

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

October 19, 2012

Co-Chairs:

The Subcommittee on Administrative Rules and Regulations met at 10:00 a.m. on Monday, October 15, 2012, in Room 171 of the State Capitol. The following committee members attended: Senator Percy Malone, Co-Chair; Representative James L. Word, Co-Chair; Senators Jack Crumbly, Kim Hendren, and Jimmy Jeffress ; Representatives Terry Rice, Toni Bradford, Les "Skip" Carnine, Tommy Lee Baker, Johnnie Roebuck, Kelley Linck, and Randy Stewart. Other legislators attended as follows: Senators Jonathan Dismang, Bill Sample, David Wyatt, Gilbert Baker, and Eddie Joe Williams; Representatives John Burris, Robert Dale, Henry "Hank" Wilkins IV, Bryan King, Homer Lenderman, Mike Patterson, Garry Smith, Nate Steel, Kim Hammer, and Jeff Wardlaw.

- 1. The subcommittee reviewed the following rules filed pursuant to A. C. A. § 10-3-309:**

ASSESSMENT COORDINATION DEPARTMENT (Debbie Asbury, Monty Davenport)

- a. Rule 3.12; Appraisal Manager to be Named in Reappraisal Plan
- b. Rule 3.20; Progress Reports from Appraisal Manager in ACD
- c. Rule 3.30; Minimum Acceptable Standards for Performance Audits
- d. Rule 3.36; Required Reports
- e. Rule 3.38; Bid Specs for Contracted Reappraisals
- f. Rule 3.39; Bids Required for Contracted Reappraisals
- g. Rule 3.42; Reappraisal Budgets Required
- h. Rule 4.08.2; Definitions Relating to Amendment 79
- i. Rule 4.29; Change in Market Value Between Reappraisals

DEPARTMENT OF CAREER EDUCATION, ARKANSAS REHABILITATION SERVICES (Joe Baxter, Michael Vickers)

- a. The Arkansas Assistive Technology Alternative Financing Program

DEPARTMENT OF COMMUNITY CORRECTION (David Eberhard, DCC; Ray Hobbs ADC; and Benny Magness, Board of Corrections)

- a. Electronic Monitoring after 120 Days Served

DEPARTMENT OF ENVIRONMENTAL QUALITY, AIR DIVISION (Teresa Marks, Mike Bates)

- a. Regulation No. 19; Arkansas Plan of Implementation for Air Pollution Control
- b. Regulation No. 26; Regulations of the Arkansas Operating Air Permit Program

DEPARTMENT OF FINANCE AND ADMINISTRATION, OFFICE OF STATE PROCUREMENT (Jane Benton, Ray Pierce)

- a. Rule 2012-03: Changes to Rules Under the Arkansas Procurement Law

DEPARTMENT OF HEALTH, ENVIRONMENTAL HEALTH/PLUMBING SECTION (Robert Brech)

- a. Revisions to State Plumbing Code

DEPARTMENT OF HEALTH, PHARMACY SERVICES AND DRUG CONTROL (Robert Brech)

- a. List of Controlled Substances

ARKANSAS STATE HIGHWAY COMMISSION (Rita Looney)

- a. Railroad Safety and Obstruction of Public Highways

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Marilyn Strickland)

- a. Section V-5-12 (Form DMS-7708)
- b. SPA #2012-012 and Pharmacy 4-12
- c. Visual Care Update 1-12
- d. SPA #2011-013

- e. State Plan Amendment #2012-008; Provider Preventable Conditions
- f. Rehabilitative Services for Persons with Mental Illness (RSPMI) Update No. 4-12

**DEPARTMENT OF PARKS AND TOURISM, ARKANSAS STATE PARKS
(Greg Butts)**

- a. CY 2013 Arkansas State Parks Fees and Rates

PUBLIC SERVICE COMMISSION (John Bethel)

- a. Rules for Conservation and Energy Efficiency Programs, Section 7

2. The following rules were deferred to the November 5, 2012 Administrative Rules and Regulations Subcommittee meeting:

ASSESSMENT COORDINATION DEPARTMENT (Debbie Asbury, Monty Davenport)

- a. Rule 3.22; Direct Deposits

REAL ESTATE COMMISSION (Gary Isom, Jim Newell, Tina Daniel)

- a. Reg. 3.1 Fees

3. The following rules were deferred to the December 12, 2012 Administrative Rules and Regulations Subcommittee meeting:

**DEPARTMENT OF CAREER EDUCATION, ADULT EDUCATION DIVISION
(Bill Walker, Jim Smith)**

- a. Permanent Proposed Funding Rule 2012-2013
- b. Permanent Proposed Rule for Adult Education Funding Formula Effective July 1, 2013

4. The following rule was referred to the House Interim Education Committee's Subcommittee on Higher Education with a request that the subcommittee report back to the Administrative Rules and Regulations Subcommittee:

DEPARTMENT OF EDUCATION (Jeremy Lasiter, Shane Broadway)

- a. Concurrent College and High School Credit for Students who have Completed the Eighth Grade

5. **The following rule was referred to the Senate Interim Committee on Education and the House Interim Committee on Education with a request that the committees report back to the Administrative Rules and Regulations Subcommittee.**

**COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES
AND TRANSPORTATION (Mark White, Mike Simmons)**

- a. **Maintenance and Operation of Public School Buses and Physical Examinations of School Bus Drivers**

Respectfully submitted,

Senator Percy Malone, Co-Chair

Representative James Word, Co-Chair