

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

November 15, 2013

Co-Chairs:

The Subcommittee on Administrative Rules and Regulations met at 9:00 a.m. on Wednesday, November 06, 2013, in Room 171 of the State Capitol. The following committee members attended: Senator Johnny Key, Chair; Representative Kelley Linck, Chair; Senators Ronald Caldwell, Jonathan Dismang, Michael Lamoureux, Bruce Maloch, Bobby J. Pierce, and Bill Sample; Representatives Ann Clemmer, Kim Hammer, Lane Jean, Joe Jett, Andrea Lea, Greg Leding, Terry Rice, Jeff Wardlaw, and Butch Wilkins. Other legislators attended as follows: Senators Gary Stubblefield, Jane English, Eddie Joe Williams, Joyce Elliott, and Linda Chesterfield; Representatives Scott Baltz, Mark Biviano, David L. Branscum, Mary Broadway, John Catlett, Harold Copenhaver, Jody Dickinson, Jim Dotson, Deborah Ferguson, Jeremy Gillam, Bill Gossage, John K. Hutchinson, Sheilla Lampkin, Stephanie Malone, Walls McCrary, Henry “Hank” Wilkins IV, Douglas House, Josh Miller, Betty Overbey, Sue Scott, Mary Slinkard, and Wes Wagner.

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

DEPARTMENT OF AGRICULTURE, STATE PLANT BOARD (Mike Thompson, Brandi Reynolds)

- a. Rice Levee Spraying Waiver**

DEPARTMENT OF EDUCATION (Cheryl Reinhart)

- a. Professional Development**
- b. Background Checks and Licensure Revocation**

ARKANSAS ETHICS COMMISSION (Graham Sloan)

- a. Rules on Lobbyist Registration and Reporting**
- b. Rules on Campaign Finance and Disclosure**

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

- a. Rule 2013-2: Changes to Rules under the Arkansas Procurement Law**

**DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Marilyn
Strickland)**

- a. State Plan Amendment #2013-013 and Section 1 5-13; Episode of Care**
- b. State Plan Amendment #2013-007; Rate Increase for Under 16 Bed ICF/IID
Facilities**
- c. RSPMI Update No. 3-13 and Inpatient Psychiatric Services for Under Age 21
Update 1-13**

ARKANSAS STATE POLICE (Captain Lindsey Williams, Lt. Cora Gentry)

- a. Arkansas Concealed Handgun Carry License Rules**
- b. Commercial Driver's License Testing Rules**

ARKANSAS REAL ESTATE COMMISSION (Gary Isom)

- a. Real Estate Education and Fees; Reg. 3.1 and Section 16**
- b. Property Management Recordkeeping; Section 10**
- c. Timeshare Regulations; Section 13**

SECRETARY OF STATE (Shira Kelley, Danielle Fusco, Martha Adcock)

- a. Rules for Electronic Notarial Acts in the State of Arkansas**

**SOUTHWEST CENTRAL REGIONAL SOLID WATER MANAGEMENT
DIVISION**

- a. Administrative Policies and Procedures**

DEPARTMENT OF WORKFORCE SERVICES (Derwin Taylor)

- a. Revised date of TANF State Plan**

- 2. Michelle Davenport with the Arkansas State Highway Department reported that the
rule titled "Restore Sign Visibility Policy" was considered at the Arkansas State
Highway Commission's September 11, 2013 meeting. The policy was amended to**

change the fine of \$10,000 to \$500 per individual offense in accordance with Ark. Code Ann. § 25-15-217. This rule was previously reviewed at the September 11, 2013 meeting of the Subcommittee on Administrative Rules and Regulations with the exception of the \$10,000 fine.

3. The Subcommittee referred the following rules to the Senate and House Interim Committees on Revenue and Taxation with the request that the committees report back to the Administrative Rules and Regulations Subcommittee.

ARKANSAS DEVELOPMENT FINANCE AUTHORITY (Sara Oliver)

- a. Compliance Monitoring Policies and Procedures Manual for the Low Income Housing Tax Credit Program
 - b. Housing Credit Program Qualified Allocation Plan
4. The Subcommittee referred the following rules to the Senate and House Interim Committees on Agriculture, Forestry and Economic Development Committees with the request that the committees report back to the Administrative Rules and Regulations Subcommittee.

LIVESTOCK AND POULTRY COMMISSION (Preston Scoggin, Fred Wiedower)

- a. Laboratory/Regulatory Fee Schedule
5. The Subcommittee referred the following rules to the Senate Interim Committee on Transportation, Technology and Legislative Affairs and the House Interim Committee on Public Transportation with the request that the committees report back to the Administrative Rules and Regulations Subcommittee.

ARKANSAS STATE POLICE (Captain Lindsey Williams, Lt. Cora Gentry)

- a. Non-Commercial Driver's License Testing Rules

Respectfully submitted,

Senator Johnny Key, Chair

Representative Kelley Linck, Chair