AGENDA Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council

Tuesday, October 2, 2018 9:00 AM Room A, MAC Little Rock, Arkansas

Sen. David J. Sanders, Co-Chair Sen. Jim Hendren, Vice-Chair Sen. Larry Teague Sen. Jonathan Dismang

Sen. Jane English
Sen. Bruce Maloch
Sen. Bart Hester
Sen. Scott Flippo

Sen. Bill Sample, ex officio Sen. Terry Rice, ex officio Rep. Kim Hammer, Co-Chair Rep. Ken Bragg, Vice-Chair

Rep. Ken Bragg, vice-Cha

Rep. Matthew J. Shepherd

Rep. Jeff Wardlaw Rep. Joe Jett Rep. George B. McGill Rep. Andy Davis

Rep. Jon S. Eubanks, ex officio Rep. Jim Dotson, ex officio

A. Call to Order.

- B. Consideration of State Agency Rules and the Subject Matter Interim Committee Recommendations pursuant to Act 781 of 2017:
 - 1. Agriculture Department Forestry Commission
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-001]
 - b) Rules Referred for Group Consideration [EXHIBIT B-002]
 - 2. Agriculture Department Livestock and Poultry Commission
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-003]
 - b) Rules Referred for Group Consideration [EXHIBIT B-004]
 - 3. Agriculture Department State Plant Board
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-005]
 - b) Rules Referred for Group Consideration [EXHIBIT B-006]
 - 4. Alcohol & Drug Abuse Coordinating Council
 - a) Rules Referred for Group Consideration [EXHIBIT B-007]
 - Alternative Dispute Resolution Commission
 - a) Rules Referred for Group Consideration [EXHIBIT B-008]
 - Arkansas Agriculture Department
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-009]
 - b) Rules Referred for Group Consideration [EXHIBIT B-010]
 - 7. Arkansas Appraiser Licensing and Certification Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-011]

- 8. Arkansas Board of Dispensing Opticians
 - a) Rules Referred for Group Consideration [EXHIBIT B-012]
- 9. Arkansas Board of Examiners in Counseling
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-013]
 - b) Rules Referred for Group Consideration [EXHIBIT B-014]
- 10. Arkansas Board of Hearing Instrument Dispensers
 - a) Rules Referred for Group Consideration [EXHIBIT B-015]
- 11. Arkansas Board of Podiatric Medicine
 - a) Rules Referred for Group Consideration [EXHIBIT B-016]
- 12. Arkansas Cemetery Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-017]
- 13. Arkansas Commission on Law Enforcement Standards and Training
 - a) Rules Referred for Group Consideration [EXHIBIT B-018]
- 14. Arkansas Crime Information Center
 - a) Rules Referred for Group Consideration [EXHIBIT B-019]
- 15. Arkansas Department of Emergency Management
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-020]
- 16. Arkansas Department of Environmental Quality
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-021]
 - b) Rules Referred for Group Consideration [EXHIBIT B-022]
- 17. Arkansas Department of Transportation
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-023]
 - b) Rules Referred for Group Consideration [EXHIBIT B-024]
- 18. Arkansas Development Finance Authority
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-025]
 - b) Rules Referred for Group Consideration [EXHIBIT B-026]
- 19. Arkansas Dietetics Licensing Board
 - Rules Referred for Group Consideration [EXHIBIT B-027]
- 20. Arkansas Economic Development Commission
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-028]
 - b) Rules Referred for Group Consideration [EXHIBIT B-029]

- 21. Arkansas Ethics Commission Rules Referred for Group Consideration [EXHIBIT B-030] 22. Arkansas Fair Housing Commission Rules Referred for Group Consideration [EXHIBIT B-031] 23. Arkansas Fire & Police Pension Review Board Rules Referred for Group Consideration [EXHIBIT B-032] 24. Arkansas Fire Protection Licensing Board Rules Referred for Group Consideration [EXHIBIT B-033] 25. Arkansas Geographic Information Systems Office Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-034] b) Rules Referred for Group Consideration [EXHIBIT B-035] 26. Arkansas Geological Survey Rules Referred for Group Consideration [EXHIBIT B-036] 27. Arkansas Home Inspector Registration Board Rules Referred for Group Consideration [EXHIBIT B-037] 28. Arkansas Judicial Retirement System Rules Referred for Group Consideration [EXHIBIT B-038] 29. Arkansas Manufactured Home Commission Rules Referred for Group Consideration [EXHIBIT B-039] 30. Arkansas Motor Vehicle Commission Rules Referred for Group Consideration [EXHIBIT B-040] 31. Arkansas National Guard Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-041] a) Rules Referred for Group Consideration [EXHIBIT B-042] b) 32. Arkansas Natural Resources Commission Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-043] a) Rules Referred for Group Consideration [EXHIBIT B-044]
- 33. Arkansas Psychology Boarda) Rules Referred for Group Consideration [EXHIBIT B-045]
- 34. Arkansas Public Defender Commission
 - a) Rules Referred for Group Consideration [EXHIBIT B-046]
- 35. Arkansas Public Employees Retirement Systema) Rules Referred for Group Consideration [EXHIBIT B-047]

- 36. Arkansas Public Service Commission
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-048]
 - b) Rules Referred for Group Consideration [EXHIBIT B-049]
- 37. Arkansas Real Estate Commission
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-050]
 - b) Rules Referred for Group Consideration [EXHIBIT B-051]
- 38. Arkansas Sentencing Commission
 - a) Rules Referred for Group Consideration [EXHIBIT B-052]
- 39. Arkansas Social Work Licensing Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-053]
- 40. Arkansas Spinal Cord Commission
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-054]
- 41. Arkansas State Aid Street Committee
 - a) Rules Referred for Group Consideration [EXHIBIT B-055]
- 42. Arkansas State Board of Athletic Training
 - a) Rules Referred for Group Consideration [EXHIBIT B-056]
- 43. Arkansas State Board of Chiropractic Examiners
 - Rules Referred for Group Consideration [EXHIBIT B-057]
- 44. Arkansas State Board of Dental Examiners
 - a) Rules Referred for Group Consideration [EXHIBIT B-058]
- 45. Arkansas State Board of Nursing
 - a) Rules Referred for Group Consideration [EXHIBIT B-059]
- 46. Arkansas State Board of Physical Therapy
 - a) Rules Referred for Group Consideration [EXHIBIT B-060]
- 47. Arkansas State Board of Public Accountancy
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-061]
 - b) Rules Referred for Group Consideration [EXHIBIT B-062]
- 48. Arkansas State Board of Registration for Professional Soil Classifiers
 - Rules Referred for Group Consideration [EXHIBIT B-063]
- 49. Arkansas State Board of Registration of Foresters
 - a) Rules Referred for Group Consideration [EXHIBIT B-064]
- 50. Arkansas State Game and Fish Commission
 - a) Rules Referred for Group Consideration [EXHIBIT B-065]
- 51. Arkansas State Medical Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-066]

- 52. Arkansas State Police Retirement System
 - a) Rules Referred for Group Consideration [EXHIBIT B-067]
- 53. Arkansas Tobacco Control
 - a) Rules Referred for Group Consideration [EXHIBIT B-068]
- 54. Arkansas Tobacco Settlement Commission
 - a) Rules Referred for Group Consideration [EXHIBIT B-069]
- 55. Arkansas Towing and Recovery Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-070]
- 56. Arkansas Waterways Commission
 - a) Rules Referred for Group Consideration [EXHIBIT B-071]
- 57. Assessment Coordination Department
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-072]
 - b) Rules Referred for Group Consideration [EXHIBIT B-073]
- 58. Auctioneers Licensing Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-074]
- 59. Benton County Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-075]
- 60. Board of Examiners in Speech-Language Pathology and Audiology
 - a) Rules Referred for Group Consideration [EXHIBIT B-076]
- 61. Boston Mountain Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-077]
- 62. Burial Association Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-078]
- 63. Capitol Zoning District Commission
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-079]
 - b) Rules Referred for Group Consideration [EXHIBIT B-080]
- 64. Central Arkansas Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-081]
- 65. Contractors Licensing Board
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-082]
 - b) Rules Referred for Group Consideration [EXHIBIT B-083]
- 66. Crime Victims Reparations Board
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-084]
 - b) Rules Referred for Group Consideration [EXHIBIT B-085]

- 67. Criminal Detention Facilities Review Commission
 - a) Rules Referred for Group Consideration [EXHIBIT B-086]
- 68. Department of Arkansas Heritage
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-087]
 - b) Rules Referred for Group Consideration [EXHIBIT B-088]
- 69. Department of Arkansas State Police
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-089]
 - b) Rules Referred for Group Consideration [EXHIBIT B-090]
- 70. Department of Career Education Arkansas Rehabilitation Services
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-091]
 - b) Rules Referred for Group Consideration [EXHIBIT B-092]
- 71. Department of Education Arkansas School for the Blind
 - a) Rules Referred for Group Consideration [EXHIBIT B-093]
- 72. Department of Education Arkansas State Library
 - a) Rules Referred for Group Consideration [EXHIBIT B-094]
- 73. Department of Finance and Administration
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-095]
 - b) Rules Referred for Group Consideration [EXHIBIT B-096]
- 74. Department of Finance and Administration Division of Racing
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-097]
 - b) Rules Referred for Group Consideration [EXHIBIT B-098]
- 75. Department of Finance and Administration Management Services Office of Arkansas Lottery
 - Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-099]
 - b) Rules Referred for Group Consideration [EXHIBIT B-100]
- 76. Department of Finance and Administration Office of Child Support Enforcement
 - a) Rules Referred for Group Consideration [EXHIBIT B-101]
- 77. Department of Higher Education
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-102]
 - b) Rules Referred for Group Consideration [EXHIBIT B-103]
- 78. Department of Human Services Division of Administrative Services
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-104]
 - b) Rules Referred for Group Consideration [EXHIBIT B-105]
- 79. Department of Human Services Division of Aging and Adult Services
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-106]
 - b) Rules Referred for Group Consideration [EXHIBIT B-107]

- 80. Department of Human Services Division of Behavioral Health Services
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-108]
 - b) Rules Referred for Group Consideration [EXHIBIT B-109]
- 81. Department of Human Services Division of Child Care and Early Childhood Education
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-110]
 - b) Rules Referred for Group Consideration [EXHIBIT B-111]
- 82. Department of Human Services Division of Children and Family Services
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-112]
 - b) Rules Referred for Group Consideration [EXHIBIT B-113]
- 83. Department of Human Services Division of County Operations
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-114]
 - b) Rules Referred for Group Consideration [EXHIBIT B-115]
- 84. Department of Human Services Division of Medical Services
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-116]
 - b) Rules Referred for Group Consideration [EXHIBIT B-117]
- 85. Department of Human Services Division of State Services for the Blind
 - a) Rules Referred for Group Consideration [EXHIBIT B-118]
- 86. Department of Human Services Division of Youth Services
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-119]
- 87. Department of Human Services Office of Policy and Legal Services
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-120]
 - b) Rules Referred for Group Consideration [EXHIBIT B-121]
- 88. Department of Information Systems
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-122]
 - b) Rules Referred for Group Consideration [EXHIBIT B-123]
- 89. Department of Labor
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-124]
 - b) Rules Referred for Group Consideration [EXHIBIT B-125]
- 90. Department of Parks and Tourism
 - a) Rules Referred for Group Consideration [EXHIBIT B-126]
- 91. Department of Workforce Services
 - a) Rules Referred for Group Consideration [EXHIBIT B-127]
- 92. East Arkansas Regional Solid Waste Management District
 - Rules Referred for Group Consideration [EXHIBIT B-128]
- 93. Emergency Telephone Services Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-129]

- 94. Faulkner County Regional Solid Waste Management District

 a) Rules Referred for Group Consideration [EXHIBIT B-130]

 95. Health Services Permit Agency

 a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-131]
 b) Rules Referred for Group Consideration [EXHIBIT B-132]
- 96. Liquefied Petroleum Gas Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-133]
- 97. Northeast Arkansas Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-134]
- 98. Oil and Gas Commission
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-135]
 - b) Rules Referred for Group Consideration [EXHIBIT B-136]
- 99. Ozark Mountain Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-137]
- 100. Parole Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-138]
- 101. Professional Bail Bondsman Licensing Board
 - Rules Referred for Group Consideration [EXHIBIT B-139]
- 102. Pulaski County Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-140]
- 103. Saline County Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-141]
- 104. Sebastian County Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-142]
- 105. Secretary of State
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-143]
 - b) Rules Referred for Group Consideration [EXHIBIT B-144]
- 106. Sex Offender Assessment Committee
 - Rules Referred for Group Consideration [EXHIBIT B-145]
- 107. Southeast Arkansas Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-146]
- 108. Southwest Arkansas Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-147]

- 109. State Bank Department
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-148]
 - b) Rules Referred for Group Consideration [EXHIBIT B-149]
- 110. State Board of Barber Examiners
 - a) Rules Referred for Group Consideration [EXHIBIT B-150]
- 111. State Board of Collection Agencies
 - a) Rules Referred for Group Consideration [EXHIBIT B-151]
- 112. State Board of Election Commissioners
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-152]
 - b) Rules Referred for Group Consideration [EXHIBIT B-153]
- 113. State Board of Embalmers and Funeral Directors
 - a) Rules Referred for Group Consideration [EXHIBIT B-154]
- 114. State Board of Examiners of Alcoholism and Drug Abuse Counselors
 - a) Rules Referred for Group Consideration [EXHIBIT B-155]
- 115. State Board of Finance
 - a) Rules Referred for Group Consideration [EXHIBIT B-156]
- 116. State Board of Licensure for Professional Engineers and Professional Surveyors
 - a) Rules Referred for Group Consideration [EXHIBIT B-157]
- 117. State Board of Optometry
 - a) Rules Referred for Group Consideration [EXHIBIT B-158]
- 118. State Board of Pharmacy
 - a) Rules Referred for Group Consideration [EXHIBIT B-159]
- 119. State Crime Laboratory
 - a) Rules Referred for Group Consideration [EXHIBIT B-160]
- 120. State Insurance Department
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-161]
 - b) Rules Referred for Group Consideration [EXHIBIT B-162]
- 121. State Military Department
 - Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-163]
 - b) Rules Referred for Group Consideration [EXHIBIT B-164]
- 122. State Securities Department
 - a) Rules Referred for Group Consideration [EXHIBIT B-165]
- 123. Veterinary Medical Examining Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-166]

- 124. West River Valley Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-167]
- 125. White River Regional Solid Waste Management District
 - a) Rules Referred for Group Consideration [EXHIBIT B-168]
- 126. Workers' Compensation Commission
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-169]
 - b) Rules Referred for Group Consideration [EXHIBIT B-170]
- 127. Arkansas Rural Medical Practice Student Loan and Scholarship Board
 - a) Rules Referred for Group Consideration [EXHIBIT B-171]
 - b) Rules Recommended That the Agency Should Consider for Repeal [EXHIBIT B-172]
- 128. Arkansas Teacher Retirement System
 - a) Rules Recommended to Reject the Agency's Request to Repeal [EXHIBIT B-173]
 - b) Rules Referred for Group Consideration [EXHIBIT B-174]
- 129. Department of Career Education
 - Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-175]
 - b) Rules Recommended to Reject the Agency's Request to Repeal [EXHIBIT B-176]
 - c) Rules Referred for Group Consideration [EXHIBIT B-177]
- 130. Department of Community Correction
 - Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-178]
 - b) Rules Recommended to Reject the Agency's Request to Repeal [EXHIBIT B-179]
 - c) Rules Referred for Group Consideration [EXHIBIT B-180]
- 131. Department of Correction
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-181]
 - b) Rules Recommended to Reject the Agency's Request to Repeal [EXHIBIT B-182]
 - c) Rules Referred for Group Consideration [EXHIBIT B-183]
- 132. Department of Education
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-184]
 - b) Rules Recommended to Reject the Agency's Request to Repeal [EXHIBIT B-185]
 - c) Rules Referred for Group Consideration [EXHIBIT B-186]
 - d) Rules by Which There Was a Divided Recommendation [EXHIBIT B-187]
- 133. Department of Education Division of Public School Academic Facilities and Transportation
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-188]
 - b) Rules Recommended to Reject the Agency's Request to Repeal [EXHIBIT B-189]
 - c) Rules Referred for Group Consideration [EXHIBIT B-190]

134. Department of Health

- a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-191]
- b) Rules Recommended to Reject the Agency's Request to Repeal [EXHIBIT B-192]
- c) Rules Referred for Group Consideration [EXHIBIT B-193]
- 135. Department of Human Services Division of Developmental Disabilities Services
 - a) Rules Recommended to Accept the Agency's Request to Repeal [EXHIBIT B-194]
 - b) Rules Recommended to Reject the Agency's Request to Repeal [EXHIBIT B-195]
 - c) Rules Referred for Group Consideration [EXHIBIT B-196]
- C. Adjournment.