



Daily Legislative Update

92nd General Assembly

Tuesday, January 29, 2019 – Session Day 16

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

CONVENTION OF THE STATES

SJR 3 by Sen. Gary Stubblefield is on this afternoon's Senate Calendar. This bill seeks to add Arkansas to the required number of states to have the United States Congress call a Convention to amend the Constitution of the United States.

YESTERDAY AT THE CAPITOL

BILL FILING DEADLINE ELIMINATION

SCR 1 contains the language for the House and Senate's Joint Rules of the 92nd General Assembly, which includes the provision to strike the bill filing deadline. **SCR 1** was approved by the House on a vote of 93 to 0.

PROCUREMENT RULES

A handful of bills related to procurement laws were adopted in the House yesterday afternoon. All bills make various changes to the state procurement law plus the following specific changes:

HB 1161 by Rep. Jim Dotson and Sen. Scott Flippo adds procedures and requirements for service contracts.

HB 1162 by Rep. Jim Dotson and Sen. Scott Flippo adds contract review procedures and requires contractors to ensure compliance with this revised law in cooperation with state agencies.

HB 1179 by Rep. Jeff Wardlaw and Sen. Scott Flippo relates to aggrieved bidders and the process for protesting solicitations and awards. It also seeks to require the State Procurement Director to create a written delegation order when delegating authority.

HB 1180 by Rep. Jeff Wardlaw and Sen. Scott Flippo prioritizes opportunities for awarding mandatory state contracts under cooperative purchasing agreements.

HB 1181 by Rep. Jeff Wardlaw and Sen. Scott Flippo seeks to prohibit firms that have an existing state contract under which they have demonstrated poor material performance from submitting additional bids.

Click this link to read a summary of the Committee hearing on these bills by the *Arkansas Democrat Gazette*:

<https://arkansasstatechamber-my.sharepoint.com/:w:/p/khall/EUiNORaTG3pDvfXf3TZsP2EBwiwGrcUBxqo7T6kki1Ywqg?e=MedmkU>

NEW BILLS OF INTEREST

HIGHWAY FUNDING

HB 1260 by Rep. Dan Douglas would levy a wholesale sales tax on motor fuels and direct the proceeds to be deposited as special revenues. It would require general revenue in excess of a set annual amount to be transferred to the State Highway and Transportation Department Fund. Begin wholesale tax on motor fuel and distillate special fuel on April 1, 2020. Levy wholesale sales tax on motor and distillate special fuel determined by multiplying the twelve-month average wholesale selling price of motor fuel from the previous year by 3.5%, which will be converted and published by the Department of Finance and Administration as a cent-per-gallon amount to retailers. Divert existing sales revenue from the direct payment of sales tax from the purchase of a new or used motor vehicle, trailer, or semitrailer to the State Highway and Transportation Department Fund once collection of general sales tax exceeds \$2.5B for the year, allocating those vehicle tax revenues each year up to the respective amounts: \$30M in year one, \$60M in year two, \$90M in year three, and \$120M for each subsequent year.

GOVERNMENT TRANSFORMATION

HB 1272 by Rep. Andy Davis and Sen. Bart Hester seeks to establish the Department of Transformation and Shared Services as a cabinet level department, transferring 10 state entities to the department and assigning powers and duties under the Transformation and Efficiencies Act of 2019.

BILLS WE ARE WORKING ON

MINIMUM WAGE

Our group of members and attorneys are still working on this issue.

If you have identified the impact of the minimum wage increase to your business, please send us a written report. These will be very helpful as we discuss potential legislation to mitigate the impact of the minimum wage increase with legislators.

Earlier this month our President & CEO, Randy Zook, published an op-ed in *Arkansas Money & Politics* 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/>

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. The sponsors are holding this bill until we get our suggestions completed.

BILLS TO WATCH

LICENSING AND REGULATION BILLS

SB 171 and **SB 175** were filed yesterday by Red Tape Reduction Working Group co-chair Sen. John Cooper.

SB 171 would create a seven-member Occupational Licensing Sunrise and Sunset Commission appointed by the Governor to review all legislation relating to licensure requirements, unregulated occupations inconsistent with the public health and safety, and other similar matters.

SB 175 would permit an occupational licensing entity to waive disqualification or revocation of a license for offenses in the Arkansas Code upon the request of listed parties who meet enumerated criteria.

The following bills were filed yesterday that address occupational licensing. You can view a brief summary of each in the list of Bills added to Tracking today through the link below. The new bills are: **SB 172**-Social Workers, **SB 178**-Athletic Trainers, **SB 189**-Advanced Practice Nurses, **SB 190**-Genetic Counselors, **HB 1264**-Veterinary supervision of chiropractic animal care, **HB 1265**-full independent practice authority to certain

nurses, **HB 1271**-Real estate course deadline, **HB 1276**-Duties of Real Estate Commission, **HB 1282**-Advanced Practice Nurses' prescription authority and **HB 1283**-Registered Nurse Anesthetists.

Yesterday we mentioned a list of draft bills and one bill that were reviewed Friday by the Occupational Licensing Advisory Group. Here's a link to all of the draft bills and bill discussed by OLAG Friday:
<https://arkansasstatechamber-my.sharepoint.com/:f:/p/khall/EnQ032WIR75FoROPr1sM-egBZyaONxPTpELzIAE9sSn9vA?e=RFVqEw>

Click this link to see all licensing and regulations related bills we've tracked:

https://arkansasstatechamber-my.sharepoint.com/:w:/p/khall/EWI2Sm0LMb1NnM143cjfW0IBzh5jcf17wA_vZ9edGzFz_A?e=nBxGrk

MEDICAL MARIJUANA

HB 1150 by Rep. Doug House 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.

STATE CHAMBER/AIA TRACKED BILLS

The Senate has now filed to 192 bills and the House 290. We added 25 bills to our tracking and are now tracking 128 bills and resolutions.

Click this link to see the new bills added to our tracking:

https://arkansasstatechamber-my.sharepoint.com/:w:/p/khall/ERLUCQ25cgZOrpZs_7mGipUBGgapRaWo15srSWOltjS72A?e=2moYe4

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

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

LEGISLATIVE SESSION INFORMATION

To view schedules, calendars, bill information and legislator information, click: www.arkleg.state.ar.us.

Legislative Message Center

House of Representatives: 501-682-6211

Senate: 501-682-2902

State Chamber/AIA 2019 Legislative Agenda

To review our 2019 Legislative Agenda, click this link: <https://arkansasstatechamber-my.sharepoint.com/:b:/p/khall/EaL12Jp74INJs5oLpIGDXw8BMAKxeaisr7hcr0VSIIEFRg?e=afChNW>

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/>

STATE CHAMBER/AIA WASHINGTON FLY-IN



Thank you to the following sponsors:

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

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/>

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.

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