

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2736

4
5 By: Representatives Cowling, Stovall

For An Act To Be Entitled

9 AN ACT TO AMEND THE CONSUMER UTILITIES RATE
10 ADVOCACY DIVISION ACT TO EXPAND THE DIVISION'S
11 POWERS AND DUTIES TO INCLUDE MATTERS BEFORE THE
12 INSURANCE COMMISSIONER; AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT TO AMEND THE CONSUMER UTILITIES
16 RATE ADVOCACY DIVISION ACT TO EXPAND THE
17 DIVISION'S POWERS AND DUTIES TO INCLUDE
18 MATTERS BEFORE THE INSURANCE
19 COMMISSIONER.

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

24 SECTION 1. Arkansas Code § 23-4-301 is amended to read as follows:
25 23-4-301. Title.

26 This subchapter shall be referred to and may be cited as the "Consumer
27 Utilities and Insurance Rate Advocacy Division Act".

29 SECTION 2. Arkansas Code § 23-4-302 is amended to read as follows:
30 23-4-302. Legislative findings and purpose.

31 (a) The General Assembly finds that:

32 (1) The people of the State of Arkansas are faced with rapidly
33 rising utility and insurance costs;

34 (2) Residents of the state are finding it increasingly difficult
35 to afford basic utility usage and insurance protection;

36 (3) The people of Arkansas need aggressive and effective



1 representation in utility rate hearings and other utility-related proceedings
2 and insurance rate hearings and insurance-related proceedings; and

3 (4) In order to make informed decisions about their energy
4 consumption, the people of this state need to be informed about the rate-
5 making process and the opportunity to reduce;

6 (A) ~~utility~~ Utility bills through conservation measures
7 and the use of alternative energy sources; and

8 (B) Insurance rates through safety measures and the other
9 methods.

10 (b) The General Assembly finds that the public policy and
11 responsibility of the state as set forth in this section can best be attained
12 with the establishment of the Consumer Utilities and Insurance Rate Advocacy
13 Division in the Attorney General’s office, and it is the purpose of this
14 subchapter to create this division.

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16 SECTION 3. Arkansas Code § 23-4-303 is amended to read as follows:
17 23-4-303. Creation.

18 There is created within the Office of the Attorney General a Consumer
19 Utilities and Insurance Rate Advocacy Division.

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21 SECTION 4. Arkansas Code § 23-4-304 is amended to read as follows:
22 23-4-304. Director and staff.

23 The Director of the Consumer Utilities and Insurance Rate Advocacy
24 Division shall hold the title of Deputy Attorney General and shall be
25 appointed to the position by the Attorney General who may also appoint such
26 assistants, professionals, and clerical staff as authorized by appropriation
27 acts for the effective operation of the division.

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29 SECTION 5. Arkansas Code § 23-4-305 is amended to read as follows:
30 23-4-305. Powers and duties.

31 The Consumer Utilities and Insurance Rate Advocacy Division shall
32 represent the state, its subdivisions, and all classes of Arkansas utility
33 rate payers and insurance consumers and shall have the following functions,
34 powers, and duties:

35 (1) To provide effective and aggressive representation for the
36 people of Arkansas in examinations, investigations, and hearings before the

1 Arkansas Public Service Commission and the Insurance Commissioner and other
2 state and federal courts or agencies concerning utility-related or insurance-
3 related matters;

4 (2) To disseminate information to all classes of rate payers and
5 insurance consumers concerning pertinent energy-related and insurance-related
6 concepts; and

7 (3) To advocate the holding of utility and insurance rates to
8 the lowest reasonable level.

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10 SECTION 6. Arkansas Code § 23-4-306 is amended to read as follows:
11 23-4-306. Intervention by others not precluded.

12 The right of any party to intervene on any matter before the Arkansas
13 Public Service Commission or the Insurance Commissioner is by no means
14 precluded by this subchapter.

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16 SECTION 7. Arkansas Code § 23-4-307 is amended to read as follows:
17 23-4-307. Records.

18 The Attorney General shall designate an employee who is familiar with
19 cost accounting methods to keep an accurate record of the costs of operation
20 and maintenance of the Attorney General's Consumer Utilities and Insurance
21 Rate Advocacy Division.

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