

**REPORT  
OF THE  
EXECUTIVE SUBCOMMITTEE  
OF THE  
ARKANSAS LEGISLATIVE COUNCIL**

**May 19, 2017**

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Senator Bill Sample, Co-Chair  
Senator Terry Rice, Vice Chair  
Senator Jonathan Dismang  
Senator Jim Hendren

Representative Rep. David Branscum, Co-Chair  
Representative Jim Dotson, Vice Chair  
Representative Jeremy Gillam  
Representative George B. McGill

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We, the Executive Subcommittee of the Arkansas Legislative Council, have met on the following dates since our last report: February 22, 2017, March 31, 2017, May 1, 2017, May 3, 2017, and May 10, 2017.

February 22, 2017

Executive Subcommittee of the Arkansas Legislative Council, met at 1:00 p.m. on Wednesday, February 22, 2017 in Room 205 in the State Capitol Building, Little Rock, Arkansas.

Pursuant to Act 1258 of 2015, the Executive Subcommittee considered the request by the Arkansas Racing Commission to immediately implement Rule 1231, concerning total dissolved carbon dioxide testing. **The proposed emergency rule was reviewed and approved and the review and approval became effective at 12:01 a.m., February 24, 2017.**

Director Garrity delivered her Director's Report and updated the subcommittee regarding policies to comply with recent acts of the General Assembly and requests the Bureau has received concerning potential consultant contracts. Director Garrity also received the approval of the subcommittee for the Bureau to enter into a contract with Clements & Associates/Architecture, Inc. to conduct studies for the renovation of the Old Supreme Courtroom.

The actions of the subcommittee are final and no further action is needed by the Legislative Council. There being no further business, the meeting was adjourned.

March 31, 2017 Meeting

The Executive Subcommittee of the Arkansas Legislative Council, met at 3:45 p.m. on Friday, March 31, 2017 in Room 309 in the State Capitol Building, Little Rock, Arkansas.

Pursuant to Act 1258 of 2015, the Executive Subcommittee considered the request by the Arkansas Department of Human Services, Division of Medical Services to immediately implement Pharmacy Manual Rule #1-17 and Section 1 1-17, concerning an update to the Pharmacy Manual. **The proposed emergency rule was reviewed and approved and became effective at 12:01 a.m., April 1, 2017.**

The actions of the subcommittee are final and no further action is needed by the Legislative Council. There being no further business, the meeting was adjourned.

May 1, 2017 Meeting

The Executive Subcommittee met at 9:00 a.m. on Monday, May 1, 2017 in Committee Room B in the Big MAC Building, Little Rock, Arkansas.

Jillian Thayer, Legal Counsel to the Director, was recognized to explain the proposed changes to the Legislative Council Rules. Ms. Thayer summarized the changes and responded to questions from the subcommittee members. Co-Chair Branscum asked the members to review the proposed changes, and any revisions offered by a subcommittee member would be considered at the next Executive Subcommittee meeting.

Jillian Thayer, Legal Counsel to the Director, was recognized to explain the changes proposed for the security policy for the Fifth Floor of the Big MAC Building. Ms. Thayer explained that the security policy was first adopted in 2013 and the updates would address procedures for access to the Fifth Floor and procedures for persons licensed to carry a concealed handgun. Ms. Thayer responded to questions.

Director Garrity delivered her Director's Report and noted that the medical marijuana rules must be in place by May 8, 2017 and asked if the subcommittee wished to meet on May 3, 2017 to review the rules proposed by the Medical Marijuana Commission, the Arkansas Department of Health, and the Alcoholic Beverage Control Division, Department of Finance and Administration. The subcommittee agreed to meet upon adjournment of the Senate and House of Representatives on May 3, 2017.

Director Garrity also informed the subcommittee that the Bureau staff have developed a training program for the ALC subcommittee chairs and would be setting up individual meetings with the chairs.

There being no further business, the meeting was adjourned.

May 3, 2017 Meeting

The Executive Subcommittee met upon adjournment of the Senate and the House of Representatives on Wednesday, May 3, 2017 in Committee Room B in the Big MAC Building, Little Rock, Arkansas.

Pursuant to Act 1258 of 2015, the Executive Subcommittee considered the following:

- 1) A request by the Alcoholic Beverage Control Division, Department of Finance and Administration, to immediately implement Emergency Rules and Regulations Governing the Oversight of Medical Marijuana Cultivation Facilities and Dispensaries.
- 2) A request by the Medical Marijuana Commission to immediately implement Emergency Rules and Regulations Governing the Application For, Issuance, and Renewal of Licenses for Medical Marijuana Cultivation Facilities and Dispensaries in Arkansas.
- 3) A request by the Arkansas Department of Health to immediately implement Emergency Rules and Regulations Governing Medical Marijuana Registration, Testing, and Labeling in Arkansas.

Mr. Joel DiPippa, Senior Counsel with the Department of Finance and Administration, and Ms. Mary Robin Casteel, Attorney for the Department of Finance and Administration, explained the Alcoholic Beverage Control Division rules and the Medical Marijuana Commission rules and responded to questions. Mr. Robert Brech, Chief General Counsel for the Arkansas Department of Health, explained the Arkansas Department of Health rules and responded to questions.

May 3, 2017 Meeting (Continued)

**The proposed emergency rules were reviewed and approved and became effective at 12:01 a.m., on May 5, 2017.**

The subcommittee heard a summary of the changes to the Legislative Council Rules that were made as suggested by Executive Subcommittee members at the previous meeting. After discussion, the subcommittee suggested additional changes and instructed staff to provide the revised rules to Executive Subcommittee members for further comment and consideration at the next Executive Subcommittee meeting. The subcommittee decided to meet at 3:00 p.m., Wednesday, May 10, 2017, to consider the proposed changes to the Legislative Council Rules.

Director Garrity explained the changes in the security policy and that pending guidance of the State Capitol Police, changes to the security policy would be presented to the Legislative Council at its August meeting.

Director Garrity delivered her Director's Report and noted that the Bureau has delivered to all General Assembly members a PowerPoint presentation concerning 2017 Regular Session actions and a publication outlining the services offered to General Assembly members during the interim between legislative sessions. Director Garrity also noted the Legislative Council subcommittees meet on specific dates and these are posted on the General Assembly meetings calendar.

The actions of the subcommittee with regard to the emergency rules are final and no further action is needed by the Legislative Council. There being no further business, the meeting was adjourned.

May 10, 2017

The Executive Subcommittee met at 3:00 p.m. on Wednesday, May 10, 2017 in Room 205 in the State Capitol Building, Little Rock, Arkansas.

Pursuant to Act 1258 of 2015, the Executive Subcommittee considered the request by the Arkansas Department of Labor, Board of Electrical Examiners to immediately implement Rule 010.13-008 The National Electrical Code. Denise P. Oxley, General Counsel, Arkansas Department of Labor, was recognized and explained the rule and responded to questions. **The proposed emergency rule was reviewed and approved and became effective at 12:01 a.m., on May 12, 2017.**

The subcommittee heard a summary of the changes to the Legislative Council Rules that were made as suggested by Executive Subcommittee members at the previous meeting. Jessica Sutton, Administrator of the Rules and Regulations Section, also explained the policy and procedure in place for rules submitted by the Arkansas Game and Fish Commission and then responded to questions. The subcommittee discussed the options available in regard to the Arkansas Game and Fish rules and instructed staff to make changes in the Arkansas Legislative Council rules to provide that discussion of Arkansas Game and Fish Commission rules be one of the duties of the Game and Fish/State Police Subcommittee of the Legislative Council.

Director Garrity delivered her Director's Report and noted that the appointments to the Legislative Council subcommittees had been announced and the members had been notified.

The actions of the subcommittee with regard to the emergency rule, are final and no further action is needed by the Legislative Council. There being no further business, the meeting was adjourned.

Respectfully submitted,

Senator Bill Sample and Representative David L. Branscum, Executive Subcommittee Co-Chairs,

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