

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

August 23, 2019

Co-Chairs:

July 19, 2019 Meeting

The Administrative Rules Subcommittee met on Friday, July 19, 2019, at 9:00 a.m., in Room A, MAC.

- 1. The Subcommittee adopted the attached Executive Subcommittee Report concerning an emergency rule.**
- 2. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:**

**ARKANSAS PROFESSIONAL BAIL BONDSMAN LICENSING BOARD
(Mr. Larry Peters)**

- a. Recovery Fund**

**DEPARTMENT OF ENVIRONMENTAL QUALITY, OFFICE OF AIR
QUALITY (Mr. Micheal Grappe, Mr. Stuart Spencer, Ms. Tricia Treece)**

- a. Regulation No. 19: Regulations of the Arkansas Plan of
Implementation for Air Pollution Control**

**DEPARTMENT OF HUMAN SERVICES, PROVIDER SERVICES &
QUALITY ASSURANCE (Mr. Craig Cloud, Mr. Kelley Linck)**

- a. Rules for the Arkansas Long Term Care Facility Nursing Assistant
Training Program**

STATE PLANT BOARD (Mr. Scott Bray, Mr. Mark Stoll)

- a. **Arkansas Pest Control Law Rules and Regulations**

ARKANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM (Mr. Jay Wills, Mr. Duncan Baird)

- a. **R 203 Disability Retirement**

ARKANSAS TEACHER RETIREMENT SYSTEM (Ms. Laura Gilson, Mr. Rod Graves)

- a. **ATRS Rule 4 – Election Board of Trustees**
- b. **ATRS Rule 7 – Reporting and Eligibility**
- c. **ATRS Rule 8 – Purchases and Refunds**
- d. **ATRS Rule 10 – T-DROP and Return to Service**
- e. **ATRS Rule 16 – Cash and Savings Help (CASH) Program**

- 3. **The following rule was deferred to the August 21, 2019 meeting of the Administrative Rules Subcommittee:**

DEPARTMENT OF HEALTH, CENTER FOR LOCAL PUBLIC HEALTH/ENVIRONMENTAL HEALTH PROTECTION

- a. **Rules and Regulations Pertaining to Food Service Establishments**

- 4. **The following rule was referred to the Senate Interim Committee on Transportation, Technology, and Legislative Affairs and the House Interim Committee on Public Transportation:**

COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION (Ms. Jennifer Dedman)

- a. **Specifications Governing School Bus Design**

August 21, 2019 Meeting

The Administrative Rules Subcommittee also met on Wednesday, August 21, 2019, at 9:00 a.m., in Room A, MAC.

1. The Subcommittee adopted the attached Executive Subcommittee Report concerning emergency rules.
2. The Subcommittee reviewed and filed the following agencies' Quarterly Reports on Administrative Directives pursuant to Act 1258 of 2015, for the quarter ending June 30, 2019:
 - a. Department of Community Correction (Mr. Solomon Graves)
 - b. Department of Correction (Mr. Solomon Graves)
 - c. Arkansas Parole Board (Ms. Brooke Cummings)
3. The Subcommittee reviewed and approved the following rule that was deferred from the June 19, 2019 meeting of the Administrative Rules Subcommittee:

**DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES,
OFFICE OF STATE PROCUREMENT (Mr. Edward Armstrong, Mr. David Withrow)**

- a. **R8: 19-11-230 Discussions**

4. The Subcommittee reviewed and approved the following rule that was deferred from the July 19, 2019 meeting of the Administrative Rules Subcommittee:

**DEPARTMENT OF HEALTH, CENTER FOR LOCAL PUBLIC
HEALTH/ENVIRONMENTAL HEALTH PROTECTION (Ms. Laura Shue,
Mr. Terry Paul, Mr. Jeff Jackson)**

- a. **Rules and Regulations Pertaining to Food Service Establishments**

5. The Subcommittee reviewed and approved the following rule filed pursuant to Ark. Code Ann. § 10-3-309:

ARKANSAS COMMISSIONER OF STATE LANDS (Mr. Michael Harry)

- a. **Commissioner of State Lands Rules**

6. The Subcommittee reviewed and approved the following rule filed pursuant to Ark. Code Ann. § 10-3-309 upon suspension of its Subcommittee Rules:

ARKANSAS DEPARTMENT OF AGRICULTURE (Mr. Wes Ward, Mr. Scott Bray)

- a. **Grain Grading**

7. Due to the absence of the agency personnel, the following rule will be rescheduled on the September 18, 2019 agenda:

ARKANSAS STATE BANK DEPARTMENT

- a. **47-701.9 Fiduciary Powers and State Banks**

8. The following rule was referred to the Senate and House Interim Committees on Education:

DEPARTMENT OF EDUCATION

- a. **Special Education Catastrophic Occurrence Fund**

Respectfully submitted,

Senator Lance Eads, Co-Chair

Representative Dan Sullivan, Co-Chair

ARKANSAS LEGISLATIVE COUNCIL

Officers

Senator Cecile Bledsoe
Senate Chair
Representative Jeff Wardlaw
House Chair
Senator Terry Rice
Senate Vice Chair
Representative Jim Dotson
House Vice Chair



Room 315, State Capitol Building
Little Rock, AR 72201

Marty Garrity
Executive Secretary

Tel: 501-682-1937
Fax: 501-682-1936

June 21, 2019

Senator Lance Eads
Senate Co-Chair
Administrative Rules Review Subcommittee


Representative Dan Sullivan
House Co-Chair
Administrative Rules Review Subcommittee

Dear Co-Chairs:

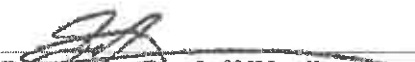
This letter is to notify you that, pursuant to Act 1258 of 2015, the Executive Subcommittee met on June 20, 2019 to consider the request to review and approve the emergency rules for the Office of the State Lands Commissioner. A copy is attached for your information.

This emergency rule was reviewed and approved, and the review and approval is effective upon adjournment of the Legislative Council meeting on Friday, June 21, 2019.

Respectfully,



Senator Cecile Bledsoe
Senate Co-Chair
Executive Subcommittee



Representative Jeff Wardlaw
House Co-Chair
Executive Subcommittee

CB/JW:vjf

Attachment

cc: Ms. Jessica Sutton, Administrator, Administrative Rules Review Section
The Honorable Tommy Land, Commissioner of State Lands
Mr. Michael Harry, Legal Counsel, Office of the Commissioner of State Lands

ARKANSAS LEGISLATIVE COUNCIL

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Room 315, State Capitol Building
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Marty Garrity
Executive Secretary

Tel: 501-682-1937
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July 19, 2019

Senator Lance Eads
Senate Co-Chair
Administrative Rules Review Subcommittee

Representative Dan Sullivan
House Co-Chair
Administrative Rules Review Subcommittee

Dear Co-Chairs:

This letter is to notify you that, pursuant to Act 1258 of 2015, the Executive Subcommittee met on July 18, 2019 and reviewed and approved the following emergency rules for the Department of Education:

- 1) Emergency Rule - Educator Compensation Reform Program;
- 2) Emergency Rule - School District Educational Excellence Trust Fund.

The review and approval of these emergency rules is effective at 12:01 a.m. Saturday, July 20, 2019. Copies of these rules are attached for your information.

Respectfully,

Handwritten signature of Senator Cecile Bledsoe in cursive.

Senator Cecile Bledsoe
Senate Co-Chair
Executive Subcommittee

Handwritten signature of Representative Jeff Wardlaw in cursive.

Representative Jeff Wardlaw
House Co-Chair
Executive Subcommittee

CB/JW:vjf

Attachment

cc: Ms. Jessica Sutton, Administrator, Administrative Rules Review Section
Secretary Johnny Key, Department of Education
Ms. Courtney Salas-Ford, Deputy General Counsel, Department of Education