



# Daily Legislative Update

92<sup>nd</sup> General Assembly

Friday, January 18, 2019 – Session Day 5

## TODAY AT THE CAPITOL

The House and Senate are in recess until Tuesday, January 22.

Legislative Calendar: [www.arkleg.state.ar.us/assembly/Pages/Home.aspx](http://www.arkleg.state.ar.us/assembly/Pages/Home.aspx)

## STATE CHAMBER/AIA LEGISLATIVE RECEPTION 4:30 P.M. JANUARY 22

Please make plans to join us on January 22 for our State Chamber/AIA Legislative Reception, presented by **Cox Communications, Southland Gaming & Racing, Stephens Inc., Walmart and XTO Energy**. The reception will begin at 4:30 p.m. under the big tent in the State Chamber/AIA's north parking lot at 1200 W. Capitol Ave. in Little Rock. This event will be attended by many state legislators, constitutional officers, state officials, State Chamber/AIA member representatives, Leadership Arkansas alumni and others.

## FIRST WEEK HIGHLIGHTS

### MINIMUM WAGE

**SB 115**, by Sen. Bob Ballinger and Rep. Frances Cavanaugh, would create an exemption to the Minimum Wage Act for employers with fewer than 50 employees, employers that are schools or institutions of higher education, and 501(C)(3) nonprofits.

We have a group of members and attorneys working on this issue. We are in contact with the sponsors of SB 115 and other legislators about this issue. We will have some suggestions on this issue soon.

We have concerns about how the minimum wage increase will impact workers, small businesses and our economy. Our President & CEO, Randy Zook, published an article in *Arkansas Money & Politics* earlier this month titled **The False Promise of Minimum Wage**. Here's a link to the article on our website:

<https://www.arkansasstatechamber.com/news-publications/news-releases/the-false-promise-of-minimum-wage/>

### BILL FILING DEADLINE ELIMINATED

By a vote of 87 to 8, the House passed **HR 1001**, which sets the House Rules for the 92<sup>nd</sup> General Assembly. **HR 1001** contains language that strikes the historic language requiring all bills to be filed on or before the 55th session day.

**SCR 1** is language for the House and Senate's Joint Rules for the 92<sup>nd</sup> General Assembly. This Resolution also contains the provision to strike the bill filing deadline. **SCR 1** has been given a Do Pass recommendation by the Senate Rules Committee and is on Tuesday's Senate Calendar.

We view elimination of the bill filing deadline as a very positive change. It will eliminate the filing of 400, 500 or more bills on the deadline date. A large percentage of the bills typically filed on the deadline date are "shell"

bills. Shell bills contain no language but can be amended later. Keeping up with the amendments amid hundreds of new bills in the latter third of a Session is extremely difficult. We do not believe elimination of the bill deadline will extend the Session. Leadership can control when Committees will stop hearing new bills.

## **COVENANTS NOT TO COMPETE**

**HB 1068**, by Rep. Brian Evans and Sen. Ricky Hill, seeks to repeal the ability to enforce covenant not to compete agreements. Uncodified language says the repeal does not affect the ability of an employer to protect trade secrets under the Trade Secrets Act. We have been in contact with the sponsors and will be meeting with them soon. Repealing the existing statute on these covenants will not eliminate their use. Instead, legal control would return to common law. We believe modifications to the existing statute is the best approach and will work with human resource attorneys and the sponsors to develop an amendment to the bill.

## **MEDICAL MARIJUANA**

**HB 1150** by Rep. Doug House is on Tuesday's House Calendar to adopt an amendment adding Sen. Bob Ballinger as a sponsor. This bill seeks to expand the list of qualifying medical conditions to use medical marijuana.

The original law authorized these medical conditions for medical marijuana use: Cancer, glaucoma, positive status for human immunodeficiency virus/acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Tourette's syndrome, Crohn's disease, ulcerative colitis, post-traumatic stress disorder, severe arthritis, fibromyalgia, and Alzheimer's disease.

**HB 1150** seeks to remove glaucoma and add the following medical conditions to be eligible for medical marijuana use: adiposis dolorosa or Dercum's Disease, anorexia, Arnold-Chiari malformation, asthma, attention deficit disorder, attention deficit hyperactivity disorder, autism, bipolar disorder, bulimia, causalgia, chronic inflammatory demyelinating polyneuropathy, chronic insomnia, chronic obstructive pulmonary disease, complex regional pain syndrome Type I and Type II, dystonia, emphysema, fibrous dysplasia, general anxiety disorder, hydrocephalus, hydromyelia, interstitial cystitis, lupus, migraine, myasthenia gravis, myoclonus, nail-patella syndrome, neurofibromatosis, Parkinson's Disease, posterior lateral sclerosis, post-concussion syndrome, reflex sympathetic dystrophy, residual limb and phantom pain, restless leg syndrome, Sjogren's syndrome, spinocerebellar ataxia, spinal cord injury or disease including without limitation arachnoiditis, syringomyelia, Tarlov cysts, traumatic brain injury, or the treatment of these conditions.

## **STATE CHAMBER/AIA TRACKED BILLS**

The House has filed 211 bills and the Senate 135 bills. We added 2 bills to our tracking list for a total of 65 bills and resolutions.

Here's a link to the bills we added to our tracking today: [https://arkansasstatechamber-my.sharepoint.com/:w:/p/khall/EfxJnU36G\\_hNq3vJTA3rr88BimEsW1N4iqZ-s-U1xbG30Q?e=pTdJMw](https://arkansasstatechamber-my.sharepoint.com/:w:/p/khall/EfxJnU36G_hNq3vJTA3rr88BimEsW1N4iqZ-s-U1xbG30Q?e=pTdJMw)

To review our complete tracking list, by category, click this link:

<https://www.arkansasstatechamber.com/governmental-affairs/legislative-tracking/>

## **SAVE THE DATE: MAY 8-10 | 60TH WASHINGTON FLY-IN**

Our 60<sup>th</sup> Annual Washington Fly-in and Congressional Dinner is set for May 8 – 10. Please make plans to join us. The Congressional Dinner will be held at 101 Constitutional Rooftop Terrace the evening of Thursday, May 9. More details will be forthcoming as they are finalized.

Thank you to the following sponsors:

**Aerojet Rocketdyne, AEP-SWEPCO, Electric Cooperatives of Arkansas, Entergy Arkansas, Nabholz Construction Services, Southwest Power Pool and Walmart.**

If your company or organization would like to help sponsor the Washington Fly-In & Congressional Dinner, please contact Bill Watson at [bwatson@arkansasstatechamber.com](mailto:bwatson@arkansasstatechamber.com) or 501-802-1740.

## STATE CHAMBER/AIA 2019 LEGISLATIVE AGENDA

To review our 2019 Legislative Agenda, click this link: <https://arkansasstatechamber-my.sharepoint.com/:b:/p/khall/EaL12Jp74lNJs5oLpIGDXw8BMAKxeaisr7hcr0VSIeIFRg?e=afChNW>

## LEGISLATIVE SESSION INFORMATION

To view schedules, calendars, bill information and legislator information, visit: [www.arkleg.state.ar.us](http://www.arkleg.state.ar.us).

### Legislative Message Center

House of Representatives: 501-682-6211

Senate: 501-682-2902

The House and Senate now both have live streaming of their business. Links to the live stream are on their webpages.

House: <https://www.arkansashouse.org/>

Senate: <http://www.arkansas.gov/senate/>

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