



Daily Legislative Update

91st General Assembly

Wednesday, January 18, 2017 – Day 10

TODAY AT THE CAPITOL

The Senate Tax Committee advanced the Governor's income tax reduction for low income wage earners.

The agenda for the House State Agencies Committee included three bills by **Rep. Warwick Sabin, D-Little Rock**, which we are tracking and for which we have concerns. I had a very nice visit with Rep. Sabin and he does not plan to run the bills anytime soon. He asked that we look closer at **HB 1010**, which seeks to broaden the type of information that is accessible through the Secretary of State's office and **HB 1011**, which would prohibit contributions by one PAC to another PAC.

HB 1012 is one that we strongly oppose and Rep. Sabin understands our concerns. This bill would prohibit PAC contributions to candidates. With the previously adopted prohibition on corporate contributions, PACs are the only way businesses can participate in elections. We will protect the business community's ability to participate in elections.

To view today's schedules, committee agendas, bills and other information related to the Session, visit www.arkleg.state.ar.us.

YESTERDAY AT THE CAPITOL

EQUAL PAY BILL

HB 1021, by Rep. Fred Love, D-Little Rock, was not considered in the House Public Health, Welfare and Labor Committee. I spoke with Rep. Love and he said he was surprised by the strong opposition to his bill. He said he was only trying to accomplish a couple of things. He agreed to meet with some of our attorneys to discuss his desires and our problems.

FIRST MARIJUANA BILLS ADVANCE

House Bill 1058, by Rep. Doug House, R-North Little Rock, was approved by a vote of 70-23-1 yesterday afternoon. Sixty-six votes were needed to pass because the bill amends a constitutional amendment. The bill strikes a phrase in the amendment requiring physicians to provide written certification that marijuana's potential health benefits would outweigh the risks for a patient. Doctors would still be required to certify in writing that the patient has a qualifying medical condition. The Department of Health will issue identification cards allowing patients to purchase the drug.

House told the representatives that medical marijuana is “basically a homeopathic remedy” that is illegal nationally and cannot be prescribed by a physician, and that there is no medical standard for prescribing its use. A written certification is not the same as writing a prescription. Requiring doctors to certify that rewards outweigh risks would subject them to liability concerns, could negate their medical malpractice coverage, and could discourage many from prescribing the drug, he said.

The bill also would clarify that an application for a registry identification card is not a medical record, but it is still exempt from the state’s Freedom of Information Act. Dispensary records also would be confidential and exempt from the Act. House said making the information part of a medical record would put various people dealing with the information at risk of violating federal HIPAA (Health Insurance Portability and Accountability Act) privacy laws, including police officers and state agency employees.

House Bill 1026, also by Rep. Doug House, was adopted by a vote of 91-0. This bill would extend rulemaking deadlines to 180 days from the current 120 days after the November election. House told his fellow representatives that the 120 days allowed by the amendment was “unworkable” under the state’s Administrative Procedure Act, which requires time for public comment. The bill applies to the Department of Health, the Alcoholic Beverage Control Division, and the Arkansas Medical Marijuana Commission, which was created by the amendment to regulate the licensure of cultivation and dispensary facilities.

Rep. House has three other bills that recently have been amended and will be considered by the House Rules Committee next week. **HB 1049** would clarify the types of “felony of violence” that would exclude someone from receiving a cultivation or dispensary license. **HB 1051** would add a licensure procedure for transporters, distributors and processors. **HB 1057** would add criminal background check procedures.

Rep. House said afterward that a bill may be filed as early as Friday clarifying what an employer can do to maintain worker safety. This is a bill that we have been working with some employment law firms to develop for Rep. House.

Finally, House said a bill will be filed in a couple of weeks that would instruct the Medical Marijuana Commission to pass rules against “attractive nuisances” that would draw children’s attention. There will also be an appropriation bill for the Medical Marijuana Commission of perhaps \$200,000 to pay stipends and expenses, and another appropriation for the Department of Finance and Administration to pay for initial expenses before revenues are generated. The DFA appropriation could be about \$300,000, House said.

Most of the information in this report came from Steve Brawner’s article in Talk Business & Politics.

THANKS TO ALL WHO ATTENDED OUR LEGISLATIVE RECEPTION

We are delighted that we had approximately 300 people attend our Legislative Reception last evening including about half of the General Assembly. Thanks to all who attended!!!

One final thank you to our sponsors:

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STATE CHAMBER/AIA TRACKED BILLS

The House has now filed 200 bills and the Senate 138 bills. We added three bills to our tracking and are now tracking 71 bills.

To view a list of bills added to our tracking yesterday, click [here](#).

Our entire list of tracked bills are posted on our website by category, which you can access by clicking [here](#).

LEGISLATIVE SESSION INFORMATION AND MESSAGE CENTER

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