiation Control Agency, created by Section 4 of Act 8 of 1961 (Second Extraordinary Session), as amended, the same being Arkansas Statutes 82-1515;

(21) the Board of Examiners in Speech Pathology and Audiology, created by Section 4 of Act 277 of 1975, the same being Arkansas Statutes 72-1803;

(22) the Medical Services Advisory Commission, created by Section 1 of Act 372 of 1965, the same being Arkansas Statutes 7-601;

(23) the Mobile Home Commission, created by Section 14 of Act 510 of 1973, as amended, the same being Arkansas Statutes 82-3014;

(24) the Employment Security Advisory Council, created by Section 11 of Act 391 of 1941, as amended, the same being Arkansas Statutes 81-1114;

(25) the State Board of Cosmetology, created by Section 2 of Article 1 of Act 358 of 1955, as amended, the same being Arkansas Statutes 71-815;

(26) the Social Work Registration Board, created by Section 2 of Act 899 of 1975, the same being Arkansas Statutes 71-2801;

(27) the Barber Examiners' Board, created by Section 15 of Act 313 of 1937, as amended, the same being Arkansas Statutes 71-515; and

(28) the State Board of Nursing, created by Section 3 of Act 432 of 1971, the same being Arkansas Statutes 72-747;

(29) the Plumber Licensing Division of the State Board of Health, created by Section 2 of Act 200 of 1951, as amended, the same being Arkansas Statutes 71-1206;

(30) the Plumbers Committee of Examiners created by Section 3 of Act 200 of 1951, as amended, the same being Arkansas Statutes 71-1207;

(31) the Arkansas Rural Medical Practice Student Loan and Scholarship Board, created by Section 1 of Act 131 of 1949, as amended, the same being Arkansas Statutes 80-2908; and

(32) the Committee on Water Well Construction, created by Section 5 of Act 641 of 1969, the same being Arkansas Statutes 21-2005;

(33) the Department of Commerce, created by Section 16 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-916;

(34) the Division of Finance of the Department of Commerce, created by Section 16 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-916;

(35) the State Energy Office, created by Executive Order 73-11;

(36) the Division of Land Surveys of the State Land Commission, created by Section 1 of Act 458 of 1973, the same being Arkansas Statutes 10-1301; which was transferred to the Department of Commerce by Section 1 of Act 579 of 1975, the same being Arkansas Statutes 10-1313;

(37) the Interstate Oil Compact Commission, created by Section 2 of Act 86 of 1941, as amended, the same being Arkansas Statutes 53-802;

(38) the Land Survey Advisory Board, created by Section 4 of Act 458 of 1973, the same being Arkansas Statutes 10-1304;

(39) the Department of Industrial Development, created by Section 6 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-906;

(40) the Overseas Program of the Department of Industrial Development, created by Section 2 of Act 1015 of 1975 (1976 Extended Session), the same being Arkansas Statutes 9-513.1;

(41) the Arkansas Industrial Development Commission, created by Section 1 of Act 404 of 1975, the same being Arkansas Statutes 9-505;

(42) the Soil and Water Conservation Commission, created by Section 1 of Act 14 of 1963, as amended, the same being Arkansas Statutes 9-118;

(43) the Board of Registration of Professional Soil Classifiers, created by Section 1 of Act 460 of 1975, the same being Arkansas Statutes 71-2701;

(44) the Contractor's Licensing Board, created by Section 2 of Act 150 of 1965, the same being Arkansas Statutes 71-702;

(45) the State Board of Collection Agencies, created by Section 3 of Act 145 of 1965, the same being Arkansas Statutes 71-2003;

(46) the Consumer Advisory Board, created by Section 3 of Act 92 of 1971, the same being Arkansas Statutes 70-903;

(47) the Advisory Committee for Registration of Landscape Architects, created by Section 3 of Act 353 of 1975, the same being Arkansas Statutes 71-2902;

(48) the Arkansas State Board of Architects, created by Section 1 of Act 270 of 1941, as amended, the same being Arkansas Statutes 71-301;

(49) the Abstractors Board of Examiners, created by Section 3 of Act 109 of 1969, the same being Arkansas Statutes 71-101;

(50) the Real Estate Commission, created by Section 3 of Act 148 of 1929, as amended, the same being Arkansas Statutes 71-1303;

(51) the Athletic Commission, created by Section 2 of Act 131 of 1927, the same being Arkansas Statutes 84-2903;

(52) the State Employees' Insurance Advisory Committee, created by Section 1 of Act 48 of 1972 (Extraordinary Session), the same being Arkansas Statutes 12-3101;

(53) the Election Commissioners' Board, created by Section 2 of Article 5 of Act 465 of 1969, the same being Arkansas Statutes 3-502;

(54) the Inhalation Therapy Examination Committee, created by Section 3 of Act 168 of 1969, the same being Arkansas Statutes 72-1603;

(55) the Department of Aeronautics, created by Section 1 of Act 457 of 1941, as amended, the same being Arkansas Statutes 74-102, which was transferred to the Department of Local Services by Section 4 of Act 38 of 1971, as amended, the same being Arkansas Statutes 5-904; and

(56) the Office of Economic Opportunity, which was transferred to the Department of Local Services by Section 1 of Act 278 of 1975, the same being Arkansas Statutes 5-904.

SECTION 3. This Act shall not have the effect of recreating any agency which has been abolished before the effective date of this Act.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the General Assembly that Act 100 of 1977 and Act 883 of 1981 provided for the termination of a number of State agencies and programs to be effective on June 30, 1983, that it was the intention of said Acts that each of said agencies and programs would be reviewed in the interim between the recess and adjournment and the convening of the Seventy-Fourth General Assembly by the Legislative Joint Interim Committees of the General Assembly to evaluate the purposes, duties and accomplishments of said agencies and programs with the view that the General Assembly would take action to continue in their present form those agencies and programs that were needed in the public interests; that other agencies and programs would be reorganized and that other agencies and programs would be allowed to terminate as provided by said Acts; and, as a result of said studies during the interim prior to the convening of the Seventy-Fourth General Assembly recommendations have been made to continue the operations of numerous agencies and programs which were to terminate on June 30, 1983; that the immediate passage of this Act is necessary to continue the various agencies and programs identified in this Act and that said action should be taken prior to June 30, 1983, at which time said agencies would be terminated under the provisions of said Acts, it being the intent of this Act that the agencies and programs defined herein would continue to function in their present form. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: March 24, 1983.
