

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Thursday, March 19, 2020
9:00 AM
Room A, MAC
Little Rock, Arkansas

Sen. Lance Eads, Co-Chair
Sen. Kim Hammer, Vice-Chair
Sen. Missy Irvin
Sen. Jonathan Dismang
Sen. Jane English
Sen. Keith Ingram
Sen. Jim Hendren
Sen. Blake Johnson
Sen. Cecile Bledsoe, ex officio
Sen. Terry Rice, ex officio

Rep. Dan Sullivan, Co-Chair
Rep. Lane Jean, Vice-Chair
Rep. Fredrick J. Love
Rep. Reginald Murdock
Rep. Matthew J. Shepherd
Rep. Jon S. Eubanks
Rep. Bruce Cozart
Rep. DeAnn Vaught
Rep. Jeff Wardlaw, ex officio
Rep. Jim Dotson, ex officio

- A. Call to Order.**
- B. Reports of the Executive Subcommittee.**
- C. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309.**
- 1. DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION (Ms. Mary Claire Hyatt, item a; Ms. Jennifer Dedman, items b – f)**
- a. DESE Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts (p.1)**
 - b. DESE Rules Governing Creation of School Districts by Detachment (p.16)**
 - c. DESE Rules Governing Distance and Digital Learning (p.18)**
 - d. DESE Rules Governing Grading and Course Credit and Repeals (p.22)**
 - e. DESE Rules Governing Instructional Materials (p.39)**
 - f. DESE Rules Governing Required Training for School Board Members (p.41)**
- ~~**2. DEPARTMENT OF ENERGY AND ENVIRONMENT, DIVISION OF ENVIRONMENTAL QUALITY**~~
- ~~**a. Rule 5: Liquid Animal Waste Management Systems**~~
 - ~~**b. Rule 6: State Administration of the National Pollutant Discharge Elimination System (NPDES)**~~

Note: All exhibits for this meeting are available by electronic means and are accessible on the General Assembly's website at www.arkleg.state.ar.us

Notice: Silence your cell phones. Keep your personal conversations to a minimum. Observe restrictions designating areas as 'Members and Staff Only'.

3. **DEPARTMENT OF FINANCE AND ADMINISTRATION, ALCOHOLIC BEVERAGE CONTROL DIVISION (Ms. Doralee Chandler)**
 - a. **Hard Cider Manufacturing Permit (p.43)**
 - b. **Posting of Pregnancy Warning (p.45)**
 - c. **Hard Cider Manufacturer Operations (Title J, Rules 2.77 – 2.84) (p.45)**
 - d. **Unauthorized Manufacture, Sale, Offer, Dispensing, Gift, or Possession of Controlled Beverage (p.46)**
 - e. **Suspension of Permit When No Business Conducted for a Period of Thirty Days; Inactive Status of Permits (p.46)**
 - f. **Operation of Microbrewery-Restaurant Private Club (p.47)**
 - g. **Information, Statements, and Documents to be Furnished by Applicant (p.48)**
 - h. **Allowing Alcoholic Beverages to be Carried from Any On- Premises Alcoholic Beverage Outlet or Private Club (p.48)**
 - i. **3.19(10) B: Persons Under Twenty-One (21); Exceptions (p.49)**
 - j. **Temporary Hard Cider Permit (p.50)**
 - k. **Definitions (p.51)**
 - l. **Grocery Store Off-Premises Wine Permit (p.52)**
 - m. **Beer Festival Permit (p.52)**

4. **DEPARTMENT OF HEALTH, CENTER FOR LOCAL PUBLIC HEALTH (Mr. Chuck Thompson, Mr. Lance Jones, Mr. Jeff Stone)**

- a. **Rules Pertaining to General Sanitation (p.53)**

5. **DEPARTMENT OF HEALTH, PUBLIC HEALTH LAB (Dr. Glen Baker, Ms. Cristy Sellers, Ms. Laura Shue)**

- a. **Rules Pertaining to Testing of Newborn Infants (p.55)**

~~6. DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (DMS)~~

- ~~a. Living Choices Assisted Living Home and Community Based Services Medicaid Waiver and Living Choices Assisted Living Medicaid Provider Manual~~

7. **DEPARTMENT OF PUBLIC SAFETY, DIVISION OF ARKANSAS STATE POLICE (Ms. Mary Claire McLaurin)**

- a. **Used Motor Vehicle Dealer Licensing Rules – Act 820 Amendments (p.59)**
- b. **Private Investigators & Private Security Agency – Act 820 Amendments (p.60)**

D. **Proposed Rules Recommending Expedited Process and Procedure for Occupational Licensure Pursuant to Ark. Code Ann. § 17-1-106(c), as Amended by Act 820 of 2019**

1. **DEPARTMENT OF LABOR AND LICENSING, STATE BOARD OF PUBLIC ACCOUNTANCY**
 - a. **Rule 19 Licensure for Military Members/Veterans/Spouses**

2. DEPARTMENT OF LABOR AND LICENSING, ELEVATOR SAFETY BOARD

a. Rules of the Elevator Safety Board

E. Agency Updates on Delinquent Rulemaking under Act 517 of 2019.

- 1. Department of Agriculture, Arkansas Bureau of Standards (Act 501)**
- 2. Department of Agriculture, Veterinary Medical Examining Board (Act 169)**
- 3. Department of Commerce, State Insurance Department (Acts 500, 698, 823)**
- 4. Department of Commerce, Office of Skills Development (Act 179)**
- 5. Department of Corrections, Arkansas Correctional School (Act 1088)**
- 6. Department of Education, Division of Elementary and Secondary Education (Acts 536, 640, 843)**
- 7. Department of Education, Division of Higher Education (Act 549)**
- 8. Department of Energy and Environment, Pollution Control and Ecology Commission (Act 1067)**
- 9. Department of Finance and Administration, Alcoholic Beverage Control Division (Act 691)**
- 10. Department of Finance and Administration, Director (Act 822)**
- 11. Department of Health (Acts 216, 708, 811)**
- 12. Department of Health, Division of Health Related Boards and Commissions, State Board of Chiropractic Examiners (Act 645)**
- 13. Department of Health, Division of Health Related Boards and Commissions, State Board of Nursing (Act 837)**
- 14. Department of Health, Division of Health Related Boards and Commissions, Arkansas Board of Podiatric Medicine (Act 112)**
- 15. Highway Commission (Act 468)**
- 16. Department of Transformation and Shared Services, Office of State Procurement (Act 422)**

F. Adjournment.