

**REPORT OF THE
ADMINISTRATIVE RULES SUBCOMMITTEE
OF THE
ARKANSAS LEGISLATIVE COUNCIL**

December 20, 2024

Co-Chairs:

The Administrative Rules Subcommittee met on Thursday, December 19, 2024, at 9:00 a.m., in Room A, MAC.

A. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:

- 1. DEPARTMENT OF COMMERCE, ARKANSAS DEVELOPMENT
FINANCE AUTHORITY**
 - a. Rule Regarding the Reservation of Private Activity Bond Volume Cap & REPEALS: Private Activity Volume Cap Rules and Regulations
ID# 800; Neighborhood Stabilization Program (NSP) ID# 848**
- 2. DEPARTMENT OF CORRECTIONS, BOARD OF CORRECTIONS**
 - a. Earned Release Credits Committee**
- 3. DEPARTMENT OF EDUCATION, COMMISSION FOR ARKANSAS
PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION,
DIVISION OF PUBLIC SCHOOL ACADEMIC FACILITIES AND
TRANSPORTATION**
 - a. Rule Governing the Academic Facilities Distress Program**
 - b. Rules Governing the Academic Facilities Partnership Program**
 - c. Rule Governing the Transportation Modernization Grant Program**
- 4. DEPARTMENT OF ENERGY AND ENVIRONMENT, DIVISION OF
ENVIRONMENTAL QUALITY**
 - a. Rule No. 36: Tire Accountability Program**

5. **DEPARTMENT OF FINANCE AND ADMINISTRATION, ARKANSAS RACING COMMISSION**
 - a. **REPEAL: Rules and Regulations Governing Greyhound Racing**
 - b. **Horse Racing Rule 2148**
 - c. **Horse Racing Rule 2444**
 6. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES**
 - a. **Autism Services for Children on Medicaid & REPEALS: FBI Background Check Form; First Connections Program Under Part C of the Individuals with Disabilities Act**
 7. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES**
 - a. **Emergency Medical Technicians as Other Licensed Practitioners**
 8. **DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, OFFICE OF FIRE PROTECTION SERVICES**
 - a. **Arkansas Fire Prevention Code**
 9. **NORTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT**
 - a. **Northeast Arkansas Regional Solid Waste Management District Rules and Regulations**
- B. The Subcommittee voted to not approve the following rule filed pursuant to Ark. Code Ann. § 10-3-309:¹**
1. **DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT**
 - a. **Rule 128: Fair and Reasonable Pharmacy Reimbursements**

¹ Because the rule contained a fee or penalty, grounds under Arkansas Code § 10-3-309(f)(1) were not required to be stated when the rule was not approved. See Ark. Code Ann. § 10-3-309(f)(4).

- C. At the agencies' joint request, the following rules were pulled from consideration prior to the meeting:**
 - 1. DEPARTMENT OF AGRICULTURE**
 - a. Liquid Animal Waste Management Systems**
 - 2. DEPARTMENT OF ENERGY AND ENVIRONMENT, DIVISION OF ENVIRONMENTAL QUALITY**
 - a. Rule No. 6: Rules for State Administration of the National Pollutant Discharge Elimination System (NPDES)**
- D. Pursuant to Act 595 of 2021, the Subcommittee received agency updates on outstanding rulemaking relating to legislation from the 2023 Regular Session.**
- E. The Subcommittee filed the December monthly written update by the Arkansas Oil and Gas Commission, pursuant to Act 595, concerning rulemaking from the 2024 Fiscal Session.**

Respectfully submitted,

Representative Brian Evans, Co-Chair

Senator Kim Hammer, Co-Chair