

**REPORT OF THE
ADMINISTRATIVE RULES AND REGULATIONS SUBCOMMITTEE
OF THE
ARKANSAS LEGISLATIVE COUNCIL**

January 20, 2012

Co-Chairs:

The Subcommittee on Administrative Rules and Regulations met at 1:30 p.m. on Wednesday, January 11, 2012, in Room 171 of the State Capitol. The following committee members attended: Senator Percy Malone, Co-Chair; Senator Randy Laverty, Vice Co-Chair; Senators Jimmy Jeffress and Johnny Key; Representatives Terry Rice, Eddie Cheatham, Toni Bradford, Tommy Lee Baker, Les "Skip" Carnine, Johnnie Roebuck, and Linda Tyler. Other legislators attended as follows: Senators David Wyatt and Larry R. Teague; Representatives Garry L. Smith, Jerry Brown, Bruce Cozart, Tracy Pennartz, and Butch Wilkins.

1. The Subcommittee reviewed the following rules filed pursuant to Ark. Code Ann. § 10-3-309:

RESIDENTIAL BUILDING CONTRACTORS COMMITTEE (Vicki Pickering, Gregory Crow)

- a. Revisions to Rules and Regulations

DEPARTMENT OF FINANCE AND ADMINISTRATION, ARKANSAS RACING COMMISSION (Byron Freeland)

- a. Revisions to Rules and Regulations

ARKANSAS BURIAL ASSOCIATION BOARD (Amy Goode)

- a. Rule 4; Expenses Amendment
- b. Proposed Rule 47; Use of Old Business Surplus Funds

ARKANSAS ECONOMIC DEVELOPMENT COMMISSION, ENERGY OFFICE (Morris Jenkins, Evan Brown)

- a. Arkansas Energy Code for New Building Construction Supplements and Amendments

DEPARTMENT OF FINANCE AND ADMINISTRATION, ALCOHOLIC BEVERAGE CONTROL (Michael Langley, Milton Lueken)

- a. Amendment to Section 2.16(9); Brand Registration in Arkansas

DEPARTMENT OF HEALTH, IMMUNIZATION SECTION (Robert Brech)

- a. Immunization Reporting

DEPARTMENT OF HUMAN SERVICES, FINANCE AND ADMINISTRATION (Jeff Wood)

- a. Policy No. 1078; Americans with Disabilities Act (ADA)

OIL AND GAS COMMISSION (Lawrence Bengal)

- a. General Rule A-5; Enforcement Procedures
- b. General Rule H-1; Class II Disposal and Class II Commercial Disposal Well Permit Application Procedures

ARKANSAS STATE POLICE, HIGHWAY PATROL (Greg Downs, Monty Pride)

- a. Driver's License Testing Fraud Rules

2. The subcommittee referred the following rules to the Senate Interim Committee on Education and the House Interim Committee on Education for further review:

- a. Public Charter Schools
- b. Public School End-of-Course Assessments and Remediation
- c. Issuance of Subpoenas by the Arkansas State Board of Education
- d. Physical Education Course Credit for Organized Physical Activity Courses
- e. Guidelines for the Development, Review and Revision of School District Student Discipline and School Safety Policies
- f. Rules to Establish a School Superintendent Mentoring Program
- g. Rules Governing Instructional Materials

- h. Rules Governing Distance Learning
 - i. Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites
 - j. Repeal of Rules Governing School District Filing Requirements of Personnel Policies dated January 2002
 - k. Repeal of Rule Titled Implementing Ark. Code Ann. §§ 6-17-201(b)(1), 6-17-201(b)(2), 6-17-201(c) and 6-20-319
 - l. Rules Governing the Guidelines, Procedures, and Enforcement of the Arkansas Opportunity Public School Choice Act
 - m. Supplemental Transportation Funds
 - n. Rules Governing the School Worker Defense Program and the School Worker Defense Program Advisory Board
3. **Upon the agency request, the following rule was pulled down:**
- DEPARTMENT OF HUMAN SERVICES, CHILDREN AND FAMILY SERVICES (Christin Harper)**
- a. Revisions to Policy and Publications

Respectfully submitted,

Senator Percy Malone, Co-Chair

Representative James Word, Co-Chair