

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

November 19, 2010

Mr. Co-Chairmen:

The Administrative Rules and Regulations Subcommittee met on Monday, November 15, 2010 at 10:00 a.m. in Room 171 of the State Capitol. The following members attended: Senator Percy Malone, Co-Chair; and Representative George Overbey and Senator John Paul Capps, Vice Co-Chairs; Senators Steve Faris and Cecile Bledsoe; Representatives Monty Davenport, Ray Kidd, and David Dunn. Other legislators attended as follows: Senator Jim Luker; Representatives Nate Steel, Frank Glidewell, Billy Gaskill, Clark Hall, Garry L. Smith, Eddie Cooper, Jody Dickinson and Curren Everett. Representative-Elect Betty Overbey also attended.

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

DEPARTMENT OF CORRECTION (Bobby G. Smith)

- a. AR 114; Arkansas Correctional Industries
- b. AR 411; Use of Audio-Visual Equipment

ARKANSAS ECONOMIC DEVELOPMENT COMMISSION (Chris Benson)

- a. Energy Efficiency and National Resource Conservation in Public Buildings

DEPARTMENT OF ENVIRONMENTAL QUALITY, AIR DIVISION (Teresa Marks)

- a. Regulation 21; Asbestos Abatement Regulation

DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER DIVISION [Ryan Benefield, Chuck Nestrud (El Dorado Chemical Company)]

- a. Regulation 2; Water Quality Standards Third Party Rulemaking by El Dorado Chemical Company

DEPARTMENT OF HUMAN SERVICES, COUNTY OPERATIONS (Thomas Green)

- a. Low-Income Home Energy Assistance Program State Plan for FFY 2011

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

- a. Chapter 602; DHS Purchasing Authority, Special Provisions

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Jeff Wood)

- a. Official Notice #ON-004-10 - CMS-1500 Replaces DMS-694 for EPSDT Screenings or Services

LAW ENFORCEMENT STANDARDS AND TRAINING (Brian Marshal)

- a. Certification of Law Enforcement Officers
- b. Regulation 1016; Certification of Civil Traffic Wardens

STATE BOARD OF MASSAGE THERAPY (Naomi Hall, Marilyn Graham)

- a. 2010 ASBMT Proposed Rules and Regulations

STATE MEDICAL BOARD (Bill Trice)

- a. Amendment to Regulation 14; Examinations Required for Licensure to Practice Medicine

DEPARTMENT OF PARKS AND TOURISM (Greg Butts, Jon Brown)

- a. Historic Weapons Rules and Regulations (PD 3230)
- b. Historic Weapons Safety Rules for Living History Participants (PD3240)

STATE BOARD OF PHARMACY (John Kirtley)

- a. Regulation 2; Pharmacists
- b. Regulation 4; Pharmacy
- c. Regulation 7; Drug Products/Prescriptions

ARKANSAS STATE POLICE (Ken Stoll, Monty Pride)

- a. Commercial Driver's License Rule 2.8 and 2.9

ARKANSAS PUBLIC DEFENDER COMMISSION (Didi Sallings)

- a. Funding Requests from Arkansas Public Defender Commission

PUBLIC EMPLOYEES RETIREMENT SYSTEM (Jay Wills)

- a. Reg. 105; Appeals from the Executive Director's Determinations to the Board of Trustees
- b. Reg. 220; Termination of Covered Employment Required for Retirement
- c. Reg. 221; Proof Required for Establishing Dependency of a Non-Spouse for Purposes of Designating an Option B Beneficiary
- d. Reg. 411; Purchase of Service Authorized by Section 2 of Act 295 of 2009

ARKANSAS TOBACCO CONTROL (J. R. Thomas, Roland Darrow)

- a. Section 17; Tobacco Forfeiture

2. The following rule was deferred until the December 14, 2010 meeting of the Subcommittee:

STATE BOARD OF OPTOMETRY (Bill Trice)

- a. Time Requirements for Completing the Internship Program for Licensing

Respectfully submitted,

Senator Percy Malone

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Representative Mike Burris

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