

State of Arkansas *As Engrossed: S1/28/99 S2/2/99 S2/8/99 S2/19/99*

82nd General Assembly

A Bill

Regular Session, 1999

SENATE BILL 66

By: Senators Walters, Hoofman, Malone, Fitch, B. Lewellen, Everett, Hopkins

By: Representatives Faris, Rodgers

For An Act To Be Entitled

"AN ACT TO AMEND SECTIONS OF THE ARKANSAS CODE
PERTAINING TO THE MEMBERS OF THE BOARD OF ACUPUNCTURE
AND RELATED TECHNIQUES; AND FOR OTHER PURPOSES."

Subtitle

"TO AMEND SECTIONS OF THE ARKANSAS CODE
PERTAINING TO THE MEMBERS OF THE BOARD OF
ACUPUNCTURE AND RELATED TECHNIQUES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION. 1. Arkansas Code 17-102-103 is amended to read as follows:

"17-102-103. Creation of board - Members - Appointment.

*(a) There is created the Arkansas State Board of Acupuncture and
Related Techniques. The board shall consist of ~~three (3)~~ five (5) persons
appointed by the Governor as full members and one (1) appointed by the
Governor as an ex officio member. ~~Two (2)~~ Three (3) full members of the board
shall be qualified acupuncturists. ~~One (1)~~ Two (2) full ~~member~~ members shall
be appointed to represent the public and shall not have practiced acupuncture
and related techniques in this, or any other jurisdiction, nor be retired from
or have any financial interest in the occupation regulated. The public ~~member~~
members shall be subject to confirmation by the Senate. The public ~~member~~
members shall be a full voting ~~member~~ members but shall not participate in the
grading of examinations. The ex officio member shall be a physician licensed
pursuant to the Arkansas Medical Practices Act and shall be entitled to be
notified of all board meetings and to participate in the deliberations of the
board, but shall have no vote, shall not serve as an officer of the board, and*

1 shall not be counted to establish a quorum or a majority necessary to conduct
2 business.

3 (b) The initial full members of the board shall be appointed by the
4 Governor for staggered terms as follows: One (1) member's term shall expire
5 after one (1) year, one (1) shall expire after two (2) years, and one (1)
6 shall expire after three (3) years. Of the two (2) additional members
7 appointed pursuant to the 1999 Act, one (1) shall be appointed for a two (2)
8 year term and the other for a three (3) year term. The initial ex officio
9 board member shall be appointed to a term of three (3) years. Successors shall
10 be appointed for three (3) year terms. Vacancies shall be filled by
11 appointment by the Governor for the unexpired term. Board members shall serve
12 until their successors have been appointed and qualified.

13 (c) The Governor may remove any full member from the board for any
14 reason that would justify the suspension or revocation of his license to
15 practice acupuncture and related techniques.

16 (d) A person who is, or has been in the preceding two (2) years, on the
17 faculty of a school which is subject to review by the board, may not serve on
18 the board."
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20 SECTION 2. All provisions of this Act of a general and permanent nature
21 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
22 Revision Commission shall incorporate the same in the Code.
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24 SECTION 3. If any provision of this Act or the application thereof to
25 any person or circumstance is held invalid, such invalidity shall not affect
26 other provisions or applications of the Act which can be given effect without
27 the invalid provision or application, and to this end the provisions of this
28 Act are declared to be severable.
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30 SECTION 4. All laws and parts of laws in conflict with this Act are
31 hereby repealed.
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33 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
34 Eighty-second General Assembly that the Board of Acupuncture and related
35 techniques was unable to function during 1998 because a quorum could not be
36 assembled; that this act increases the size of the board so that the quorum

1 requirement is more reasonable; and that until this act goes into effect, the
2 Governor cannot appoint the additional members and thereby enable the board to
3 resume operation. Therefore, an emergency is declared to exist and this act
4 being immediately necessary for the preservation of the public peace, health
5 and safety shall become effective on the date of its approval by the Governor.
6 If the bill is neither approved nor vetoed by the Governor, it shall become
7 effective on the expiration of the period of time during which the Governor
8 may veto the bill. If the bill is vetoed by the Governor and the veto is
9 overridden, it shall become effective on the date the last house overrides the
10 veto.

11 */s/ Walters*
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