

**AGENDA**  
**House Committee on Insurance and Commerce**  
**86th General Assembly**  
**Regular Session, 2007**

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**Wednesday, March 14, 2007**  
**15 MINUTES UPON ADJOURNMENT**  
**Room 149, State Capitol**  
**Little Rock, Arkansas**

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Rep. Sid Rosenbaum, Chair  
Rep. David Wyatt, Vice Chair  
Rep. Keven Anderson  
Rep. Will Bond  
Rep. Susan Schulte  
Rep. Betty Pickett

Rep. Janet Johnson  
Rep. Shirley Walters  
Rep. Chris Thyer  
Rep. Bill Abernathy  
Rep. Mark Martin  
Rep. Allen Maxwell  
Rep. Bruce Maloch

Rep. Willie Hardy  
Rep. Wilhelmina Lewellen  
Rep. David Rainey  
Rep. Otis Davis  
Rep. John Paul Wells  
Rep. David Dunn  
Rep. Frank Glidewell

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**REGULAR AGENDA**

| <b>Number</b> | <b>Sponsor</b> | <b>Subtitle</b>  |
|---------------|----------------|--|
| HB1636        | Bond           | TO GIVE THE ARKANSAS PUBLIC SERVICE COMMISSION JURISDICTION OVER POLE ATTACHMENT AGREEMENTS.   |
| SB23          | Madison        | TO REGULATE THE SELECTION AND USE OF TEXTBOOKS AND COURSE MATERIALS AND TO PROHIBIT CERTAIN SINGLE-USE TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION.                       |
| SB79          | Bisbee         | AN ACT CONCERNING THE REQUIREMENT THAT A RESIDENTIAL BUILDING CONTRACTOR SUBMIT PROOF OF CURRENT WORKERS' COMPENSATION COVERAGE BEFORE RENEWING A LICENSE.   |
| SB357         | Horn           | TO REDUCE THE AMOUNT OF TIME ALLOTTED FOR PRIVATE AUDITS UNDER THE SELF-INSURED FIDELITY BOND PROGRAM.   |
| SB379         | Miller         | TO UPDATE AND MAKE TECHNICAL CORRECTIONS TO THE ARKANSAS INSURANCE CODE, TO CONFORM THE EXAMINATION OF INSURERS AND OTHER MATTERS TO CURRENT INSURANCE PRACTICES, AND TO ADDRESS VARIOUS OTHER INSURANCE ISSUES. |
| SCR13         | Wilkinson      | COMMENDING THE CHARLES E. OSBORN AGENCY, INC., OF GREENWOOD, ARKANSAS, ON CELEBRATING ONE HUNDRED (100) YEARS IN THE INSURANCE BUSINESS.   |
| HB2308        | S. Dobbins     | TO ALLOW SURPLUS MUNICIPAL ELECTRIC UTILITY REVENUES TO BE USED FOR ASSISTANCE TO LOW-INCOME CUSTOMERS.  |
| HB2313        | Saunders       | TO CREATE THE COMMUNITY BANK CAPITALIZATION PROGRAM AND TO PERMIT THE DEPOSIT OF STATE FUNDS IN COMMUNITY BANKS TO HELP PROVIDE THE CAPITALIZATION NEEDED TO INVEST IN LOCAL COMMUNITY DEVELOPMENT PROJECTS.     |
| HB2334        | L. Smith       | TO AMEND 23-18-603 TO ADD CERTAIN DEFINITIONS; TO AMEND 23-18-604 TO CLARIFY THE AUTHORITY OF THE ARKANSAS PUBLIC SERVICE COMMISSION UNDER THE ARKANSAS RENEWABLE ENERGY DEVELOPMENT ACT OF 2001.                |
| HB2389        | D. Creekmore   | TO AMEND ARKANSAS CODE 5-37-303 CONCERNING NOTICE THAT PAYMENT WAS REFUSED BY A DRAWEE FOR LACK OF FUNDS.  |
| HB2392        | D. Johnson     | TO ENACT THE MODEL REGISTERED AGENTS ACT AND TO MAKE VARIOUS AMENDMENTS TO SIMPLIFY REGISTERED AGENTS REQUIREMENTS.  |
| HB2395        | Dunn           | AN ACT TO ALLOW BANKS IN ARKANSAS TO BE ORGANIZED AS LIMITED LIABILITY CORPORATIONS.   |

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| HB2407 | Bond         | TO AUTHORIZE PARTICIPATION IN AN AUTOMATED MULTISTATE LICENSING SYSTEM FOR MORTGAGE LOAN BROKERS, MORTGAGE LOAN BANKERS, MORTGAGE LOAN SERVICES, AND MORTGAGE LOAN OFFICES, AND TO AMEND THE FAIR MORTGAGE LENDING ACT. |
| HB2437 | Maloch       | TO REQUIRE A CHECK FOR MOTOR VEHICLE INSURANCE PROCEEDS TO INCLUDE THE HOLDER OF A LIEN UPON THE MOTOR VEHICLE AS A PAYEE OF THE CHECK.   |
| HB2440 | Maloch       | TO REQUIRE NOTICE OF CANCELLATION OF INSURANCE TO THE HOLDER OF A LIEN UPON A COMMERCIAL MOTOR VEHICLE.   |
| HB2456 | Berry        | TO PREVENT IDENTITY THEFT AND TO REQUIRE PHOTOGRAPH IDENTIFICATION FOR CREDIT CARD TRANSACTIONS.  |
| HB2477 | Lamoureux    | TO ENHANCE THE PROTECTION OF PERSONAL INFORMATION; TO REQUIRE NOTICE TO A CONSUMER OF AN UNAUTHORIZED BREACH OF THE CONSUMER'S PERSONAL INFORMATION WITHIN THE PAST FIVE (5) YEARS.                                     |
| HB2487 | Bond         | AN ACT TO AMEND ARKANSAS CODE 23-79-210 TO DEEM ALL FUNDS SET ASIDE FOR INDEMNIFICATION OF A MEDICAL CARE PROVIDER S LIABILITY TO BE LIABILITY INSURANCE .  |
| HB2505 | Bond         | AN ACT TO EXPAND HEALTH INSURANCE COVERAGE OPTIONS AND CONTAIN HEALTH CARE COSTS.   |
| HB2516 | Bond         | TO AMEND THE SALE OF CHECKS ACT TO INCLUDE REGULATION OF PAYMENT INSTRUMENTS IN ELECTRONIC OR OTHER FORMATS AND TO AUTHORIZE INCREASED REGULATION BY THE SECURITIES COMMISSIONER UNDER THE ACT.                         |
| HB2518 | Bond         | TO ADOPT THE UNIFORM MONEY SERVICES ACT.  |
| HB2535 | L. Smith     | TO LIMIT THE EXCLUSION OF CHARITABLE ORGANIZATIONS FROM THE ARKANSAS CONSUMER TELEPHONE PRIVACY ACT TO CALLERS FROM INSTATE CHARITABLE ORGANIZATIONS.   |
| HB2543 | Wood         | TO ENHANCE THE ABILITY OF THE ARKANSAS PUBLIC SERVICE COMMISSION TO PROTECT RATEPAYERS IN PROCEEDINGS BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION, OTHER FEDERAL AGENCIES, AND FEDERAL COURTS.                      |
| HB2545 | Wood         | TO AUTHORIZE THE ARKANSAS PUBLIC SERVICE COMMISSION TO REQUIRE AN ELECTRIC PUBLIC UTILITY TO WITHDRAW FROM CENTRALIZED SYSTEM WIDE RESOURCE PLANNING.   |
| HB2546 | Rosenbaum    | AN ACT TO INCREASE ACCOUNTABILITY AND TRANSPARENCY WITH A UNIFORM ACCOUNTING SYSTEM ENSURING EXISTING FUNDS ARE SPENT EFFICIENTLY AND EFFECTIVELY.  |
| HB2547 | Rosenbaum    | TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS INSURANCE CODE AND TO PROVIDE ENHANCED REGULATION BY THE INSURANCE COMMISSIONER.  |
| HB2548 | Rosenbaum    | TO PERMIT NEGATIVE EQUITY FINANCING IN THE SALE OF MOTOR VEHICLES.  |
| HB2562 | Key          | TO REQUIRE PUBLIC SAFETY COMMUNICATIONS PERSONNEL TO RESPOND TO A SUBPOENA ISSUED IN A CRIMINAL INVESTIGATION OR CRIMINAL PROSECUTION AND TO PROVIDE IMMUNITY FOR COMPLYING WITH THE SUBPOENA.                          |
| HB2620 | Walters      | TO TRANSFER THE REGULATION OF TITLE INSURANCE TO THE STATE INSURANCE DEPARTMENT AND TO ENACT THE ARKANSAS TITLE INSURANCE ACT.  |
| HB2693 | Bond         | AN ACT TO REQUIRE SECRETARY OF STATE TO PROVIDE CERTAIN NOTICE TO REGISTRANTS OF CORPORATE, FICTITIOUS, OR ASSUMED NAMES.   |
| HB2697 | Wyatt        | TO PREVENT FEDERAL PREEMPTION OF STATE LAW REQUIREMENTS FOR A CERTIFICATE OF ENVIRONMENTAL COMPATABILITY AND PUBLIC NEED BEFORE CONSTRUCTING A MAJOR UTILITY FACILITY.  |
| HB2702 | Saunders     | AN ACT TO AMEND THE ARKANSAS NONPROFIT CORPORATION ACT OF 1993 TO REQUIRE AN ANNUAL DISCLOSURE OF CORPORATE INFORMATION.  |
| HB2749 | Webb         | THE MOTION PICTURE INCENTIVE ACT OF 2007.   |
| HB2760 | Davenport    | TO INCREASE THE FINE FOR FAILURE TO PRESENT PROOF OF INSURANCE AND TO DIRECT THE REMITTANCE AND USE OF THE INCREASED FINE FOR THE CRIMES AGAINST CHILDREN DIVISION OF THE DEPARTMENT OF ARKANSAS STATE POLICE.          |
| HB2774 | M. Martin    | TO REGULATE LONG TERM CARE INSURANCE AND MATTERS INCIDENTAL TO THE USE OF LONG TERM CARE INSURANCE.   |
| HB2780 | D. Creekmore | TO PERMIT PLACING A SECURITY FREEZE ON A PERSON'S CONSUMER REPORT, TO   |

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| SB88   | J. Jeffress | PROVIDE PROCEDURES FOR THE PLACEMENT AND REMOVAL OF THE SECURITY FREEZE, AND TO PROVIDE NOTICE OF THE RIGHT TO OBTAIN A SECURITY FREEZE.<br>TO REQUIRE ALL MOTORISTS TO CARRY MINIMUM MOTOR VEHICLE LIABILITY INSURANCE COVERAGE; NAMED DRIVER EXCLUSIONS TO BE LISTED ON PROOF OF INSURANCE CARDS; AND A NOTICE CONCERNING A NAMED DRIVER EXCLUSION TO THE INSURED. |
| SB802  | Glover      | TO CLARIFY THE POWER OF THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY TO ASSIST CERTAIN TYPES OF ENTITIES AND BUSINESSES.   |
| SB376  | Brown       | THE ARKANSAS LAND BANK ACT.  |
| SB439  | Horn        | TO PERMIT WAIVERS OF CERTAIN ADMISSION REQUIREMENTS OF FOREIGN INSURERS AND TO ALLOW HEALTH MAINTENANCE ORGANIZATIONS TO ELECT TO BE COVERED BY THE INSURANCE HOLDING COMPANY REGULATORY ACT.  |
| SB683  | Horn        | AN ACT TO REQUIRE THE INSURANCE COMMISSIONER TO ASSESS RURAL RISK UNDERWRITING ASSOCIATION MEMBERS A FEE FOR THE EXPENSE OF MAILING FIRE DEPARTMENT RENEWAL SUBSCRIPTION NOTICES.  |
| HB2510 | Dunn        | AN ACT TO REESTABLISH FAIRNESS, TRANSPARENCY, AND COMPETITION IN THE BIDDING PRACTICES FOR THE CONSTRUCTION OF PUBLICLY FUNDED BUILDINGS, INFRASTRUCTURE, AND FACILITIES.  |
| HB2691 | Maloch      | TO ESTABLISH A LEGAL FRAMEWORK FOR THE REGULATION OF SERVICE CONTRACTS.  |

#### DEFERRED BILLS

| <b>Number</b> | <b>Sponsor</b> | <b>Subtitle</b>  |
|---------------|----------------|--|
| HB1010        | Sample         | AN ACT CONCERNING THE ADMINISTRATION OF UNCLAIMED PROPERTY AND PROVIDING AN EXEMPTION FOR AGRICULTURE FARM SUPPLY COOPERATIVE ASSOCIATIONS.        |
| HB1038        | D. Creekmore   | PROTECTION FOR VICTIMS OF FINANCIAL IDENTITY FRAUD ACT.  |
| HB1209        | Hyde           | TO PROMOTE INSURANCE COVERAGE AND TO PROTECT BUSINESS FROM INSURANCE POLICY LIMITATIONS.   |
| HB1335        | Bond           | AN ACT TO REPEAL THE TRANSIENT MERCHANT LICENSING ACT OF 1983.   |
| HB1381        | Wyatt          | TO ALLOW THE INSURANCE COMMISSIONER TO ORDER THE REMOVAL OF A DIRECTOR OR AN OFFICER FOR MISCONDUCT AND TO REQUIRE A HEARING AND WRITTEN FINDINGS. |
| HB1640        | Schulte        | TO REQUIRE CERTAIN DISCLOSURES ON CREDIT CARD PROCESSING SERVICE CONTRACTS AND TO PROVIDE PENALTIES FOR FAILURE TO MAKE REQUIRED DISCLOSURES.      |
| HB2279        | Maxwell        | AN ACT TO ESTABLISH A STATUTE OF REPOSE FOR PRODUCT LIABILITY ACTIONS.   |
| HB2592        | Maloch         | TO REGULATE LOANS MADE IN CONNECTION WITH OR COLLATERALIZED BY A LIFE INSURANCE POLICY.  |