### **EXHIBIT D**

## QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE

this Rule" below.  D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front two (2) copies of the proposed rule and required documents. Mail or deliver to:  Donna K. Davis  Administrative Rules Review Section	DEPARTMENT/AGE	NCY Arkansas D	Arkansas Department of Health						
CONTACT PERSON  Bob Higginbottom  ADH, Plumbing Section, Slot 24, 4815 West Markham, Little Rock, AR  72205 - 3867  501-661-  PHONE NO. 2642  FAX NO. 2671  MAIL robert.higginbottom@arkansas.  NAME OF PRESENTER AT COMMITTEE MEETING Robert Brech and / or Bob Higginbottom  PRESENTER E-MAIL robert.brech@arkansas.gov robert.higginbottom@arkansas.gov  INSTRUCTIONS  A. Please make copies of this form for future use.  B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.  C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.  D. Súbmit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:  Donna K. Davis  Administrative Rules Review Section	DIVISION	Environme	Environmental Health / Plumbing Section						
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Arkansas Legislative Council  Bureau of Legislative Research  Room 315, State Capitol  Little Rock, AR 72201  **********************************	<ul> <li>B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.</li> <li>C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.</li> <li>D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:  Donna K. Davis  Administrative Rules Review Section  Arkansas Legislative Council  Bureau of Legislative Research  Room 315, State Capitol  Little Rock, AR 72201</li> </ul>								
1. What is the short title of this rule? Rules and Regulations Pertaining to State Plumbing Code	1. What is the short title of this rule? Rules and Regulations Pertaining to State Plumbing Coo								
To delete section 427.2 of the code removing terms that ensure that respectful language is used when referring to individuals with disabilities.  3. Is this rule required to comply with a federal statute, rule, or regulation? Yes \( \subseteq \) No \( \subseteq \) If yes, please provide the federal rule, regulation, and/or statute citation.									
4. Was this rule filed under the emergency provisions of the Administrative Procedure Act?  If yes, what is the effective date of the emergency rule?  When does the emergency rule expire?	Procedure Act?  If yes, what is the eff	fective date of the	emergency rule?	Administra		No ⊠			

	Will this emergency rule be promulgated under the permanent pof the Administrative Procedure Act?	provisions	Yes 🗌	No 🗌
5.	Is this a new rule?		Yes 🗍	No 🖂
	If yes, please provide a brief summary explaining the regulation	1.		
	Does this repeal an existing rule? If yes, a copy of the repealed rule is to be included with your coreplaced with a new rule, please provide a summary of the rule does.	mpleted qu giving an ex	Yes estionnaire. I xplanation of	No ⊠ f it is being what the rule
	Is this an amendment to an existing rule? If yes, please attach a mark-up showing the changes in the exist changes. Note: The summary should explain what the amen should be clearly labeled "mark-up."	ing rule and	Yes  a summary o	No [] If the substantive ark-up copy
6.	Cite the state law that grants the authority for this proposed rule If codified, please give Arkansas Code citation.	?		
	C A 17 29 101 of gag :			
7. To	C.A. 17-38-101 et seq.  What is the purpose of this proposed rule? Why is it necessary? delete an unnecessary section of the state plumbing code and to sion to ensure that respectful language is used when referring to	comply wit.	h Act 98 of th with disabilit	e 2011 legislativ
7. To ses	What is the purpose of this proposed rule? Why is it necessary?	comply with individuals	with disabilit	ies
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### FINANCIAL IMPACT STATEMENT

### PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT	EPARTMENT Arkasnas Departments of Health							
		al Health / Plumbing Section						
PERSON COMPLE	TING THIS			<u></u>				
STATEMENT	Bob Higginbottom							
TELEPHONE NO.		FAX NO.	501-661- 2671	_EMAIL: <u>r</u>	obert.higginbottom(	@arkansas.gov_		
To comply with Act copies with the ques	1104 of 1995, j tionnaire and pr	please con oposed ri	mplete the fol ules.	lowing Finan	cial Impact Statemen	nt and file two		
SHORT TITLE OF RULE	Rules and Regulations Pertaining to the State Plumbing Code							
1. Does this propos	ed, amended, or	r repealed	l rule have a f	inancial impa	act? Yes 🗌	No 🖂		
2. Does this propos If yes, please atta Economic Develo	ach a copy of th	e econom	nic impact stat	ement require	ed to be filed with th	No ⊠ ne Arkansas		
3. If you believe the prohibited, please		ent of a f	inancial impa	ct statement is	s so speculative as to	o be cost		
4. If the purpose of for implementing					n, please give the inc cost of the program			
Current Fiscal Year	<u>r</u>		. <u>Þ</u>	lext Fiscal Y	<u>ear</u>			
General Revenue			C	Seneral Reven	ue			
Federal Funds		<del>-</del>	F	ederal Funds				
Cash Funds		_		ash Funds				
Special Revenue	<u></u>			pecial Reven				
Other (Identify)		_		Other (Identify	/)			
Total		_	Т	'otal				
<ul> <li>5. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule and explain how they are affected.</li> <li>Current Fiscal Year</li> <li>\$</li> </ul>								
6. What is the total the program or gr	rant? Please ex		_			us the cost of		
\$	<u> </u>		<u>\$</u>	lext Fiscal Y	<u>ear</u>			

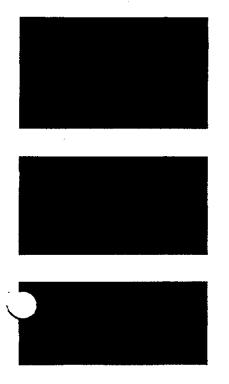
# Summary of Proposed Change to the 2006 Arkansas State Plumbing Code Disability Language – Section 427.2

This past legislative session, lawmakers recognized that language used in reference to individuals with disabilities shapes and reflects society's attitudes toward people with disabilities. It was concluded that certain terms are demeaning and create an invisible barrier to inclusion as equal community members. As a result, Act 98 of 2011 was passed to require state agencies and Board to review existing Rules for the purpose ensuring that respectful language is used when referring to individuals with disabilities.

Section 427.2 of the State Plumbing Code uses the word "handicapped" and it proposed that this section be deleted in its entirety.

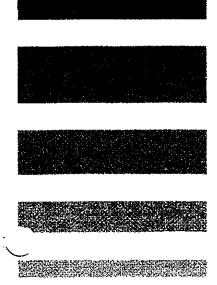
Please find attached a copy of the propose change.

# 2006



# ARKANSAS PLUMBING CODE

Based on the 2006 International Plumbing Code®





#### **FIXTURES, FAUCETS AND FIXTURE FITTINGS**

dance with the manufacturer's instructions. In-line thermostatic valves shall not be utilized for compliance with this section.

424.4 Multiple (gang) showers. Multiple (gang) showers supplied with a single-tempered water supply pipe shall have the water supply for such showers controlled by an approved automatic temperature control mixing valve that conforms to ASSE 1069 or CSA B125, or each shower head shall be individually controlled by a balanced-pressure, thermostatic or combination balanced-pressure/thermostatic valve that conforms to ASSE 1016 or CSA B125 and is installed at the point of use. Such valves shall be equipped with a means to limit the maximum setting of the valve to 120°F (49°C), which shall be field adjusted in accordance with the manufacturer's instructions.

424.5 Bathtub and whirlpool bathtub valves. The hot water supplied to bathtubs and whirlpool bathtubs shall be limited to a maximum temperature of 120°F (49°C) by a water temperature limiting device that conforms to ASSE 1070, except where such protection is otherwise provided by a combination tub/shower valve in accordance with Section 424.3.

424.6 Hose-connected outlets. Faucets and fixture fittings with hose-connected outlets shall conform to ASME A112.18.3M or CSA B125.

424.7 Temperature-actuated, flow reduction valves for individual fixture fittings. Temperature-actuated, flow reduction devices, where installed for individual fixture fittings shall conform to ASSE 1062. Such valves shall not be alone as a substitute for the balanced pressure, thermostation combination shower valves required in Section 424.3.

424.8 Transfer valves. Deck-mounted bath/shower ansfer valves containing an integral atmospheric vacuum b shall conform to the requirements of ASM A112.18

### **SECTION 425 FLUSHING DEVICES FO** OSETS AND

425.1 Flushing devices red mater closet, urinal, clinical sink and any plumbing exture that depends on trap fixture antents to the drainage syssiphonage to dischar hometer valve, flushometer tem shall be provided tank or a flush nk de ed and installed to supply water in to flush the contents of the fixture, flo quantity and r cleanse the fixtu I the fixture trap.

for each fixture. A flushing device shall an one fixture. not ser

425.2 Flushon, ter valves and tanks. Flushometer valves and tanks shall comply with ASSE 1037. Vacuum breakers on flushometer valves shall conform to the performance requirements of ASSE 1001 or CSA B64.1.1. Access shall be provided to vacuum breakers. Flushometer valves shall be of the water-conservation type and shall not be utilized where the water pressure is lower than the minimum required for normal operation. When operated, the valve shall automatically complete the cycle of operation, opening fully and closing positively under the water supply pressure. Each flushometer valve shall be provided with a means for regulating the flow through

the valve. The trap seal to the fixture shall be automatically refilled after each valve flushing cycle.

425.3 Flush tanks. Flush tanks equipped for manual flushing shall be controlled by a device designed to refill the tank after each discharge and to shut off completely the water flow to the tank when the tank is filled to operational capacity after each seal to the fixture shall be automatically refill after each d for automatic flushing shall be controlled with a timing de or sensor control devices.

425.3.1 Fill valves. All flush tank e equipped with SSE 1002 or CSA an antisiphon fill valve conforming t hall be located at B125. The fill valve backf reventer ing of the overflow least 1 inch (25 mm) above e fun pipe.

sh tan s. Flush tanks shall be pro-425.3.2 Overfl g to the water closet or unvided with over nal connected the and shall be sized to prevent flooding a rate at which the tanks are supplied the tank ater acco ing to the manufacturer's design condiof the overflow pipe shall be located e openia tions above th vel rim of the water closet or urinal or iry overflow in the flush tank. bove a se

5.3.3 Sheet copper. Sheet copper utilized for flush tank linings shall conform to ASTM B 152 and shall not weigh less than 10 ounces per square foot (0.03 kg/m<sup>2</sup>).

425.3.4 Access required. All parts in a flush tank shall be accessible for repair and replacement.

425.4 Flush pipes and fittings. Flush pipes and fittings shall be of nonferrous material and shall conform to ASME A112.19.5 or CSA B125.

### SECTION 426 MANUAL FOOD AND BEVERAGE DISPENSING **EQUIPMENT**

426.1 Approval. Manual food and beverage dispensing equipment shall conform to the requirements of NSF 18.

### **SECTION 427 FLOOR SINKS**

427.1 Approval. Sanitary floor sinks shall conform to the requirements of ASME A112.6.7.

427.2 Handicap plumbing facilities. This code does not provide for handicap plumbing facilities. State owned and/or operated buildings shall provide restrooms for the handicapped. For more information about handicap requirements, you may contact: Arkansas State Building Authority.

ARKANSAS PLUMBING CODE