

The Arkansas Register



Volume XXVII, Number 2

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Secretary of State
State Capitol, Room 026
Little Rock, AR 72201-1094

Editor **Jon Davidson**

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Charlie Daniels

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THE ARKANSAS REGISTER

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ATTORNEY GENERAL OPINIONS

Opinion No.: 2003-147

Verkamp, John Paul
State Representative

RE:Despite your conclusions in Opinion No. 2003-068, does ACA 14-235-305 compel a property owner to bear a proportional expense of extending the City's sewer system to his property? If not, what does it mean? Q2) If the City, using its own funds, extends the sewer system to certain properties, must each property owner pay a proportional share of the cost of the extension when he taps the City's sewer line? **RESPONSE:** Q1) A.C.A. § 14-235-305 only compels homeowners who voluntarily tap into an existing city sewer system to pay their proportional share of the system's initial construction cost. It does not address the issue of financing the initial cost of construction, which is the question I addressed in Opinion No. 2003-068. I am unaware of any statutory or constitutional provision that would empower a city to compel adjacent property owners to tie into a municipal sewer system unless health concerns dictated doing so. However, the law on this issue is old and confusing. Legislative clarification appears warranted. Q2) Only property owners who elect without compulsion to tap into the system may be charged for their proportional share of the initial capital construction. Moreover, I believe this charge should be for their proportional share of constructing the entire system, not merely the extension.

Opinion No.: 2003-150

Jeffress, Jimmy
State Senator

RE:Does a municipal police enforcement officer employed by the City of Lake Village have jurisdiction to enforce traffic violations on a state highway that has to be traveled to and from an area that has been annexed into the city limits? **RESPONSE:** The officer will have jurisdiction to patrol on a state highway if, and only if, the area patrolled is within the city's limits. A.C.A. § 27-49-106. However, municipal police may

not patrol limited access highways unless authorized to do so by the Director of the Arkansas State Police. A.C.A. § 12-8-106; see also 27-68-101 et seq. (controlled access highways).

Opinion No.: 2003-161

Thomas, Lindbergh
State Representative

RE:Does the Jefferson County Quorum Court have authority to establish, by ordinance (copy attached), the Jefferson County Commission on Children and Youth? **RESPONSE:** Yes, if it does so in a manner that does not conflict with state law. The proposed ordinance is problematic in this respect.

Opinion No.: 2003-162

Dahlgren, Pat
Director, Div of Mental Health Serv,

RE:Request for approval of an interlocal cooperation agreement between the Arkansas Department of Human Services Division of Mental Health Services, Research and Training Institute and the Board of Trustees of the University of Arkansas for and on behalf of the Department of Psychiatry and Behavioral Sciences of the University of Arkansas for Medical Sciences to recruit, train and place students and faculty in psychiatry, psychology, social work, occupational therapy, nursing and other relevant mental health professions. **RESPONSE:** Approved as submitted.

Opinion No.: 2003-163

Hinshaw, Cathryn E.
Exec Dir, AR Fire & Police Pen Rev

RE:Request to reconsider the conclusion reached in Op. 2003-133 where the question posed is whether

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provisions of Act 481 of 2003 provide for retroactive payments back to July 1, 2001 for the added 15% in benefit payments to disabled retirees? RESPONSE: Op. 2003-133 was correct.

Opinion No.: 2003-164

Smith, Terry
State Senator

RE: Can an alderman be employed by the city as sewer plant superintendent in light of the fact that he was an employee of the city before he became a councilman? RESPONSE: No, in my opinion the common law incompatibility of offices doctrine in all likelihood prohibits it. See *Thompson v. Roberts*, 333 Ark. 544, 970 S.W.2d 239 (1998).

Opinion No.: 2003-166

Higginbotham, Steve
State Senator

RE: Does the chairman of the Regional Airport Authority have authority to refuse to recognize a duly appointed commissioner because that commissioner refuses to sign the by-laws of the authority until certain issues are clarified? RESPONSE: No.

Opinion No.: 2003-167

Fite, Dwight
State Representative

RE: Q1) Must the county recorder (circuit clerk) ask for proof that an individual has been given the 10-day notice of a mechanics' lien under ACA 18-44-114 before the recorder can accept the filing? If so, what kind of proof is required? Q2) May the county recorder refuse to file the lien if satisfactory proof is not given? Q3) May the county recorder refuse to record the lien if it is apparent that the 10-day notice was not given to

the affected party? RESPONSE: 1) No. The statute does not require filing of a proof of service of the notice. 2) No. The recorder's duties in this regard are ministerial. 3) No.

Opinion No.: 2003-170

Laverty, Randy
State Senator

RE: Are closed session meetings of 30 Arkansas educators, meeting to determine what constitutes an adequate education in Arkansas, subject to provisions of the Arkansas Freedom of Information Act (FOIA)? RESPONSE: The issue is unclear under the language of the FOIA and the available case law. The General Assembly or the courts should clarify precisely who is subject to the FOIA. Until such clarification has been provided, I will maintain the view taken by my predecessors that the open meetings requirement applies only to "governing bodies" with decision-making authority, and not to purely advisory bodies. Accordingly, I conclude that the meetings in question were not required to be held publicly. However, I note that the law also does not require that these meetings be held privately. Good public policy would dictate that they should have been open to the public.

Opinion No.: 2003-172

Bright, Stephen D.
State Representative

RE: Q1) Under ACA 14-200-101(a)(1)(E) is the Maumelle Water Management District ("District") a public utility by reason of its activities in providing water and sewer services to the residential, commercial and industrial consumers located within the corporate limits of the City of Maumelle ("City")? Q2) Pursuant to ACA 14-200-101(a)(1)(A), does the City possess the lawful right and power to impose a franchise fee upon the District based upon the gross revenues collected by the District for water consumption and sewer services provided to the

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water consumers located within the corporate limits of the City? Q3) If the City imposes a franchise fee upon the District based upon the gross revenues collected by the District for water consumption and sewer services provided to residential, commercial and industrial consumers located within the corporate limits of the City, does the District possess the lawful right and power to pass on to its residential, commercial and industrial customers the amount of such franchise fee together with the cost of billing, collecting and remitting same to the City? RESPONSE: Q1) Yes. Q2) The answer depends on who owns the space utilized by the District. If the city owns the space, the means used to calculate the fee is presumed reasonable, but could be problematic under ACA 26-77-102. It is unclear how to distinguish between a fee levied under ACA 26-77-102 and one levied under ACA 14-200-101. Q3) The fee can be passed on to customers, but not the cost of billing, collecting, and remitting the fee.

Opinion No.: 2003-173

Scroggin, Preston
State Representative

RE: Since a city cannot finance land for more than five years, who is responsible for payment of a 20-year loan from the Cleburne County Bank for a building and 10.75 acres of land purchased by the former mayor for the City of Guy? RESPONSE: Although Amendment 78 sets a 5-year limit on the permissible term of interest-bearing indebtedness a city might incur without voter approval for the purpose of purchasing land, alternative financing mechanisms may apply. Accordingly, I am unable to answer this question without further information.

Opinion No.: 2003-174

Mack, Dewayne
State Representative

RE: Do timber companies have authority to erect

gates on roads that have been open to the public for many years? One of the roads leads to a cemetery. RESPONSE: With regard to cemetery access, ACA 5-39-212 requires suitable access by automobile "by gate or otherwise." Absent any cemetery issue, the question of whether timber companies may gate particular roads will depend upon the facts pertaining to each road and may depend upon whether the public has acquired any prescriptive easement to use the road.

Opinion No.: 2003-175

Hinshaw, Cathryn E.
Exec Dir, AR Fire & Police Pen Rev

RE: If the Pension Review Board receives a benefit increase proposal from a local pension board in which the composition of board members does not comply with provisions of ACA 24-11-801, in that all of its members are on DROP, while not all of the pension fund members are on DROP, can the Board refuse to process the proposal on the basis that it came from a board that did not have the 3/4's majority necessary to propose an increase? RESPONSE: No.

Opinion No.: 2003-179

Walters, Shirley
State Representative

RE: What action would be required for school districts to be able to impose and use a local sales tax solely for school district purposes? Q2) Is there any method by which a local sales tax can be assessed and collected specifically for school district use? RESPONSE: Although a school district does not itself have authority to impose a sales tax, ACA 26-73-114 authorizes a city or county to designate on the ballot title for a sales and use tax measure that a portion of the proceeds will be dedicated to a school district or districts located wholly or partially within the city or county.

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Opinion No.: 2003-180

Womack, Shawn
State Senator

RE:Q1) Does the phrase, "The presiding officer shall appoint all regular and special committees of the quorum court, subject to any procedural rules which may be adopted by ordinance," as it is used in ACA 14-14-904(d), refer to appointing committees by name, i.e., Budget, Personnel, Public Safety, etc., or does it mean names of members of the quorum court members he appoints to serve on the committee, or both? Q2) If only the presiding officer can appoint the committees, does this not contradict ACA 14-14-801(a)(b)(12) and (13)? Q3) Depending on the answer to Q1 and 2, is there any way under the law for the quorum court to circumvent the presiding officer and establish their own committees to conduct the affairs of the county as provided for in 14-14-801(a)(b)(12) and (13)? Q4) Can a quorum court pass an ordinance stating that a committee member appointed by the presiding officer will serve on the committee for the length of his term as a member of the quorum court? **RESPONSE:** Q1) I interpret the statute to authorize the county judge to appoint the members of committees, but not to decide which committees are to be formed. Q2) & Q3) The response to Question 1 renders these questions moot. Q4) The quorum court can pass an ordinance establishing the term lengths of committee members, provided that it does not establish term lengths that extend into the term of a succeeding county judge.

Opinion No.: 2003-183

Walters, Shirley
State Representative

RE:A request to review the conclusions reached in Op. 2003-057, which purportedly stated that an individual convicted of a disqualifying offense under ACA 20-33-205 remains ineligible to work at a nursing home even though a judge has granted an order expunging the conviction. **RESPONSE:** In my opinion,

if an individual has pleaded guilty or nolo contendere to or has been found guilty of shoplifting, regardless of whether the record has been expunged, he or she will be ineligible to work at a nursing home. A.C.A. § 20-33-205(a)(3). An exception to this rule applies if the plea or conviction occurred more than 10 years prior to the employment and the individual has had no criminal convictions during that 10-year period. A.C.A. § 20-33-205(d)(2)(A). However, I must note that the applicable legislation could be far clearer in its meaning. I believe it would be useful if the legislature expressly indicated what the effect of an expungement will be in all disqualifying statutes of the sort at issue in your request.

Opinion No.: 2003-184

Capps, J.P. and Dangeau,
Co-Chairs, Subcommittee on Admin Rules,

RE:Q1) Does the exception to the promulgation of rules in ACA 25-15-202(8)(B)(i) concerning the internal management of any agency, apply to a statewide reduction in force policy promulgated by the Department of Finance and Administration ("DF&A")? Q2) Does a statewide reduction in force policy promulgated by DF&A affect the private rights or procedures available to the public, therefore subjecting it to the Administrative Procedures Act? **RESPONSE:** Q1) Yes. Q2) No.

Opinion No.: 2003-186

Scroggin, Preston
State Representative

RE:Does a county quorum court have the authority to decide, by ordinance, the method of selection for the county coroner (election or appointment), or can the court refer a ballot initiative to the voters so that the electorate can decide the method of selection for the county coroner? **RESPONSE:** The applicable procedure is outlined in ACA 14-14-601 to -614 and it involves either the passage of an ordinance or an

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initiative petition of the people. A comprehensive analysis of the office is required, as is a vote of the electorate.

Opinion No.: 2003-187

Ormond, Charles L.
State Representative

RE: Does an incorporated town have authority to charge a \$25 fee for serving city warrants pursuant to ACA 21-6-307(14)? **RESPONSE:** Yes. See ACA 21-6-502.

Opinion No.: 2003-188

Miller, Paul
State Senator

RE: Since Cherokee Village Suburban Improvement District No. 1 ("the District") was created in 1969 in accordance with provisions of Act 41 of 1941 as amended by Act 286 of 1967, and the proposed administrative actions by the Commissioners of the District frequently state that these are in accordance with Title 14, Chapter 92, from which the District is specifically excluded by 14-92-202, does this affect the validity of the actions so undertaken? Q2) If Title 14, Chapt. 92 may be used to carry out administrative actions of the Board, does this not imply that the Board of Commissioners should be elected? Q3) Does it constitute impropriety for legal advisers to the District to amend the wording of Title 14, Chapt. 92, in order to change the import of the Law? Q4) Since the District and the incorporated city of Cherokee Village appear to have the same constitutional powers, does this represent double taxation of the property owners and ignore the statutory requirement that there may not be, with and within the same boundaries, two or more municipalities, each exercising the same powers? Q5) If duplication of powers is inadmissible, which entity prevails, the District or the City? Q6) The District is the owner of many delinquent lots within the District. Will the eventual owner be liable for such delinquent taxes and penalties, or does the District,

the Board of Commissioners or the Land Commissioner have the power to extinguish or forgive such taxes? Q7) Does the law require the Commissioners to file annual Statements of Financial Interest? Is the Clerk of the County Court required to maintain such records? Q8) Under the provisions of Act 41, the Commissioners of the District are self-appointed and under Act 286, as amended, the District is the only such District in the State of Arkansas. Does this represent arbitrary discrimination against a specific group or class and thus constitute a violation of our Civil Rights? Q9) Act 41 requires the County Tax Collector to collect the District taxes at the same time that ad valorem taxes are collected, and additionally precludes the Collector from collecting one without collecting the other. Is it within the power of the District or the County to enter into an agreement to circumvent this requirement or make any such agreement which would involve payment by the District of ad valorem taxes other than as prescribed by law? **RESPONSE:** 1) The question is premised on an incorrect assumption. The district is not excluded from all applicability of the subchapter in question. 2) No, see Op. Att'y. Gen. 95-348. 3) Only the General Assembly may amend the wording of state statutes. 4) No. 5) Each has authority over its own statutory powers. Any conflicts would have to be addressed based on the particular facts. 6) Not enough facts to provide an answer. As a general matter, there is no authority to forgive or waive improvement district assessments. 7) Ethics Commission has jurisdiction over this question. 8) No. 9) Not enough facts to answer.

Opinion No.: 2003-189

Judy, Jan A.
State Representative

RE: May the grant monies (\$700,000) received by the City of Fayetteville from the Economic Development of Arkansas Fund Commission be transferred to a private development entity under certain circumstances? **RESPONSE:** Resolution of the question would require a detailed factual analysis, including reference to the grant documents.

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Opinion No.: 2003-191

Dangeau, LeRoy
State Representative

RE:Can the county use road department money to buy used equipment for the road department, then sell the used equipment to a wood grinder project, which is funded through a grant from the Economic Development of Arkansas Fund Commission, and use the proceeds to buy new equipment for the road department? **RESPONSE:** The answer will depend on a number of factual considerations including the nature of the equipment purchased and re-sold, any restrictions stated in the grant documents, and any restrictions stated in the ordinance directing the use of the grant money.

Opinion No.: 2003-192

Jeffress, Gene
State Senator

RE:Does a group of members in an existing volunteer fire district have authority to change into another existing volunteer fire district? **RESPONSE:** Not enough information to answer. Volunteer fire departments can take any one of several different forms.

Opinion No.: 2003-194

Faris, Steve
State Senator

RE:Did the Board of Trustees of the Arkansas School for the Blind and the Arkansas School for the Deaf have the authority to force the superintendent of the Deaf School to resign and appoint the superintendent of the School for the Blind as the interim superintendent for the School for the Deaf? Q2) Does the Board of Trustees have the authority to eliminate the position of the superintendent for the School for

the Deaf and put in place a policy that both schools shall be under the authority of one superintendent? Q3) Are the acts of the interim superintendent, while serving in both capacities, void? Q4) What mechanisms can be used to enjoin further personnel changes pending resolution of this matter? **RESPONSE:** 1) Your first question contains two parts that may not be answered together. The Board has the power to hire and fire superintendents of the two institutions. The question of whether any particular superintendent's separation from service was lawful is one of fact and I express no opinion on that issue. As for the second part of your first question, one person may not lawfully serve or perform the duties of both superintendent positions. 2) No. 3) No. His actions are valid as those of a de facto officer. 4) The acts of an ineligible officer may not be attacked collaterally. In order to prevent such an officer from acting, a direct action challenging his service must be instituted.

Opinion No.:2003-195

Critcher, Jack
State Senator

RE:Can a city pay members of the city council a monetary equivalent in lieu of the amount the city would pay for the member's health insurance coverage if the member is ineligible for health insurance coverage or if the member chooses not to accept such coverage? **RESPONSE:** Yes, assuming the city council has passed an ordinance or otherwise taken official action to authorize such payment.

Opinion No.: 2003-199

Lamoureux, Michael
State Representative

RE:Does the City of Russellville have authority, in light of provisions of the City's adopted Zoning Code, to allow pre-existing non-conforming daycares located in residential zones to expand or enlarge in adjoining residential zoned areas but prohibit the establishment

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of new daycares in the same or similar residential zoned areas without violating federal or state laws? Would such a prohibition against new daycares in non-conforming zones be permissible if it allowed the established non-conforming daycares to expand or enlarge without changing the zone of the property? RESPONSE: Cannot answer without additional information.

Opinion No.: 2003-203

Davis, Brent

Pros Att'y, Second Judicial Circuit

RE:Is the circuit clerk obligated, pursuant to the Freedom of Information Act (FOIA), to provide a complete copy of his or her courthouse records in an electronic format in response to requests by private citizens or business entities? If so, what would be the appropriate method of determining the charge for such a service? **RESPONSE:** Generally "yes" if the records are readily convertible or readily available in the medium requested. The fee that may be charged is governed by ACA 25-19-105(d)(3)(A)(I), which authorizes a fee based on the actual costs of reproduction excluding existing agency personnel time.

Opinion No.: 2003-204

Emigh, Barry

RE:Request for certification of popular name and ballot title of proposed constitutional amendment permitting the operation of bingo, raffles, state-operated lotteries and gambling. **RESPONSE:** Popular name and ballot title rejected due to ambiguities in the text of the proposed measure.

Opinion No.: 2003-205

Bookout, Jerry

State Senator

RE:Are the provisions of ACA 14-14-705(3) limiting

members of county boards and commissions to two (2) consecutive terms applicable to the Board of Equalization of the respective counties? **RESPONSE:** No.

Opinion No.: 2003-207

Richards, Henry

RE:Request for certification of popular name and ballot title of proposed constitutional amendment to establish a state lottery to benefit education only. **RESPONSE:** Submission rejected due to sponsor's failure to substantially comply with the provisions of Ark. Const. amend. 7.

Opinion No.: 2003-210

Bookout, Paul

State Representative

RE:Q1) Does the Jonesboro City Council have authority to appoint a replacement for an alderman who has resigned with more than a year left on his term or, since the city has over 50,000 in population, is a vote of the electorate required? Q2) Are there any other conditions that would affect the determination of this position? **RESPONSE:** Q1) A.C.A. §§ 14-43-411 and 14-42-104 expressly provide that the replacement alderman under these circumstances must be elected only if aldermen are normally elected by the electors of each ward, not if the aldermen are elected at large. In my opinion, then, given that Jonesboro conducts at large elections for aldermen, the city council should appoint the replacement. Q2) The only "other conditions that would affect the determination of this position" are the various statutes pertaining to the election of aldermen in cities of the first class having more than 50,000 residents and an aldermanic form of government.

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Opinion No.: 2003-212

Seawel, Harmon R.
State Representative

RE:Would a proposed development project under the TIF Act of 2001, because of revenue distortions to local taxing entities, decrease funding for the Pocahontas School District? **RESPONSE:** When a locality forms a redevelopment district pursuant to Act 1197 of 2001, enacted pursuant to Ark. Const. amend. 78 and currently codified at A.C.A. § 14-168-301 to -322 (Supp. 2001), assuming the project increases the overall value of properties contained within the district, the inevitable effect of tax incremental financing ("TIF") of the project costs will be to decrease school tax finances that would otherwise have been available to the school district. The legislation makes no reference to a "special set aside fund" of the sort you report the developers' attorney assures will offset such decreases. Since I know nothing about this proposed fund, I cannot opine regarding its effects.

Opinion No.: 2003-226

Gillespie, Jeff
State Representative

RE:Request regarding ownership of a widow's home in light of the fact that her husband of 20 years died interstate. **RESPONSE:** Declined to answer. The Attorney General is prohibited from engaging in private practice. This issue must be addressed to private counsel.

Opinion No.: 2003-231

Witherell, Stacey
Empl Servs Mgr, LR Human

RE:Was the decision of the custodian of records to

release the application and past performance review rating while withholding the promotional process education component and diploma of an applicant for promotion consistent with provisions of the Freedom of Information Act (FOIA)? **RESPONSE:** All of the records should be released, with certain information redacted.

Opinion No.: 2003-232

Emigh, Barry

RE:Request for certification of popular name and ballot title for proposed constitutional amendment permitting the operation of bingo, raffles, for-profit gambling and state-operated lotteries. **RESPONSE:** Popular name and ballot title rejected due to an ambiguity in the text of the proposed measure.

Opinion No.: 2003-233

State Senator

RE:Pursuant to provisions of Act 422 of 1973 (codified at ACA 12-8-108(a) and (b)), involving the safety and security of the Governor, Lieutenant Governor, mansion grounds and state capitol grounds, how much, if any, discretion does the State Police Department have to reduce the number of security personnel to a level below that which is necessary to satisfy the obligation of protection in subsection (a) when the duties imposed by this section are requested by the proper authority? **RESPONSE:** I must decline to issue an opinion on this question as it is my understanding that a constitutional officer has retained private counsel to initiate litigation in this matter. It has long been the policy of this office to avoid rendering opinions on matters that are the subject of current or impending litigation.

ADOPTED RULES AND REGULATIONS

ARKANSAS PSYCHOLOGY BOARD

Docket No.: 199.00.03--001
Effective Date: 8/17/03
Contact Person: Janet Welsh
Telephone: (501) 682-6168

Adoption of APA Ethics

ARKANSAS SENTENCING COMMISSION

Docket No.: 154.00.03--001
Effective Date: 8/18/03
Contact Person: Sally Allen
Telephone: (501) 682-5009

2003 Changes to the Sentencing Standards Grid and Seriousness Reference Table

BOARD OF NURSING

Docket No.: 067.00.03--001
Effective Date: 8/1/03
Contact Person: LouAnn Walker
Telephone: (501) 686-2704

Chapter 1 - General Provisions; Chapter 2 - Licensure of R. N., L. P. N., and L. P. T. N.; Chapter 7 - Rules of Procedure

BOARD OF OPTOMETRY

Docket No.: 069.00.03--001
Effective Date: 7/27/03
Contact Person: William Trice, III
Telephone: (501) 372-4144

Article VI: Section R - Patient Records

FINANCE & ADMINISTRATION

Office of State Procurement

Docket No.: 006.27.03--001
Effective Date: 8/11/03
Contact Person: Dudley Meadows
Telephone: (501) 372-6053

2003 Procurement Regulation Changes

GAME & FISH COMMISSION

Docket No.: 002.00.03--006
Effective Date: 8/4/03
Contact Person: James Goodhart
Telephone: (501) 223-6327

2003-04 Early Season Migratory Hunting Regulations and 3 Year Special License for 100% Disabled Citizens

HEALTH DEPARTMENT

Epidemiology

Docket No.: 007.15.03--001
Effective Date: 8/15/03
Contact Person: Robert Brech
Telephone: (501) 661-2297

ADOPTED RULES AND REGULATIONS

Rules Pertaining to Immunization Requirements

HEALTH DEPARTMENT

Health Facility Services

Docket No.: 007.05.03--002
Effective Date: 10/1/03
Contact Person: Renee Mallory
Telephone: (501) 661-2201

Rules for Hospitals and Related Institutions in Arkansas (Hospital Rules)

HOME INSPECTOR REGISTRATION BOARD

Docket No.: 198.00.03--001
Effective Date: 7/17/03
Contact Person: Tom Allen
Telephone: (501) 227-6527

Emergency Rule: Adoption of Home Inspection Standards of Practice and Code of Ethics

Docket No.: 198.00.03--002
Effective Date: 7/16/03
Contact Person: Lyman Walker
Telephone: (501) 268-3794

Emergency Rule 2003-1 -- Designation of Competency Examination

HUMAN SERVICES

County Operations

Docket No.: 016.20.03--005
Effective Date: 8/16/03
Contact Person: Mae Bishop
Telephone: (501) 682-8719

State Plan for the 2004-2005 Community Services Block Grant Program

Medical Services

Docket No.: 016.06.03--015
Effective Date: 8/1/03
Contact Person: Tommy Wingard
Telephone: (501) 682-6117

Form DHS-703 -- Evaluation of Need for Nursing Home Care

Docket No.: 016.06.03--016
Effective Date: 8/1/03
Contact Person: Tommy Wingard
Telephone: (501) 682-6117

Informal Dispute Resolution for Long Term Care Facilities

Docket No.: 016.06.03--017
Effective Date: 9/1/03
Contact Person: Marilyn Strickland
Telephone: (501) 682-8330

Official Notice DMS-2003-L-5 and State Plan Transmittal #2003-007

ADOPTED RULES AND REGULATIONS

OIL & GAS COMMISSION

Docket No.: 178.00.03--001
Effective Date: 8/22/03
Contact Person: Grant Black
Telephone: (870) 862-4965

Rule B-26 -- Fire Walls

Docket No.: 178.00.03--002
Effective Date: 8/22/03
Contact Person: Grant Black
Telephone: (870) 862-4965

Rule B-30 -- Deviation Tests

Docket No.: 178.00.03--003
Effective Date: 8/22/03
Contact Person: Grant Black
Telephone: (870) 862-4965

Rule B-42 -- Seismic Rules and Regulations

STATE CHIEF INFORMATION OFFICER

Docket No.: 200.00.03--001
Effective Date: 9/1/03
Contact Person: Drew Mashburn
Telephone: (501) 682-5256

PS-33: Managing State Information Technology Projects

INSURANCE DEPARTMENT

***** No Insurance Orders were filed with the *Arkansas Register* during the past filing period for placement in this edition.**

ORDERS AND NOTICES

LEGISLATIVE AUDIT September 2, 2003

Agency	Period Covered
Department of Finance and Administration- Revenue Division - Office of Child Support Enforcement	June 30, 2002
Department of Education	June 30, 2002
Arkansas State Board of Acupuncture and Related Techniques	June 30, 2002
Arkansas State Board of Acupuncture and Related Techniques	June 30, 2003
Arkansas Treasurer of State	June 30, 2002
Department of Education - Arkansas School for the Deaf	June 30, 2002
Arkansas State Military Department	June 30, 2002
Arkansas State Medical Board (Private)	June 30, 2002
Arkansas Deaf and Hearing Impaired Telecommunications Services Corporation (Private)	June 30, 2002
Mid-South Health Systems, Inc. (Private)	June 30, 2002
Central Arkansas Planning and Development District, Inc. (Private)	June 30, 2002
Southeast Arkansas Economic Development District, Inc. (Private)	June 30, 2002
Department of Finance and Administration -Alcoholic Beverage Control-Administration Division	June 30, 2002
Department of Finance and Administration -Alcoholic Beverage Control-Enforcement Division	June 30, 2002
Department of Education -Arkansas State Library	June 30, 2002
University of Arkansas for Medical Sciences	June 30, 2002
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Arkansas Beef Council	June 30, 2002
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