



Daily Legislative Update

92nd General Assembly

Wednesday, January 23, 2019 – Session Day 10

TODAY AT THE CAPITOL

The Senate will convene at 1 p.m. and the House at 1:30 p.m. this afternoon.

Legislative Calendar: www.arkleg.state.ar.us

YESTERDAY AT THE CAPITOL

GOVERNMENT TRANSFORMATION

HB 1070 by Rep. Andy Davis and Sen. Bart Hester is the general language portion of Governor Hutchinson's Transformation and Efficiencies Act of 2019. It seeks to establish 15 cabinet-level departments led by an executive head named the secretary. It also establishes the powers and duties of a cabinet-level department. **HB 1070** was presented to the Senate State Agencies Committee yesterday morning by Sen. Hester, Rep. Davis and Amy Fetcher. They told the committee that there will be a total of 16 bills, each of which will be presented to the Committee, then they will all be combined into one bill.

Two more bills were filed yesterday bringing the total to 11 bills related to government transformation.

HB 1071, which establishes the Department of Veteran's Affairs, and **HB 1072** that established the Department of Health, will be presented as a Special Order of Business tomorrow morning in the Senate State Agencies Committee. All government transformation bills filed to date can be viewed here: https://arkansasstatechamber-my.sharepoint.com/:w:/p/khall/EajfDK9WgqRLtOt7Nna8WOoBI4_rWnMh6huaXBxQRfz1Qg?e=voAfr m

BILL FILING DEADLINE ELIMINATED

SCR 1 contains the language for the House and Senate's Joint Rules for the 92nd General Assembly, which includes the provision to strike the bill filing deadline. **SCR 1** was approved by the full Senate yesterday afternoon and has now been referred to the House Rules Committee.

BILLS WE ARE WORKING ON

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 and have a working group of lawyers and business interests looking for options.

We are concerned 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 entitled ***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/>

COVENANTS NOT TO COMPETE

HB 1068, by Rep. Brian Evans and Sen. Ricky Hill, seeks to repeal a statute addressing non-compete agreements between employers and employees. 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.

MEDICAL MARIJUANA

HB 1150 by Rep. Doug House had an amendment adopted yesterday. The amendment clarified that glaucoma remains on the list of approved medical conditions. The amendment did NOT add Sen. Bob Ballinger as a co-sponsor, which we erroneously reported earlier. Apologies to Sen. Ballinger.

This bill seeks to greatly expand the list of qualifying medical conditions to use medical marijuana. Some of the proposed additional conditions are: asthma, attention deficit disorder, attention deficit hyperactivity disorder, chronic insomnia, complex regional pain syndrome Type I and Type II, general anxiety disorder, migraine, post-concussion syndrome and restless leg syndrome.

NEW BILLS OF INTEREST

CAREER AND HIGHER EDUCATION

SB 140 and **141** are by Sen. Jane English. **SB 140** makes various changes to state-supported work-based learning programs and **SB 141** requires state-supported technical institutes to provide electronic access to the Economic Security report of Employment and Earnings outcomes prepared by the Department of Workforce Services.

NONPROFITS

SB 142 by Sen. Larry Teague would allow for-profit corporations to convert to nonprofit corporations pursuant to filing specified documents and statements with the circuit court of the county in which the corporation has its principal place of business.

UTILITIES

SB 145 by Sen. Dave Wallace would include entities that lease or contract to operate a net-metering facility in the definition of such facilities under the Renewable Energy Development Act.

SALES TAX EXEMPTION

SB 146 by Sen. Alan Clark would create a sales tax exemption for merchandise withdrawn from stock for donation to a nonprofit, public educational institution, church, or individual with damaged property or loss in a natural disaster. It also seeks to add that gross receipts or gross proceeds for withdrawn stock merchandise is based on value of the merchandise if it was withdrawn from the consumption of the business or are alcoholic beverage or tobacco products. Finally, it seeks to allow personal property released for individuals with damaged property or loss in a natural disaster are only tax exempt in disaster areas declared by the Governor.

TEMPORARY LIENS

SB 148 by Sen. Bart Hester would create a temporary lien in favor of a judgment creditor when the creditor files a charging application against a member's limited liability company until a ruling is made or the application is dismissed.

TELEMEDICINE

HB 1220 by Representatives Dan Sullivan and Justin Gonzales would amend the definition of professional relationship under the Telemedicine Act to provide that a relationship exists if the healthcare professional has access to the patient's medical history and is of the opinion that the standard of care can be met. It would prohibit licensing and certification boards from implementing rules that are more restrictive than the law provides.

STATE CHAMBER/AIA TRACKED BILLS

The House has now filed 224 bills and the Senate 149 bills. We added 10 to our tracking and are now tracking 77 bills and resolutions.

All bills we added to tracking today can be reviewed by clicking this link:

https://arkansasstatechamber-my.sharepoint.com/:w:/p/khall/EdQ_ZNNeNwFAnSgugfWIBQUBahdYUnWTMFBCtWeQXFenAw?e=LPcZdU

All bills we are tracking are posted on our website by category, click this link:

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

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

Our 60th Annual Washington Fly-in and Congressional Dinner is set for May 8 – 10, 2019. Please make plans to join us. For information on the planned events, to register or learn about sponsorship opportunities, click <https://www.arkansasstatechamber.com/news-publications/news-releases/save-the-date-60th-annual-washington-fly-in-congressional-dinner-may-8-10/>

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 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.

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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