

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4
5 By: Representative Neal
6

As Engrossed: H3/17/15

A Bill

HOUSE BILL 1851

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING APPOINTMENTS TO
9 CERTAIN BOARDS, COMMISSIONS, COMMITTEES, AND OTHER
10 ADMINISTRATIVE BODIES; TO AMEND THE LAW CONCERNING
11 MEMBERSHIP ON CERTAIN BOARDS, COMMISSIONS,
12 COMMITTEES, AND OTHER ADMINISTRATIVE BODIES; AND FOR
13 OTHER PURPOSES.
14
15

Subtitle

16 TO AMEND THE LAW CONCERNING APPOINTMENTS
17 TO AND MEMBERSHIP ON CERTAIN BOARDS,
18 COMMISSIONS, COMMITTEES; AND OTHER
19 ADMINISTRATIVE BODIES.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 *SECTION 1. Arkansas Code § 2-9-103(a), concerning appointments to the*
26 *Arkansas Catfish Promotion Board, is amended to read as follows:*

27 *(a)(1) The Arkansas Catfish Promotion Board is created.*

28 *(2) The board shall be composed of seven (7) members appointed*
29 *by the Governor ~~as follows:~~*

30 *~~(1)(A) The Catfish Farmers of Arkansas, Inc., shall submit to~~*
31 *~~the Governor the names of six (6) persons who are members of the catfish~~*
32 *~~industry. The list of nominees shall include commercial catfish producers,~~*
33 *~~processors, and feed dealers identified as such. The Arkansas Farm Bureau~~*
34 *~~Federation shall submit to the Governor the names of six (6) persons who are~~*
35 *~~commercial catfish producers. All members shall be and residents of Arkansas.~~*

36 *~~(B) The Governor shall appoint four (4) members from the~~*



1 ~~list submitted by the Catfish Farmers of Arkansas, Inc., and three (3)~~
 2 ~~members from the list submitted by the Arkansas Farm Bureau Federation to~~
 3 ~~serve on the board.~~

4 ~~(2)(3) Each year, not less than thirty (30) calendar days prior~~
 5 ~~to the expiration of the terms of the current members of the board whose~~
 6 ~~terms expire, the organizations named in subdivision (a)(1)(A) of this~~
 7 ~~section shall submit to the Governor the names of two (2) nominees for each~~
 8 ~~position to be filled on the board from the respective organizations, subject~~
 9 ~~to the foregoing qualifications, and the Governor shall appoint the new~~
 10 ~~members from each list of nominees. If no lists are submitted, the~~
 11 ~~appointments shall be at the discretion of the Governor~~ The Governor shall
 12 consult the Catfish Farmers of Arkansas, Inc., and the Arkansas Farm Bureau
 13 Federation before making an appointment under subdivision (a)(2) of this
 14 section.

15 ~~(3)(A)(4)(A)~~ (4)(A) Each member selected shall serve for a term of two
 16 (2) years and until his or her successor is selected as provided in this
 17 section.

18 (B) However, the initial members of the board shall be
 19 appointed for terms that will result in three (3) members' terms expiring
 20 after one (1) year and four (4) members' terms expiring after two (2) years.

21 ~~(4)(5)~~ A midterm vacancy on the board shall be filled by
 22 appointment by the Governor from a list submitted within thirty (30) calendar
 23 days from the organization making the nomination for the position being
 24 vacated.

25 ~~(5)(6)~~ A member of the board may be removed by a majority vote
 26 of the remaining board members for conviction of a felony, for not attending
 27 three (3) consecutive meetings, or if the member no longer meets the
 28 qualifications for his or her initial appointment.

29
 30 SECTION 2. Arkansas Code § 2-16-612(c), concerning appointments to the
 31 cotton growers' organization, is amended to read as follows:

32 (c) The organization's board of directors shall be composed as
 33 follows:

34 (1) ~~Two (2)~~ Eight (8) Arkansas cotton growers ~~recommended by the~~
 35 ~~board,~~ to be appointed by the Governor;

36 (2) ~~Three (3)~~ Arkansas cotton growers ~~recommended by the~~

1 ~~Arkansas Farm Bureau Federation, to be appointed by the Governor;~~
2 ~~(3) Three (3) Arkansas cotton growers recommended by the~~
3 ~~Agricultural Council of Arkansas, to be appointed by the Governor;~~
4 ~~(4) One (1) representative of state government from this state~~
5 ~~recommended by the board, to be appointed by the Governor; and~~
6 ~~(5)(4) The cochairs of the University of Arkansas Boll Weevil~~
7 ~~Eradication Technical Advisory Committee will serve as ex officio members of~~
8 ~~the cotton growers' organization board to serve in an advisory capacity.~~

9
10 SECTION 3. Arkansas Code § 2-20-404(a), concerning appointments to the
11 Arkansas Soybean Promotion Board, is amended to read as follows:

12 (a)(1) The Arkansas Soybean Promotion Board is created.

13 (2) The board shall be composed of nine (9) ~~producer~~ members
14 appointed by the Governor ~~as follows:~~

15 ~~(1)(A) The Arkansas Farm Bureau Federation, Riceland Foods,~~
16 ~~Inc., Arkansas Soybean Association, and Agriculture Council of Arkansas shall~~
17 ~~submit the names of five (5) practical soybean producers to the Governor.~~

18 ~~(B) The Governor shall appoint three (3) members from the~~
19 ~~list submitted by the Arkansas Farm Bureau Federation, and two (2) members~~
20 ~~from the list submitted by each of the other organizations named above to~~
21 ~~serve on the board.~~

22 ~~(C) All of the nine (9) producer members of the board~~
23 ~~shall be who are practical producers of soybeans in the State of Arkansas,~~
24 ~~and shall be nominated by their respective organizations;~~

25 ~~(2) Each year, not less than thirty (30) days prior to the~~
26 ~~expiration of the terms of the current board members whose terms expire, the~~
27 ~~organizations named in subdivision (a)(1)(A) of this section shall submit to~~
28 ~~the Governor names of two (2) nominees for each position to be filled on the~~
29 ~~board from the respective organizations, and the Governor shall appoint the~~
30 ~~new members from each list of nominees; and~~

31 (3) The Governor shall consult the Arkansas Farm Bureau
32 Federation, Riceland Foods, Inc., Arkansas Soybean Association, and
33 Agriculture Council of Arkansas before making an appointment under
34 subdivision (a)(2) of this section.

35 (4) Each member selected shall serve for a term of two (2) years
36 and until his or her successor is duly selected as provided in this section.

1
2 SECTION 4. Arkansas Code § 2-20-505(b), concerning appointments to the
3 Arkansas Rice Research and Promotion Board, is amended to read as follows:

4 (b)(1) The board shall be composed of nine (9) producer members to be
5 appointed by the Governor as follows:

6 (A) Three (3) members shall represent the Arkansas Farm
7 Bureau Federation;

8 (B) Two (2) members shall represent Riceland Foods, Inc.;

9 (C) One (1) member shall represent the Agricultural Council
10 of Arkansas;

11 (D) One (1) member shall represent Producers Rice Mill,
12 Inc.;

13 (E) One (1) member shall represent the Arkansas Rice
14 Council; and

15 (F) One (1) member shall represent the independent mills of
16 Arkansas.

17 (2) All of the nine (9) producer members of the board shall be
18 practical producers of rice in the State of Arkansas ~~and shall be nominated~~
19 ~~by their respective organizations.~~

20 ~~(3) Each year, not less than thirty (30) days prior to the~~
21 ~~expiration of the terms of the current board members whose terms expire in~~
22 ~~that year, the organizations named in subdivision (b)(1) of this section~~
23 ~~shall submit to the Governor names of two (2) nominees for each position to~~
24 ~~be filled on the board from the respective organizations, and the Governor~~
25 ~~shall appoint the new members from each list of nominees.~~

26 (3) The Governor shall consult each of the organizations listed
27 in subdivision (b)(1) of this section before making the corresponding
28 appointment.

29 (4) Each member selected shall serve for a term of two (2) years
30 and until his or her successor is duly selected as provided in this section.

31
32 SECTION 5. Arkansas Code § 2-20-604(b), concerning appointments to the
33 Arkansas Wheat Promotion Board, is amended to read as follows:

34 (b)(1) The board shall be composed of nine (9) producer members to be
35 appointed by the Governor as follows:

36 (A) Three (3) members shall represent the Arkansas Farm

1 Bureau Federation;

2 (B) Two (2) members shall represent Riceland Foods, Inc.;

3 (C) Two (2) members shall represent the Arkansas Wheat
4 Growers Association; and

5 (D) Two (2) members shall represent the Agricultural
6 Council of Arkansas.

7 (2) All of the nine (9) members of the board shall be practical
8 producers of wheat in the State of Arkansas ~~and shall be nominated by their~~
9 ~~respective organizations.~~

10 ~~(3) Each year, not less than thirty (30) days prior to the~~
11 ~~expiration of the terms of the current board members whose terms expire in~~
12 ~~that year, the organizations named above shall submit to the Governor names~~
13 ~~of two (2) nominees for each position to be filled on the board from the~~
14 ~~respective organizations, and the Governor shall appoint the new members from~~
15 ~~each list of nominees.~~

16 (3) The Governor shall consult each of the organizations listed
17 in subdivision (b)(1) of this section before making the corresponding
18 appointment.

19 (4) Each member selected shall serve for a term of two (2) years
20 and until his or her successor is duly selected as provided in this section.

21

22 SECTION 6. Arkansas Code § 2-20-804(a), concerning appointments to the
23 Arkansas Corn and Grain Sorghum Promotion Board, is amended to read as
24 follows:

25 (a)(1) The Arkansas Corn and Grain Sorghum Promotion Board is created
26 and domiciled in Little Rock, Arkansas, 10720 Kanis Road, and is composed of
27 seven (7) producer members appointed by the Governor as provided in this
28 subsection.

29 (2) All of the seven (7) producer members of the board shall be
30 practical;

31 (A) Practical producers of corn or grain sorghum in the
32 State of Arkansas; and shall be nominated by their respective organizations

33 (B) Appointed by the Governor.

34 (3) ~~Within ten (10) days following July 1, 1997, each of the~~
35 ~~following organizations, namely, the Arkansas Farm Bureau Federation, Inc.,~~
36 ~~Riceland Foods, and the Agricultural Council of Arkansas, shall submit the~~

1 ~~names of five (5) practical corn or grain sorghum producers to the Governor,~~
2 ~~and he or she shall appoint three (3) members from the list submitted by the~~
3 ~~Arkansas Farm Bureau Federation, and two (2) members from the lists submitted~~
4 ~~by each of the other above named organizations to serve on the board. The~~
5 ~~Governor shall consult the Arkansas Farm Bureau Federation, Riceland Foods,~~
6 ~~Inc., and the Agricultural Council of Arkansas before making an appointment~~
7 ~~under subdivision (a)(2) of this section.~~

8 (4) The members selected as provided in this section from the
9 Arkansas Farm Bureau Federation, shall draw lots to determine their terms so
10 that two (2) of the members will serve for terms of two (2) years and one (1)
11 shall serve for a term of one (1) year, and the members from each of the
12 other organizations shall draw lots for terms so that one (1) shall serve for
13 a term of one (1) year and one (1) shall serve for a term of two (2) years.
14 Thereafter, each member selected shall serve for a term of two (2) years and
15 until his or her successor is duly selected as provided in this section.

16 ~~(5) Each year thereafter not less than thirty (30) days prior to~~
17 ~~the expiration of the terms of the current board members whose terms expire,~~
18 ~~the organizations named in subdivision (a)(3) of this section shall submit to~~
19 ~~the Governor names of two (2) nominees named for each position to be filled~~
20 ~~on the board from the respective organizations, and the Governor shall~~
21 ~~appoint from each list of nominees the new member or members.~~

22
23 SECTION 7. Arkansas Code § 2-35-303(b), concerning appointments to the
24 Arkansas Beef Council, is amended to read as follows:

25 (b)(1) The council shall be composed of seven (7) members appointed by
26 the Governor and confirmed by the Senate as follows:

27 (A) Three (3) cattle producer members shall represent the
28 Arkansas Farm Bureau Federation ~~and shall be appointed from a list of names~~
29 ~~submitted by the board of directors of that organization;~~

30 (B) Three (3) cattle producer members shall represent the
31 Arkansas Cattlemen's Association ~~and shall be appointed from a list of names~~
32 ~~submitted by the board of directors of that organization; and~~

33 (C) One (1) member shall be an active Arkansas livestock
34 market operator who shall be appointed from the state at large.

35 (2) ~~Each year, not less than thirty (30) days prior to the~~
36 ~~expiration of the terms of the current council members whose terms expire in~~

1 ~~that year, the organizations named shall submit to the Governor two (2)~~
2 ~~nominees for each position to be filled on the council from the respective~~
3 ~~organizations. The Governor shall appoint a succeeding member to the council~~
4 ~~from each organization's list of nominees. The Governor shall consult the~~
5 ~~Arkansas Farm Bureau Federation concerning an appointment under (b)(1)(A) of~~
6 ~~this section and the Arkansas Cattlemen's Association concerning an~~
7 ~~appointment under (b)(1)(B) of this section before making the appointment for~~
8 ~~the position.~~

9 (3) Each member selected shall serve for a term of three (3)
10 years and until his or her successor is duly selected as provided in this
11 section.

12 (4) Vacancies in any unexpired term shall be filled by the
13 Governor for the remainder of the unexpired term. The member appointed to
14 fill the vacancy shall represent the same organization as the person whose
15 term is unexpired.

16
17 SECTION 8. Arkansas Code § 3-5-701(a), concerning appointments to the
18 Arkansas Wine Producers Council, is amended to read as follows:

19 (a)(1) There is created the Arkansas Wine Producers Council to be
20 composed of seven (7) members.

21 (2)(A) Four (4) members of the council shall be selected from
22 the state at large, appointed by the Governor, and confirmed by the Senate
23 ~~from a list of two (2) names submitted by the Arkansas Wine Producers~~
24 ~~Association for each of the four (4) positions to be filled.~~

25 (B) The Governor shall consult the Arkansas Wine Producers
26 Association and the Arkansas State Horticulture Society before making an
27 appointment under subdivision (a)(2)(A) of this section.

28 (3) ~~One (1) member shall be appointed by the Governor and~~
29 ~~confirmed by the Senate from a list of two (2) names submitted by the~~
30 ~~Arkansas State Horticulture Society.~~

31 ~~(4) One (1) member of the council shall be designated by the~~
32 ~~Board of Trustees of the University of Arkansas and shall be a faculty member~~
33 ~~or administrator who is knowledgeable in viniculture.~~

34 ~~(5)(4) One (1) member shall be designated by the State Parks,~~
35 ~~Recreation, and Travel Commission, and the member shall be either a member or~~
36 ~~employee of the commission.~~

1
2 SECTION 9. Arkansas Code § 6-4-304(a)(5), concerning the Governor's
3 appointment to the State Council for the Interstate Compact on Educational
4 Opportunity for Military Children, is amended to read as follows:

5 (5)(A) One (1) member selected from the state at large and
6 appointed by the Governor ~~from a list of three (3) nominees submitted by the~~
7 ~~Arkansas School Boards Association.~~

8 (B) The Governor shall consult the Arkansas School Boards
9 Association before making an appointment under subdivision (a)(5)(A) of this
10 section;

11
12 SECTION 10. Arkansas Code § 6-20-2516(b)(1), concerning appointments
13 to the Academic Facilities Review Board, is amended to read as follows:

14 (b)(1) The board is composed of five (5) members appointed by the
15 Governor as follows:

16 (A)(i) One (1) member who is a licensed building
17 contractor with five (5) years or more of experience in public school
18 construction ~~selected from a list of three (3) names submitted to the~~
19 ~~Governor by the Arkansas Chapter, Associated General Contractors of America.~~

20 (ii) The Governor shall consult the Arkansas Chapter
21 of the Associated General Contractors of America, Inc., before making an
22 appointment under subdivision (b)(1)(A)(i) of this section;

23 (B)(i) One (1) member who is a registered architect with
24 at least five (5) years of experience in public school design ~~selected from a~~
25 ~~list of three (3) names submitted to the Governor by the Arkansas Chapter,~~
26 ~~American Institute of Architects.~~

27 (ii) The Governor shall consult the Arkansas Chapter
28 of the American Institute of Architects before making an appointment under
29 subdivision (b)(1)(B)(i) of this section;

30 (C)(i) One (1) member who is a licensed or registered
31 engineer with at least five (5) years of experience in public school
32 construction ~~selected from a list of three (3) names submitted to the~~
33 ~~Governor by the American Council of Engineering Companies of Arkansas and the~~
34 ~~Arkansas Society of Professional Engineers.~~

35 (ii) The Governor shall consult the American Council
36 of Engineering Companies of Arkansas and the Arkansas Society of Professional

1 Engineers before making an appointment under subdivision (b)(1)(C)(i) of this
 2 section; and

3 ~~(D)(i) One (1) member who is selected from a list of three~~
 4 ~~(3) names submitted to the Governor by the Arkansas Association of~~
 5 ~~Educational Administrators; and~~

6 ~~(E) One (1) member who is selected from a list of three~~
 7 ~~(3) names submitted to the Governor by the Arkansas School Boards~~
 8 ~~Association. Two (2) members who are selected from the public at large.~~

9 (ii) The Governor shall consult the Arkansas
 10 Association of Educational Administrators and the Arkansas School Boards
 11 Association before making an appointment under subdivision (b)(1)(D)(i) of
 12 this section.

13
 14 SECTION 11. Arkansas Code § 6-47-305(c)(10)-(12), concerning
 15 appointments to the Distance Learning Coordinating Council, are amended to
 16 read as follows:

17 (10)(A) One (1) member who is an employee of an education
 18 service cooperative appointed by the Governor ~~from a list of three (3) names~~
 19 ~~submitted by the State Board of Education;.~~

20 (B) The Governor shall consult the State Board of
 21 Education before making an appointment under this subdivision (c)(10);

22 (11) One (1) member who is actively engaged in distance learning
 23 activities for kindergarten through grade twelve (K-12) education appointed
 24 by the Governor from the state at large;

25 (12) Two (2) members who are employed by telecommunications
 26 companies that are members of the Arkansas Telecommunications Association and
 27 appointed as follows:

28 (A) One (1) member shall be employed by a
 29 telecommunications company with more than seventy-five thousand (75,000)
 30 access lines and shall be appointed by the Governor ~~from a list of three (3)~~
 31 ~~names submitted by the association; and~~

32 (B) One (1) member shall be employed by a
 33 telecommunications company with less than seventy-five thousand (75,000)
 34 access lines and shall be appointed by the Governor ~~from a list of three (3)~~
 35 ~~names submitted by the association; and~~

36 (C) The Governor shall consult the Arkansas

1 Telecommunications Association before making an appointment under this
2 subdivision (c)(12); and

3
4 SECTION 12. Arkansas Code § 6-52-204(a), concerning appointments to
5 the State Apprenticeship Coordination Steering Committee, is amended to read
6 as follows:

7 (a)(1) ~~The Department of Career Education shall, in collaboration with~~
8 ~~the Office of Apprenticeship of the United States Department of Labor,~~
9 ~~recommend to the Governor, and the Governor shall appoint, an apprenticeship~~
10 ~~and training advisory committee composed of members with the following~~
11 ~~qualifications:~~

12 (A) Five (5) persons representing employers of members of
13 apprenticeable trades;

14 (B) Five (5) persons representing bargaining agents for
15 members of apprenticeable trades;

16 (C) Five (5) persons representing the minority and female
17 workforce who have knowledge of apprenticeship and are familiar with the
18 needs of vocational and technical education; and

19 (D) Five (5) persons who teach or immediately supervise
20 preparatory instruction, supplementary instruction, or related instruction
21 courses.

22 (2) Members of the coordination committee shall serve terms of
23 four (4) years.

24 (3) Vacancies shall be filled for the unexpired portion of a
25 term vacated.

26 (4) The Governor shall consult the Department of Career
27 Education and the United States Department of Labor, Employment and Training
28 Administration, Office of Apprenticeship before making an appointment under
29 this subsection.

30
31 SECTION 13. Arkansas Code § 6-61-201(b), concerning appointments to
32 the Arkansas Higher Education Coordinating Board, is amended to read as
33 follows:

34 (b)(1) After the appointment of the initial board, the members to be
35 appointed from recent or current boards of two-year and four-year campuses
36 shall be appointed by the Governor ~~from a list of names submitted by the~~

1 ~~Presidents Council.~~

2 (2) The Governor shall consult the Presidents Council before
3 making an appointment under this section.

4
5 SECTION 14. Arkansas Code § 6-64-304(b)(3), concerning appointments to
6 the Board of Visitors for the University of Arkansas at Pine Bluff, is
7 repealed.

8 ~~(3)(A) The Governor shall select the appointee from a list of~~
9 ~~five (5) names submitted to him or her by a nominating committee composed of~~
10 ~~two (2) alumni, two (2) members of the faculty or administration, two (2)~~
11 ~~students, and three (3) members selected by the Governor to represent the~~
12 ~~general public.~~

13 ~~(B) However, the Governor shall have the authority to~~
14 ~~request the names of additional nominees from the nominating committee.~~

15
16 SECTION 15. Arkansas Code § 8-7-904(a)(2), concerning appointments to
17 the Advisory Committee on Petroleum Storage Tanks is amended to read as
18 follows:

19 (2) The Governor shall appoint the members of the advisory
20 committee as follows:

21 (A) The member appointed Governor shall consult the
22 Arkansas Petroleum Council before making the appointment under subdivision
23 (a)(1)(B) of this section ~~shall be from a list of three (3) names submitted~~
24 ~~by the Arkansas Petroleum Council;~~

25 (B) The member appointed Governor shall consult the
26 Arkansas Oil Marketers Association before making the appointment under
27 subdivision (a)(1)(C) of this section ~~shall be from a list of three (3) names~~
28 ~~submitted by the Arkansas Oil Marketers Association;~~

29 (C) The member appointed Governor shall consult the
30 Service Station Dealers of Arkansas before making the appointment under
31 subdivision (a)(1)(D) of this section ~~shall be from a list of three (3) names~~
32 ~~submitted by the Service Station Dealers of Arkansas; and~~

33 (D) The member appointed Governor shall consult the
34 Arkansas Environmental Federation before making the appointment under
35 subdivision (a)(1)(G) of this section ~~shall be from a list of three (3) names~~
36 ~~submitted by the Arkansas Environmental Federation.~~

1
2 SECTION 16. Arkansas Code § 12-61-110(a), concerning appointment of
3 the property and finance officer for the United States, is amended to read as
4 follows:

5 (a) ~~The~~ After consulting with the Adjutant General Governor, ~~upon~~
6 ~~recommendation of the Adjutant General,~~ shall appoint, designate, and detail,
7 subject to the approval of the Secretary of the Army, an officer of the
8 National Guard as the property and finance officer for the United States.

9
10 SECTION 17. Arkansas Code § 12-64-104(a), concerning appointment of
11 the State Judge Advocate, is amended to read as follows:

12 (a)(1) ~~The Governor, on the recommendation of the Adjutant General,~~
13 shall appoint an officer of the organized militia as State Judge Advocate.

14 (2) To be eligible for appointment, an officer must be a member
15 of the bar of the highest court of the state and must have been a member of
16 the bar of the state for at least five (5) years.

17 (3) The Governor shall consult the Adjutant General before
18 making an appointment under this subsection.

19
20 SECTION 18. Arkansas Code § 15-4-2204(b)(1)(D), concerning
21 appointments to the Arkansas Workforce Investment Board, is amended to read
22 as follows:

23 (D) The following members to be appointed by the Governor,
24 subject to confirmation by the Senate:

25 (i) One (1) chief elected official ~~nominated by~~
26 appointed by the Governor after consulting the Arkansas Municipal League;

27 (ii) One (1) chief elected official ~~nominated by~~
28 appointed by the Governor after consulting the Association of Arkansas
29 Counties;

30 (iii) No fewer than two (2) representatives of labor
31 organizations to be ~~nominated by~~ appointed by the Governor after consulting
32 the Arkansas Labor Federation;

33 (iv) No fewer than two (2) representatives of
34 individuals and organizations who have experience with respect to youth
35 activities and programs; and

36 (v) No fewer than two (2) representatives of

1 *individuals and organizations who have experience and expertise in the*
2 *delivery of workforce investment activities of which:*

3 *(a) One (1) member shall be a chief executive*
4 *officer of a two-year college ~~nominated by~~ appointed by the Governor after*
5 *consulting the Association of Two-year Colleges; and*

6 *(b) One (1) member shall represent a community-*
7 *based organization;*

8
9 *SECTION 19. Arkansas Code § 15-9-104(a)(7), concerning appointments to*
10 *the Commission on Information Age Communities, is amended to read as follows:*

11 *(7)(A) Three (3) members appointed by the Governor ~~from a list~~*
12 *~~of names submitted by the membership of the commission~~ who are knowledgeable*
13 *in various aspects of information technology and community development.*

14 *(B) The members appointed by the Governor shall serve*
15 *staggered three-year terms.*

16 *(C) The Governor shall consult the commission before*
17 *making an appointment under this subdivision (a)(7).*

18
19 *SECTION 20. Arkansas Code § 15-12-101(a)-(c), concerning appointments*
20 *to the Arkansas Natural and Cultural Resources Council, is amended to read as*
21 *follows:*

22 *(a) There is established the Arkansas Natural and Cultural Resources*
23 *Council, which shall consist of eleven (11) voting members as follows:*

24 *(1) The Director of the Department of Parks and Tourism;*

25 *(2) The Director of the Department of Arkansas Heritage;*

26 *(3) The Chair of the State Parks, Recreation, and Travel*
27 *Commission or his or her designee;*

28 *(4) The Chair of the Arkansas Natural Heritage Commission or his*
29 *or her designee;*

30 *(5) The Commissioner of State Lands;*

31 *(6) Two (2) resident electors of this state as public members*
32 *who are representatives of recreation groups, conservation groups, or other*
33 *groups interested in the wise use, preservation, and conservation of*
34 *Arkansas' natural or cultural resources;*

35 *(7)(A) One (1) member appointed by the Governor to represent*
36 *Arkansas cities and towns, ~~to be named by the Governor from a list of three~~*

1 ~~(3) names recommended to the Governor by the Arkansas Municipal League.~~

2 (B) This member shall serve a term of two (2) years or
3 until his or her successor is appointed and qualified.

4 (C) The Governor shall consult the Arkansas Municipal
5 League before making an appointment under this subdivision (a)(7);

6 (8)(A) One (1) member appointed by the Governor to represent
7 Arkansas counties, who shall be appointed by the Governor from a list of
8 three (3) names submitted to the Governor by the Arkansas County Judges
9 Association.

10 (B) This member shall serve a term of two (2) years or
11 until his or her successor is appointed and qualified.

12 (C) The Governor shall consult the Arkansas County Judges
13 Association before making an appointment under this subdivision (a)(7);

14 (9) One (1) member appointed by the Speaker of the House of
15 Representatives; and

16 (10) One (1) member appointed by the President Pro Tempore of
17 the Senate.

18 (b) The appointments under subdivisions (a)(6)-(8) of this section
19 shall be made by the Governor and, insofar as possible, the Governor shall be
20 made from names recommended to the Governor by groups representative of those
21 organizations consult the organizations described in subdivisions (a)(6)-(8)
22 before making the appointments.

23 (c)(1) One (1) member appointed under subdivision (a)(6) of this
24 section shall represent rural areas and will be chosen from a list of names
25 submitted to and the Governor by shall consult the Arkansas Forestry
26 Association before making the appointment.

27 (2) The other member appointed under subdivision (a)(6) of this
28 section shall represent urban areas.

29
30 SECTION 21. Arkansas Code § 15-20-305(a)(2)(A), concerning
31 appointments to the Arkansas Natural Heritage Commission, is amended to read
32 as follows:

33 (2)(A)(i) Nine (9) of the members shall be appointed by the
34 Governor from persons with an interest in the preservation of natural areas,
35 with two (2) members to be appointed from each congressional district and one
36 (1) member to be appointed from the state at large.

1 (ii) One (1) member of the commission shall be a
2 member of the board of directors of a levee or drainage district.

3 (iii) One (1) member shall be ~~chosen from a list of~~
4 ~~five (5) persons jointly nominated by~~ appointed by the Governor after
5 consulting the Arkansas Farm Bureau Federation, the Arkansas Farmers' Union,
6 and the Arkansas Agricultural Council.

7 (iv) One (1) member shall be ~~chosen from a list of~~
8 ~~five (5) persons nominated by~~ appointed by the Governor after consulting the
9 Arkansas Wood Products Association.

10 (v) One (1) member shall be ~~chosen from a list of~~
11 ~~five (5) persons nominated by~~ appointed by the Governor after consulting the
12 Arkansas Wildlife Federation.

13
14 SECTION 22. Arkansas Code § 15-23-201(a), concerning appointments to
15 the Arkansas Waterways Commission, is amended to read as follows:

16 (a) There is established the Arkansas Waterways Commission to consist
17 of seven (7) members to be appointed by the Governor with the advice and
18 consent of the Senate, as follows:

19 (1) ~~Each~~ The Governor shall consult the organized associations
20 established to promote the development of the five (5) navigable stream basin
21 areas of this state, i.e., which are the Arkansas River, White River,
22 Ouachita River, Red River, and Mississippi River basin areas, shall through
23 their organized associations established to promote the development of such
24 basin areas, recommend to the Governor the names of three (3) qualified
25 persons from each of their respective river basin areas of demonstrated
26 experience and interest in river development before making an appointment
27 under this section;

28 (2) The Governor shall appoint ~~from the list~~ a qualified person
29 of demonstrated experience and interest in river development to represent
30 each of the five (5) river basin areas on the commission; and

31 (3) The Governor shall name two (2) members from the public at
32 large, one (1) of whom shall be an economist with experience in river
33 development problems.

34
35 SECTION 23. Arkansas Code § 15-45-302(b), concerning appointments to
36 the Nongame Preservation Committee, is amended to read as follows:

1 (b) ~~The remaining two (2) members will be appointed by the Governor for~~
2 ~~three-year terms. In making the appointments, the Governor will take~~
3 ~~nominations for representatives from~~ appoint two (2) members after
4 consulting private conservation organizations from within the state and will
5 ~~appoint the two (2) committee members from the nominations received.~~

6
7 SECTION 24. Arkansas Code § 16-123-303(b), concerning appointments to
8 the Arkansas Fair Housing Commission, is amended to read as follows:

9 (b)(1) The commission shall consist of thirteen (13) voting members, to
10 be selected as follows: Seven (7) appointed by the Governor, three (3)
11 appointed by the Speaker of the House of Representatives and three (3)
12 appointed by the President Pro Tempore of the Senate, as set forth in this
13 subchapter, for terms of four (4) years whose terms begin on January 1 and
14 end on December 31 of the fourth year or when their respective successors are
15 appointed and qualified.

16 (2)(A)(i) One (1) member shall have been a licensed real estate
17 broker or licensed real estate salesperson engaged in the practice of
18 residential real estate sales for not fewer than five (5) years prior to his
19 or her ~~nomination~~ appointment.

20 (ii) One (1) member shall have been a licensed real
21 estate broker or licensed real estate salesperson engaged in the practice of
22 multifamily real estate property management for no fewer than five (5) years
23 prior to his or her ~~nomination~~ appointment.

24 (iii) One (1) member shall have been a licensed real
25 estate broker or licensed real estate salesperson engaged in the practice of
26 real estate for no fewer than five (5) years prior to his or her ~~nomination~~
27 appointment.

28 (B) The Governor shall appoint members to fill vacancies
29 ~~for the two (2) members to represent subdivisions (b)(2)(A)(i) and (ii) under~~
30 subdivision (b)(2)(A) of this section from a list of four (4) nominees
31 submitted by after consulting the Arkansas Realtors Association and a member
32 to fill a vacancy for the one (1) member to represent subdivision
33 ~~(b)(2)(A)(iii) of this section not involving nominees from the Arkansas~~
34 ~~Realtors Association.~~

35 (3)(A) One (1) member shall have been a licensed homebuilder
36 engaged in the homebuilding business for not fewer than five (5) years.

1 (B) The Governor shall appoint a member to fill a vacancy
2 for the member to represent subdivision (b)(3)(A) of this section ~~from a list~~
3 ~~of four (4) nominees submitted by~~ after consulting the Arkansas Homebuilders
4 Association.

5 (4)(A) One (1) member shall have been a mortgage broker employed
6 for not fewer than five (5) years by a registered mortgage loan company or
7 loan broker.

8 (B) The Governor shall appoint a member to fill a vacancy
9 for the member to represent subdivision (b)(4)(A) of this section ~~from a list~~
10 ~~of four (4) nominees submitted by~~ after consulting the Arkansas Mortgage
11 Bankers Association.

12 (5)(A) One (1) member shall have been a banker engaged in the
13 banking business for not fewer than five (5) years.

14 (B) The Governor shall appoint a member to fill a vacancy
15 for the member to represent subdivision (b)(5)(A) of this section ~~from a list~~
16 ~~of four (4) nominees jointly submitted by~~ after consulting the Arkansas
17 Community Bankers and the Arkansas Bankers Association.

18 (6)(A)(i) Seven (7) members shall represent consumers and shall
19 not be actively engaged in or retired from the business of real estate,
20 homebuilding, mortgage lending or banking, including one (1) member who shall
21 be appointed by the Governor to represent persons meeting the definition of
22 "disabled" in this subchapter ~~from a list of four (4) nominees submitted by~~
23 after consulting the Governor's Commission on People with Disabilities.

24 (ii) Three (3) of the members to be appointed
25 pursuant to subdivision (b)(6)(A)(i) of this section shall be appointed by
26 the Speaker of the House of Representatives, one (1) member who shall be a
27 fair housing attorney or advocate with at least five (5) years of experience
28 in advocacy for fair housing issues.

29 (iii) Three (3) of the members to be appointed
30 pursuant to subdivision (b)(6)(A)(i) of this section shall be appointed by
31 the President Pro Tempore of the Senate, one (1) member of whom shall be
32 sixty (60) years of age or older who shall represent the elderly.

33 (B) A minimum of four (4) appointments made pursuant to
34 subdivision (b)(6)(A)(i) of this section shall be given to persons protected
35 under §§ 16-123-310 – 16-123-316.

36

1 SECTION 25. Arkansas Code § 17-14-201(b), concerning appointments to
2 the Arkansas Appraiser Licensing and Certification Board, is amended to read
3 as follows:

4 (b)(1)(A) The Governor shall appoint the members of the board and may
5 remove a member for cause.

6 (B) The Governor may, at his or her discretion, request
7 additional names to be submitted from organizations mentioned in this
8 subchapter eligible to fill appointments to this board.

9 ~~(2)(A)(i) State chapters of national appraisal organizations~~
10 ~~which are members of the Appraisal Foundation or its successor, plus the~~
11 ~~Arkansas Chapter of the Association of Consulting Foresters of America, Inc.,~~
12 ~~should each submit to the Governor at least annually, on or before January 15~~
13 ~~of each calendar year, a list of two (2) names of members of their respective~~
14 ~~organizations.~~

15 ~~(ii) Two (2)(A) The Governor may appoint (2)~~
16 ~~appraiser board members may be appointed by the Governor from the state at~~
17 ~~large after consulting the:~~

18 (i) State chapters of national appraisal
19 organizations that are members of the Appraisal Foundation or its successor;
20 and

21 (ii) Association of Consulting Foresters of America,
22 Inc., Arkansas Chapter.

23 ~~(B) Any appraiser vacancies shall be filled from these~~
24 ~~lists with the exception of the Governor's two (2) at-large appointments.~~

25 ~~(C) At least five (5) real estate appraiser members~~
26 ~~appointed to the board shall be members in good standing of one (1) of the~~
27 ~~Appraisal Foundation member organizations or the Association of Consulting~~
28 ~~Foresters of America, Inc., requiring qualified appraisal experience,~~
29 ~~education, and testing in order to become a designated member in addition to~~
30 ~~adherence to standards of professional practice in order to retain such a~~
31 ~~designation. The nominees must be from the Appraisal Foundation members~~
32 ~~having operating chapters headquartered within the State of Arkansas.~~

33 ~~(D)(C) No practicing appraisers shall be denied the~~
34 ~~opportunity to submit their names for consideration to fill either of the two~~
35 ~~(2) at-large appointments to this board based solely upon membership or lack~~
36 ~~of membership in any particular appraisal organization.~~

1 (3) *The Arkansas Bankers Association, the Arkansas League of*
2 *Savings Institutions, the Arkansas Association of Bank Holding Companies, the*
3 *Arkansas Independent Bankers Association, the Mortgage Bankers Association of*
4 *Arkansas, and the Arkansas Credit Union League should each submit a list of*
5 *two (2) names, annually, on or before January 15 of each calendar year, to*
6 *the Governor, and the financial member shall be appointed and the vacancy*
7 *filled from the lists of names provided.*

8
9 SECTION 26. *Arkansas Code § 17-15-201(a)(2), concerning appointments*
10 *to the Arkansas State Board of Architects, Landscape Architects and Interior*
11 *Designers, is amended to read as follows:*

12 (2) ~~*At least thirty (30) days prior to the expiration of the*~~
13 ~~*term of appointment of any board member, other than those of the members*~~
14 ~~*appointed from the general public, The Governor shall consult professional*~~
15 ~~*societies and associations representing the three (3) design professions may*~~
16 ~~*submit to the Governor the names of three (3) persons of recognized ability*~~
17 ~~*who have the qualifications prescribed for board members for appointment from*~~
18 ~~*that profession for consideration before making an appointment under this*~~
19 ~~*section.*~~

20
21 SECTION 27. *Arkansas Code § 17-24-201(b)(1), concerning appointments*
22 *to the State Board of Collection Agencies, is amended to read as follows:*

23 (b)(1)(A)~~(i)~~ *One (1) member shall be selected by the Governor ~~from a~~*
24 ~~*list of three (3) names furnished to him or her by the*~~ *after consulting the*
25 *Associated Credit Bureaus of Arkansas,* ~~*and another shall be selected from a*~~
26 ~~*list of three (3) names submitted by*~~ *after consulting the Arkansas members of*
27 *the American Collectors Association.*

28 ~~(ii)(B)~~ *The persons whose names are submitted to the*
29 ~~*Governor by the Associated Credit Bureaus of Arkansas and the Arkansas*~~
30 ~~*members of the American Collectors Association appointed under subdivision*~~
31 *(b)(1)(A) of this section shall all be:*

32 *(i) Be actively engaged as the owners or managers of*
33 *a collection agency or someone employed by collection agencies in an*
34 *executive capacity;* ~~*and*~~

35 ~~*(B) All nominees on the list submitted to the Governor*~~
36 ~~*shall be individuals who have*~~

1 (ii) Have been actively engaged in connection with
2 the operation of a collection agency for five (5) years next preceding their
3 appointment.

4
5 SECTION 28. Arkansas Code § 17-25-503(a)(2)(A)(i) and (ii), concerning
6 appointments to the Residential Contractors Committee, is amended to read as
7 follows:

8 (2)(A)(i) The Governor shall appoint five (5) persons, each of
9 whom has at least five (5) years' experience in residential construction.

10 (ii) ~~Two (2) of the five (5) residential~~
11 ~~construction members shall be appointed from a list of at least ten (10)~~
12 ~~names submitted by~~ The Governor shall consult the statewide trade
13 organization or organizations that represent the residential construction
14 industry before making an appointment under this section.

15
16 SECTION 29. Arkansas Code § 17-27-201(c), concerning appointments to
17 the Arkansas Board of Examiners in Counseling, is amended to read as follows:

18 (c)(1) The composition of the board shall include:

19 (A)(i) Six (6) licensed or licensable counselors, three
20 (3) of whom are practicing counselors and three (3) of whom are counselor
21 educators. One (1) of the six (6) shall also be a licensed marriage and
22 family therapist, if available.

23 (ii) ~~These members shall be appointed from a list~~
24 ~~submitted to the Governor not later than November 1 of each year by~~ The
25 Governor shall consult the Executive Committee of the Arkansas Counseling
26 Association ~~or~~ and the Executive Committee of the Arkansas Mental Health
27 Counselors Association before making an appointment under this subdivision
28 (c)(1)(A);

29 (B)(i) One (1) licensed marriage and family therapist.

30 (ii) ~~This member shall be appointed from a list~~
31 ~~submitted to the Governor not later than November 1 of each year by~~ The
32 Governor shall consult the Board of Directors of the Arkansas Association for
33 Marriage and Family Therapists before making an appointment under this
34 subdivision (c)(1)(B);

35 (C)(i) One (1) member from the general public who is not
36 licensed or licensable and not actively engaged in or retired from the

1 profession of counseling who shall represent consumers.

2 (ii) ~~This member shall be appointed from a list~~
3 ~~submitted to the Governor not later than November 1 of each year by The~~
4 ~~Governor shall consult~~ the Executive Committee of the Arkansas Counseling
5 Association ~~or~~ and the Executive Committee of the Arkansas Mental Health
6 Counselors Association before making an appointment under this subdivision
7 (c)(1)(C); and

8 (D)(i) One (1) member who shall represent the elderly.

9 (ii) This member shall be sixty (60) years of age or
10 older and not actively engaged in or retired from the profession of
11 counseling.

12 (iii) He or she shall be appointed from the state at
13 large subject to confirmation by the Senate and shall be a full voting member
14 but shall not participate in the grading of examinations.

15 (2) The same person may not be both the consumer representative
16 and the representative of the elderly.

17
18 SECTION 30. Arkansas Code § 17-29-201(b), concerning appointments to
19 the State Board of Embalmers and Funeral Directors, is amended to read as
20 follows:

21 (b)(1) The board shall consist of seven (7) members, appointed by the
22 Governor with the advice and consent of the Senate for a term of three (3)
23 years.

24 (2) Four (4) members, at least one (1) of whom shall be from
25 each of the four (4) congressional districts, and one (1) at large
26 representative shall be appointed as follows:

27 (A)(i) Five (5) members of the board shall be embalmers or
28 funeral directors, or both, licensed under § 17-29-301 et seq. who shall have
29 had at least five (5) consecutive years of active experience as embalmers or
30 funeral directors in Arkansas immediately preceding appointment.

31 (ii) The Governor shall ~~appoint members to the board~~
32 ~~from three (3) nominees submitted by the~~ consult licensed embalmers and
33 funeral directors. ~~In the event that no nominations are submitted to the~~
34 ~~Governor by July 1 of any year in which an appointment is to be made, the~~
35 ~~Governor may make the appointment provided that the appointee meets the other~~
36 ~~requirements for board membership~~ before making an appointment under this

1 subdivision (b)(2)(A); and

2 (B) One (1) member of the board shall be designated as a
3 consumer representative. He or she shall be appointed from the state at
4 large, subject to confirmation by the Senate, ~~but he or she shall not be~~
5 ~~required to be appointed from a list submitted by the licensed embalmers and~~
6 ~~funeral directors.~~ He or she shall be a full voting member.

7 (3)(A) One (1) member of the board shall not be actively engaged
8 in or retired from the profession of embalming and funeral directing, shall
9 be sixty (60) years of age or older, and shall represent the elderly. He or
10 she shall be appointed from the state at large, subject to confirmation by
11 the Senate, ~~but he or she shall not be required to be appointed from a list~~
12 ~~submitted by the licensed embalmers and funeral directors.~~ He or she shall be
13 a full voting member.

14 (B) The position may not be held by the person holding the
15 consumer representative position.

16
17 SECTION 31. Arkansas Code § 17-40-202(a), concerning appointments to
18 the Arkansas Board of Private Investigators and Private Security Agencies, is
19 amended to read as follows:

20 (a) The Arkansas Board of Private Investigators and Private Security
21 Agencies shall be composed of seven (7) members as follows:

22 (1)(A) One (1) citizen who is not registered under this chapter
23 and who is not employed by the same person as any other member of the board,
24 appointed by the Governor ~~from a list of three (3) names submitted by the~~
25 ~~Arkansas Sheriffs Association,~~ subject to confirmation by the Senate.

26 (B) The Governor shall consult the Arkansas Sheriffs
27 Association before making an appointment under this subdivision (a)(1);

28 (2)(A) One (1) municipal law enforcement officer or his or her
29 designee, appointed by the Governor ~~from a list of three (3) names submitted~~
30 ~~by the Arkansas Municipal Police Association,~~ subject to confirmation by the
31 Senate.

32 (B) The Governor shall consult the Arkansas Municipal
33 Police Association before making an appointment under this subdivision
34 (a)(2);

35 (3) One (1) member who is registered under this chapter, who is
36 a Class A or Class D licensee, who has been engaged for a period of five (5)

1 consecutive years as a private investigator, and who is not employed by the
2 same person as any other member of the board, appointed by the Governor,
3 subject to confirmation by the Senate;

4 (4) One (1) member who is registered under this chapter, who has
5 been employed for a period of five (5) consecutive years by a security
6 services contractor, and who is not employed by the same person as any other
7 member of the board, appointed by the Governor, subject to confirmation by
8 the Senate;

9 (5) One (1) polygraph examiner who is registered under § 17-39-
10 101 et seq., who has been engaged for a period of five (5) consecutive years
11 as a polygraph examiner, and who is not employed by the same person as any
12 other member of the board, appointed by the Governor, subject to confirmation
13 by the Senate;

14 (6) One (1) member in business with contract security service
15 responsibilities that does not hold a license under this chapter, appointed
16 by the Governor ~~from a list of three (3) names submitted by the Arkansas~~
17 ~~Chapter of the American Society of Industrial Security~~, subject to
18 confirmation by the Senate.

19 (B) The Governor shall consult the Arkansas Chapter of the
20 American Society of Industrial Security before making an appointment under
21 this subdivision (a)(6); and

22 (7) One (1) member who is registered under this chapter, who has
23 been engaged for a period of five (5) consecutive years in the alarms systems
24 profession, and who is not employed by the same person as any other member of
25 the board, appointed by the Governor, subject to confirmation by the Senate.

26
27 SECTION 32. Arkansas Code § 17-42-201 is amended to read as follows:
28 17-42-201. Creation – Members.

29 (a)(1) The Arkansas Real Estate Commission shall consist of five (5)
30 members, appointed by the Governor for terms of three (3) years, whose terms
31 shall begin on January 1 and end on December 31 of the third year or when
32 their respective successors are appointed and qualified.

33 (2)(A) Three (3) members shall have been licensed real estate
34 brokers or licensed real estate salespersons for not fewer than five (5)
35 years prior to their nominations.

36 (B) The Governor shall ~~appoint members to fill vacancies~~

1 ~~from a list of four (4) nominees submitted by~~ consult the Arkansas Realtors
 2 Association before making an appointment to fill a vacancy.

3 (3)(A) Two (2) members shall not be actively engaged in or
 4 retired from the business of real estate.

5 (B) One (1) shall represent consumers, and one (1) shall
 6 be sixty (60) years of age or older and shall represent the elderly.

7 (C) Both shall be appointed from the state at large,
 8 subject to confirmation by the Senate, ~~but shall not be required to be~~
 9 ~~appointed from a list submitted by the Arkansas Realtors Association.~~

10 (D) The two (2) positions may not be held by the same
 11 person.

12 (E) Both shall be full voting members but shall not
 13 participate in the grading of examinations.

14 (b) Each commissioner may receive expense reimbursement and stipends in
 15 accordance with § 25-16-901 et seq.

16
 17 SECTION 33. Arkansas Code § 17-43-201(a), concerning appointments to
 18 the Arkansas State Board of Sanitarians, is amended to read as follows:

19 (a)(1) There is created the Arkansas State Board of Sanitarians to
 20 consist of six (6) members who shall be appointed by the Governor.

21 (2)(A) Five (5) members shall be sanitarians who have been
 22 residents in the State of Arkansas for at least one (1) year, have had
 23 experience in the field of environmental sanitation for at least five (5)
 24 years, are presently engaged in the field of environmental sanitation, and
 25 are not less than thirty (30) years of age. Each shall hold a current
 26 certificate of registration issued by the board.

27 (B) Terms of office shall be fixed so that one (1)
 28 professional member of the board will be retired each year.

29 (C)(i) The Governor shall fill the expired term of the
 30 retiring board member by ~~choosing one (1) nominee from a list of three (3)~~
 31 ~~names which shall be submitted to him or her each year by~~ appointment.

32 (ii) The Governor shall consult the Arkansas Society
 33 of Professional Sanitarians before making an appointment under this
 34 subdivision (a)(2)(C).

35 (3) One (1) member shall not be actively engaged in or retired
 36 as a sanitarian and shall represent consumers. This member shall be appointed

1 from the state at large subject to confirmation by the Senate. He or she
2 shall be a full voting member but shall not participate in the grading of
3 examinations.

4
5 SECTION 34. Arkansas Code § 17-47-201(b)(1), concerning appointments
6 to the Arkansas State Board of Registration for Professional Soil
7 Classifiers, is amended to read as follows:

8 (b)(1) The board shall consist of five (5) members to be appointed by
9 the Governor for terms of five (5) years. The Governor shall ~~consider for~~
10 ~~appointment a list of nominees submitted to him or her by~~ consult the
11 Arkansas Association of Professional Soil Classifiers before making an
12 appointment under this section.

13
14 SECTION 35. Arkansas Code § 17-81-201(b)(2), concerning appointments
15 to the Arkansas State Board of Chiropractic Examiners, is amended to read as
16 follows:

17 (2)(A) ~~Five (5) members shall be qualified chiropractors. At~~
18 ~~least thirty (30) days prior to the expiration of the term of office of each~~
19 ~~professional member, the various chartered chiropractic state organizations~~
20 ~~may submit to the Governor a list of three (3) names of qualified~~
21 ~~chiropractors for each position for which a term expires. On or before June~~
22 ~~30 of each year, the Governor may appoint from the list a person to fill each~~
23 ~~position for which the term of office expires.~~

24 (B) The Governor shall consult the various chartered
25 chiropractic state organizations before making an appointment under this
26 subdivision (b)(2).

27
28 SECTION 36. Arkansas Code § 17-83-201(d)(1), concerning appointments
29 to the Arkansas Dietetics Licensing Board, is amended to read as follows:

30 (d)(1) The Governor shall consult the Board of Directors of the
31 Arkansas Academy of Nutrition and Dietetics before appointing the four (4)
32 board members who are representative of the dietetics profession shall be
33 selected from a list of ten (10) names submitted to the Governor by the Board
34 of Directors of the Arkansas Academy of Nutrition and Dietetics.

35
36 SECTION 37. Arkansas Code § 17-84-201(b)(1)(B), concerning

1 appointments to the Arkansas Board of Hearing Instrument Dispensers, is
2 amended to read as follows:

3 (B) The Governor shall ~~consider nominations from~~ consult
4 the Arkansas Hearing Society before making an appointment under subdivision
5 (b)(1)(A) of this section;

6
7 SECTION 38. Arkansas Code § 17-87-710(b), concerning appointments to
8 the Medication Assistive Person Advisory Committee, is amended to read as
9 follows:

10 (b)(1) ~~The board~~ Governor shall appoint six (6) members ~~to be approved~~
11 ~~by the Governor~~ who have the following qualifications:

12 ~~(1)(A)~~ Two (2) members shall be certified medication assistive
13 persons;

14 ~~(2)(B)~~ One (1) member shall be a licensed nursing home
15 administrator who has worked in that capacity for at least five (5) years;

16 ~~(3)(C)~~ One (1) member shall be a registered nurse who has been
17 in a practice using certified nurse aides for at least five (5) years;

18 ~~(4)(D)~~ One (1) member shall be a lay person representing the
19 interest of consumers of health care services; and

20 ~~(5)(E)~~ One (1) member shall be a nursing faculty member of an
21 Arkansas nursing education program.

22 (2) The Governor shall consult the board before making an
23 appointment under this section.

24
25 SECTION 39. Arkansas Code § 17-89-201(b)(4) and (5), concerning
26 appointments to the Arkansas Board of Dispensing Opticians, is amended to
27 read as follows:

28 (4) One (1) member of the Arkansas Board of Dispensing Opticians
29 shall be a licensed optometrist appointed by the Governor ~~from a list of~~
30 ~~three (3) names submitted by~~ after consulting the Arkansas Optometric
31 Association.

32 (5) Two (2) members of the Arkansas Board of Dispensing
33 Opticians shall be licensed ophthalmologists appointed by the Governor ~~from a~~
34 ~~list of six (6) names submitted by the Ophthalmology Section of~~ by the
35 Governor after consulting the Arkansas Medical Society.

36

1 SECTION 40. Arkansas Code § 17-92-209(b), concerning appointments to
2 the Medications Administration Advisory Committee, is amended to read as
3 follows:

4 (b) ~~The Arkansas State Board of Pharmacy~~ Governor shall, after
5 consulting the Arkansas State Board of Pharmacy, appoint five (5) members, ~~to~~
6 ~~be approved by the Governor,~~ who have the following qualifications:

7 (1) ~~(A) Two (2) members shall be licensed physicians selected from~~
8 ~~a list of three (3) names per position submitted jointly by the Arkansas~~
9 ~~State Medical Board and the Arkansas Medical Society.~~

10 (B) The Governor shall consult the Arkansas State Medical
11 Board and the Arkansas Medical Society before making the appointments under
12 subdivision (b)(1)(A) of this section;

13 (2) Two (2) members shall be licensed pharmacists; and

14 (3) ~~(A) One (1) member shall be an advanced practice nurse holding~~
15 ~~a certificate of prescriptive authority selected from a list of three (3)~~
16 ~~names submitted jointly by the State Nursing Board and the Arkansas Nursing~~
17 ~~Association.~~

18 (B) The Governor shall consult the Arkansas State Board of
19 Nursing and the Arkansas Nurses Association before making an appointment
20 under subdivision (b)(3)(A) of this section.

21
22 SECTION 41. Arkansas Code § 17-95-301(b), concerning appointments to
23 the Arkansas State Medical Board, is amended to read as follows:

24 (b)(1)(A) The board shall consist of fourteen (14) members appointed
25 by the Governor for terms of six (6) years.

26 (B) The Governor shall consider diversity of practice
27 specialties and geographical areas of practice in making appointments to the
28 board.

29 (2)(A)(i) Ten (10) members shall be duly qualified, licensed,
30 and active medical practitioners and appointed ~~upon the advice and~~
31 ~~recommendation of~~ by the Governor after consulting the Arkansas Medical
32 Society.

33 (ii) At least two (2) members shall be appointed
34 from each of the state's four (4) congressional districts.

35 (iii) Two (2) members shall be appointed at large.

36 (B) Congressional district representation required under

1 *this subdivision (b)(2) shall be achieved by appointment as vacancies occur.*

2 *(3) One (1) member shall be a licensed practicing physician in*
3 *this state and shall be appointed ~~upon the advice and recommendation of~~ by*
4 *the Governor after consulting the Physicians' Section of the Arkansas*
5 *Medical, Dental, and Pharmaceutical Association.*

6 *(4) Two (2) members of the board shall not be actively engaged*
7 *in or retired from the practice of medicine. One (1) member shall represent*
8 *consumers, and one (1) member shall be sixty (60) years of age or older and*
9 *shall represent the elderly. Both shall be appointed from the state at large*
10 *subject to confirmation by the Senate. The two (2) positions may not be held*
11 *by the same person. Both shall be full voting members but shall not*
12 *participate in the grading of examinations.*

13 *(5) One (1) member shall be a duly qualified, licensed, and*
14 *practicing osteopathic physician and appointed ~~upon the recommendation of~~*
15 *after consulting the Arkansas Osteopathic Medical Association.*

16
17 *SECTION 42. Arkansas Code § 17-96-201(a)(2), concerning appointments*
18 *to the examining board, is amended to read as follows:*

19 *(2) Three (3) members shall be podiatrists and shall have been*
20 *actually engaged in the practice of podiatric medicine immediately preceding*
21 *their appointment. They shall be appointed ~~upon recommendation of~~ after*
22 *consulting the Arkansas Podiatric Medical Association.*

23
24 *SECTION 43. Arkansas Code § 17-97-201(a)(3), concerning appointments*
25 *to the Arkansas Psychology Board, is amended to read as follows:*

26 *~~(3)(A)~~ The academic psychologist member, the practicing*
27 *psychologist members, and the psychological examiner members shall be*
28 *appointed ~~from a list of nominees provided by~~ by the Governor after*
29 *consulting the Arkansas Psychological Association, and the Arkansas*
30 *Association of Masters in Psychology, ~~or from any other list with the~~*
31 *~~signatures of at least twenty (20) licensed psychologists or psychological~~*
32 *~~examiners attached.~~*

33 *~~(B)(i) Each nomination shall be transmitted to the Governor~~*
34 *~~within twenty (20) days after a vacancy occurs.~~*

35 *~~(ii) The Governor may disregard the nominees whose~~*
36 *~~names were not transmitted prior to the expiration of the twenty day period.~~*

1
2 SECTION 44. Arkansas Code § 17-97-201(a)(5), concerning filling
3 vacancies on the Arkansas Psychology Board, is amended to read as follows:

4 (5)(A) The Governor shall fill all vacancies on the board within
5 thirty (30) days after the vacancy occurs. ~~The Arkansas Psychological~~
6 ~~Association, the Arkansas Association of Psychological Examiners, and other~~
7 ~~interested licensed psychologists and psychological examiners shall transmit~~
8 ~~the names of their nominees to the Governor no later than forty (40) days~~
9 ~~prior to the expiration of board members' terms, and at least thirty (30)~~
10 ~~days before the expiration of the term of any board member, the Governor~~
11 ~~shall appoint the person to replace the board member when the term expires.~~

12 (B) ~~The Governor may disregard the nominees of any association~~
13 ~~that fails to transmit the names of the nominees at least forty (40) days~~
14 ~~prior to the expiration of the term of office.~~

15 (G) The Governor shall remove any member from the board if
16 he or she:

17 (i) Ceases to be qualified;

18 (ii) Fails to attend three (3) successive board
19 meetings without just cause as determined by the board;

20 (iii) Is found to be in violation of this chapter;

21 (iv) Pleads guilty or nolo contendere to or is found
22 guilty of a felony or an unlawful act involving moral turpitude by a court of
23 competent jurisdiction; or

24 (v) Pleads guilty or nolo contendere to or is found
25 guilty of malfeasance, misfeasance, or nonfeasance in relation to his or her
26 board duties by a court of competent jurisdiction.

27
28 SECTION 45. Arkansas Code § 17-98-201 is amended to read as follows:
29 17-98-201. Creation.

30 (a) There is created the State Board of Disease Intervention
31 Specialists, which shall consist of seven (7) members who shall be appointed
32 by the Governor ~~from a list of twelve (12) candidates submitted by~~ after
33 consulting the employees of the Division of AIDS and Sexually Transmitted
34 Diseases of the Department of Health.

35 (b)(1) Members shall be appointed for seven-year terms, except for a
36 person who is appointed to fill out the unexpired term of another member.

1 (2) *The term of office shall expire on January 1 of each year.*

2 (3)(A) *Each year, three (3) candidates shall be submitted by*
3 *registered disease intervention specialists to the Governor, who shall*
4 *appoint one (1) to fill the expired term.*

5 (B) *The term of office shall be fixed so that one (1)*
6 *member of the board will be retired each year, and each year three (3)*
7 *candidates shall be submitted by registered disease intervention specialists*
8 *to the Governor, who shall appoint one (1) to fill the expired term.*

9 (c)(1) *The appointees shall be registered disease intervention*
10 *specialists who have been residents in the State of Arkansas for at least one*
11 *(1) year, have had experience in the field of disease intervention for at*
12 *least five (5) years, and are presently engaged in the field of disease*
13 *intervention.*

14 (2) *The board members must hold a current certificate of*
15 *registration issued by the board.*

16 (d)~~(1)~~ *The Governor shall fill any vacancy caused by death,*
17 *resignation, or removal for the unexpired term.*

18 ~~(2) Vacancies for unexpired terms shall be filled from three (3)~~
19 ~~*candidates submitted within thirty (30) days by registered disease*~~
20 ~~*intervention specialists.*~~

21 ~~(3) If no candidate is submitted within thirty (30) days, the~~
22 ~~*Governor shall fill the vacancy with any eligible disease intervention*~~
23 ~~*specialist.*~~

24 ~~(e) The Governor may remove any member of the board for misconduct,~~
25 ~~*incapacity, or neglect of duty.*~~

26 ~~(f) The members of the board shall serve without compensation but may~~
27 ~~*receive expense reimbursement in accordance with § 25-16-901 et seq. However,*~~
28 ~~*the expenses shall in no case exceed funds available to the board.*~~

29
30 SECTION 46. *Arkansas Code § 17-99-203(b), concerning the Arkansas*
31 *State Respiratory Care Examining Committee, is amended to read as follows:*

32 (b) *The committee shall consist of five (5) members, appointed by the*
33 *Governor for a term of three (3) years:*

34 (1)(A) *One (1) member shall be a board-certified*
35 *anesthesiologist.*

36 (B) *The Governor shall appoint that member ~~upon the advice~~*

1 ~~and recommendation of~~ after consulting the board;

2 (2)(A) One (1) member shall be a member of the American College
3 of Chest Physicians.

4 (B) The Governor shall appoint that member ~~upon the advice~~
5 ~~and recommendation of~~ after consulting the board;

6 (3)(A) Three (3) members shall be licensed under this chapter.

7 (B) The Governor shall appoint those members ~~upon the~~
8 ~~advice and recommendation of~~ after consulting the Arkansas Society for
9 Respiratory Care.

10
11 SECTION 47. Arkansas Code § 17-100-201(b), concerning appointments to
12 the Board of Examiners in Speech-Language Pathology and Audiology, is amended
13 to read as follows:

14 (b)(1)(A) The board shall be composed of eight (8) members appointed
15 by the Governor to three-year terms.

16 (B) The members of the board shall be residents of this
17 state for at least two (2) years immediately preceding their appointments.

18 (2)(A)(i) Seven (7) members of the board shall be appointed ~~from~~
19 ~~names submitted by~~ by the Governor after consulting the Arkansas Speech-
20 Language-Hearing Association, the American Academy of Audiology, ~~or~~ and other
21 professional groups or individuals.

22 (ii) Not less than thirty (30) days before the end
23 of each fiscal year, the association may recommend not more than three (3)
24 persons for each vacancy.

25 (B) The board shall have the following professional
26 members:

27 (i) Two (2) speech-language pathologists;

28 (ii) Two (2) audiologists; and

29 (iii) A fifth member who shall be either a speech-
30 language pathologist or an audiologist.

31 (C) There shall be one (1) consumer member and one (1)
32 public representative member, neither of whom shall be engaged in a health-
33 related profession.

34 (3)(A) One (1) member of the board shall represent the elderly.

35 (B) The representative of the elderly shall:

36 (i) Be sixty (60) years of age or older;

1 (ii) Not be actively engaged in or retired from the
2 practice of speech-language pathology or audiology;

3 (iii) Be appointed from the state at large, subject
4 to confirmation by the Senate; and

5 (iv) Be a full voting member but shall not
6 participate in the grading of examinations.

7 (4) The consumer representative position and the representative
8 of the elderly position may not be filled by the same person.

9
10 SECTION 48. Arkansas Code § 17-107-201(c), concerning appointments to
11 the Arkansas Orthotics, Prosthetics, and Pedorthics Advisory Board, is
12 amended to read as follows:

13 ~~(c)(1) Each initial member who is eligible for licensure as an~~
14 ~~orthotist, a prosthetist, or a pedorthist shall be selected from a list of~~
15 ~~fifteen (15) candidates who have practiced orthotics, prosthetics, or~~
16 ~~pedorthics for at least three (3) years. The Arkansas State Orthotic and~~
17 ~~Prosthetic Association shall submit the list of candidates to the Governor no~~
18 ~~later than July 1, 2007.~~

19 ~~(2)(A) Each successor member shall be selected from a list of~~
20 ~~three (3) individuals per position submitted to the Governor by the board.~~
21 The Governor shall consult the board before making an appointment under this
22 section.

23 ~~(B)(2) Each successor member shall have practiced~~
24 ~~orthotics, prosthetics, or pedorthics for at least three (3) years preceding~~
25 ~~his or her appointment and shall be licensed under this chapter as an~~
26 ~~orthotist, a prosthetist, or a pedorthist.~~

27
28 SECTION 49. Arkansas Code § 19-12-113(e)(1), concerning appointments
29 to the Tobacco Prevention and Cessation Advisory Committee, is amended to
30 read as follows:

31 (e) The Advisory Committee shall be governed as follows:

32 (1) The Advisory Committee shall consist of eighteen (18)
33 members; one (1) member to be appointed by the President Pro Tempore of the
34 Senate and one (1) member to be appointed by the Speaker of the House of
35 Representatives, and sixteen (16) members to be appointed by the Governor.
36 ~~The Committee members appointed by the Governor shall be selected from a list~~

1 ~~of at least three (3) names submitted by~~ consult each of the following
2 designated groups ~~to the Governor~~ before making an appointment, and shall
3 consist of the following: one (1) member appointed to represent the Arkansas
4 Medical Society; one (1) member shall represent the Arkansas Hospital
5 Association; one (1) member shall represent the American Cancer Society; one
6 (1) member shall represent the American Heart Association; one (1) member
7 shall represent the American Lung Association; one (1) member shall represent
8 the Coalition for a Tobacco-Free Arkansas; one (1) member shall represent
9 Arkansans for Drug Free Youth; one (1) member shall represent the Department
10 of Education; one (1) member shall represent the Arkansas Minority Health
11 Commission; one (1) member shall represent the Arkansas Center for Health
12 Improvement; one (1) member shall represent the Arkansas Association of Area
13 Agencies on Aging; one (1) member shall represent the Arkansas Nurses
14 Association; one (1) member shall represent the Arkansas Cooperative
15 Extension Service, one (1) member shall represent the University of Arkansas
16 at Pine Bluff; one member shall represent the League of United Latin American
17 Citizens; and one (1) member shall represent the Arkansas Medical, Dental and
18 Pharmaceutical Association. The Executive Committee of Arkansas Students
19 Working Against Tobacco shall serve as youth advisors to this Advisory
20 Committee. All members of this committee shall be residents of the State of
21 Arkansas.

22
23 SECTION 50. Arkansas Code § 20-7-102 is amended to read as follows:
24 20-7-102. Members – Appointment.

25 (a) The State Board of Health shall consist of the following members,
26 to be appointed by the Governor as follows:

27 (1)(A) Seven (7) members of the board shall be licensed medical
28 doctors of good professional standing, to be appointed by the Governor as
29 follows:

30 (i) One (1) member shall be appointed from each of
31 the four (4) congressional districts of this state as established by § 7-2-
32 101 et seq.; and

33 (ii) Three (3) members shall be appointed from the
34 state at large ~~from a list of not fewer than three (3) names presented for~~
35 ~~each position~~ by the Governor after consulting the Arkansas Medical Society.

36 (B) Notwithstanding the provisions of subdivision

1 (a)(1)(A) of this section, at least one (1) of the positions allocated for
2 licensed medical doctors shall be an osteopathic physician appointed ~~from a~~
3 ~~list of not fewer than three (3) names presented to the Governor by~~ by the
4 Governor after consulting the Arkansas Osteopathic Medical Association from
5 the state at large;

6 (2) One (1) member shall be a regularly licensed, registered,
7 and practicing dentist who has at least seven (7) years' experience in the
8 practice of his or her profession in this state. This member shall be
9 appointed ~~from a list of not fewer than three (3) names presented by~~ by the
10 Governor after consulting the Arkansas State Dental Association;

11 (3) One (1) member shall be a professional engineer as defined
12 in § 17-30-101 who has at least seven (7) years' experience in the practice
13 of his or her profession in this state. This member shall be appointed ~~from a~~
14 ~~list of not fewer than three (3) names presented by~~ by the Governor after
15 consulting the Arkansas Society of Professional Engineers;

16 (4) One (1) member shall be a regularly licensed professional
17 nurse who has been a resident of the state for at least seven (7) years
18 preceding the appointment and who has at least a bachelor's degree and five
19 (5) years' nursing experience in the state. This member shall be appointed
20 from a list ~~of not more than three (3) names presented by~~ by the Governor
21 after consulting the Arkansas Nurses Association;

22 (5) One (1) member shall be a regularly licensed pharmacist who
23 has been actively engaged in the practice of pharmacy for at least seven (7)
24 years preceding his or her appointment. This member shall be appointed ~~from a~~
25 ~~list of not fewer than three (3) names presented by~~ by the Governor after
26 consulting the Arkansas Pharmacists Association;

27 (6) One (1) member shall be a regularly licensed veterinarian
28 who has been actively engaged in the practice of veterinary medicine for at
29 least seven (7) years preceding his or her appointment. This member shall be
30 appointed ~~from a list of not fewer than three (3) names presented by~~ by the
31 Governor after consulting the Arkansas Veterinary Medical Association;

32 (7) One (1) member shall be a registered sanitarian who has at
33 least seven (7) years' experience in the practice of his or her profession
34 preceding his or her appointment. This member shall be appointed ~~from a list~~
35 ~~of not fewer than three (3) names presented by~~ by the Governor after
36 consulting the Arkansas State Board of Sanitarians;

1 (8) One (1) member shall be a hospital administrator who has at
2 least seven (7) years' experience in the practice of his or her profession in
3 Arkansas. This member shall be appointed ~~from a list of not fewer than three~~
4 ~~(3) names presented by~~ by the Governor after consulting the Arkansas Hospital
5 Association;

6 (9) One (1) member shall be a regularly licensed, registered,
7 and practicing optometrist who has at least seven (7) years' experience in
8 the practice of his or her profession in this state. This member shall be
9 appointed ~~from a list of not fewer than three (3) names presented by~~ by the
10 Governor after consulting the Arkansas Optometric Association;

11 (10) One (1) member shall be a regularly licensed and practicing
12 chiropractor. This member shall be appointed ~~from a list of not fewer than~~
13 ~~three (3) names submitted by~~ by the Governor after consulting the Arkansas
14 Chiropractic Association or the Arkansas Chiropractic Society;

15 (11) One (1) member shall be a restaurant operator who has owned
16 or operated a restaurant for a minimum of five (5) years. This member shall
17 be appointed by the Governor ~~from a list of three (3) names submitted by~~
18 after consulting the Arkansas Hospitality Association;

19 (12) One (1) member shall be a consumer representative who has
20 an interest in public health. This member shall be appointed by the Governor
21 from the state at large;

22 (13) One (1) member shall be more than sixty (60) years old and
23 represent the elderly. This person shall not be actively engaged in or
24 retired from any occupation, profession, or industry to be regulated by the
25 board. The member shall be appointed by the Governor from the state at large
26 and be subject to confirmation by the Senate;

27 (14) One (1) member shall be a licensed doctor of podiatric
28 medicine of good professional standing who has at least seven (7) years'
29 experience in the practice of the profession in this state. The member shall
30 be appointed ~~from a list of not fewer than three (3) names presented by~~ b y
31 the Governor after consulting the Arkansas Podiatric Medical Association;

32 (15) One (1) member shall be a member of the Arkansas Public
33 Health Association. The member shall be appointed by the Governor ~~from a list~~
34 ~~of three (3) names submitted by~~ after consulting the Arkansas Public Health
35 Association;

36 (16) One (1) member shall be a licensed medical doctor of good

1 professional standing who shall be appointed by the Governor from a rural
2 county that contains a medically underserved population in the state; and

3 (17) One (1) member shall be the Director of the Department of
4 Health.

5 (b) Each of the members of the board so appointed shall take the oath
6 prescribed by the Arkansas Constitution for state officers and shall be
7 commissioned by the Governor in the same manner as other state officials.

8
9 SECTION 51. Arkansas Code § 20-10-301(a), concerning appointments to
10 the Long-Term Care Facility Advisory Board, is amended to read as follows:

11 (a)(1) There is created the Long-Term Care Facility Advisory Board
12 composed of ten (10) members selected as follows:

13 (A) One (1) member appointed by the Governor from the
14 public at large;

15 (B)(i) Two (2) members appointed by the Governor who shall
16 be owners or administrators of long-term care nursing facilities ~~selected~~
17 ~~from a list of nominees prepared by the Arkansas Health Care Association.~~

18 (ii) The Governor shall consult the Arkansas Health
19 Care Association before making an appointment under subdivision (a)(1)(B)(i)
20 of this section;

21 (C) One (1) member appointed by the Governor who shall be a
22 doctor of medicine nominated by the Arkansas Medical Society;

23 (D)(i) One (1) member appointed by the Governor who shall
24 be a registered nurse with experience in geriatric nursing ~~from a list~~
25 ~~provided by the Arkansas Nurses Association.~~

26 (ii) The Governor shall consult the Arkansas Nurses
27 Association before making an appointment under subdivision (a)(1)(D)(i) of
28 this section;

29 (E) One (1) member who shall be the deputy director of the
30 appropriate division as determined by the Director of the Department of Human
31 Services or his or her appointed representative;

32 (F) One (1) member who shall be over sixty (60) years of
33 age and represent the elderly. This person shall not be actively engaged in
34 or retired from any occupation, profession, or industry to be regulated by
35 the board. The member shall be appointed by the Governor from the state at
36 large and subject to confirmation by the Senate;

1 (G) One (1) member who shall be the Director of Department
2 of Health or his or her appointed representative;

3 (H) One (1) member appointed by the Governor who shall be a
4 provider licensed by the Office of Long-Term Care to provide residential care
5 or adult day-care services; and

6 (I) One (1) member from the Arkansas Association of Area
7 Agencies on Aging, Inc., selected by the Governor.

8 (2) All members shall be appointed after consultation with the
9 appropriate professional societies.

10 (3) The deputy director of the appropriate division as determined
11 by the Director of the Department of Human Services shall be an ex officio
12 member and chair of the board, voting only in case of a tie vote.

13 (4) Only a member appointed under subdivision (a)(1)(B) of this
14 section may have a financial interest in, be retired from, or be employed by
15 any long-term care facility. However, a provider licensed by the Office of
16 Long-Term Care appointed under subdivision (a)(1)(H) of this section shall
17 not have a financial interest in, be retired from, or employed by any nursing
18 home. The person appointed pursuant to subdivision (a)(1)(D) of this section
19 may be employed by a nursing home.

20
21 SECTION 52. Arkansas Code § 20-13-807(b), concerning appointments to
22 the Trauma Advisory Council, is amended to read as follows:

23 (b) The council shall consist of twenty (20) voting members who have a
24 demonstrated interest in trauma systems to be appointed by the Governor as
25 follows:

26 (1) One (1) member appointed ~~from a list of two (2) nominees~~
27 ~~submitted~~ by the Governor after consulting the Arkansas Chapter of the
28 American College of Emergency Physicians;

29 (2) One (1) member appointed ~~from a list of two (2) nominees~~
30 ~~submitted~~ by the Governor after consulting the Arkansas Academy of Family
31 Physicians;

32 (3) One (1) member appointed ~~from a list of two (2) nominees~~
33 ~~submitted~~ by the Governor after consulting the Arkansas Chapter of the
34 American College of Surgeons;

35 (4) One (1) member appointed ~~from a list of two (2) nominees~~
36 ~~submitted~~ by the Governor after consulting Arkansas Medical Society;

1 (5) Four (4) members appointed ~~from a list of eight (8) nominees~~
2 ~~submitted by the Governor after consulting~~ the Arkansas Hospital Association;

3 (6) One (1) member appointed ~~from a list of two (2) nominees~~
4 ~~submitted by the Governor after consulting~~ the ~~Governor's~~ Emergency Medical
5 Services Advisory Council;

6 (7) One (1) member appointed ~~from a list of two (2) nominees~~
7 ~~submitted by the Governor after consulting~~ the Arkansas Emergency Nurses
8 Association;

9 (8) One (1) member appointed ~~from a list of two (2) nominees~~
10 ~~submitted by the Governor after consulting~~ the Arkansas Emergency Medical
11 Technicians Association;

12 (9) One (1) member appointed ~~from a list of two (2) nominees~~
13 ~~submitted by the Governor after consulting~~ the Arkansas Ambulance
14 Association;

15 (10) One (1) member appointed ~~from a list of two (2) nominees~~
16 ~~submitted by the Governor after consulting~~ the Arkansas Emergency Medical
17 Services for Children Program;

18 (11) One (1) member appointed ~~from a list of two (2) nominees~~
19 ~~submitted by the Governor after consulting~~ the Arkansas Trauma Society;

20 (12) One (1) member appointed ~~from a list of two (2) nominees~~
21 ~~submitted by the Governor after consulting~~ the Arkansas Society of Trauma
22 Nurses;

23 (13) One (1) member appointed ~~from a list of two (2) nominees~~
24 ~~submitted by the Governor after consulting~~ the Arkansas Spinal Cord
25 Commission;

26 (14) One (1) member appointed ~~from a list of two (2) nominees~~
27 ~~submitted by the Governor after consulting~~ the Arkansas Minority Health
28 Commission;

29 (15) One (1) member appointed ~~from a list of two (2) nominees~~
30 ~~submitted by the Governor fter consulting~~ the Arkansas Medical, Dental and
31 Pharmaceutical Association;

32 (16) One (1) member appointed to represent injury prevention;
33 and

34 (17) One (1) member appointed from the public at large as a
35 consumer representative who has an interest in trauma systems.
36

1 SECTION 53. Arkansas Code § 20-15-1503(b), concerning appointments to
2 the Universal Newborn Screening, Tracking, and Intervention Advisory Board,
3 is amended to read as follows:

4 (b) The board shall be composed of seven (7) members appointed by the
5 Governor, ~~with recommendations from~~ after consulting the Arkansas Speech-
6 Language-Hearing Association, from the following professions or groups:

7 (1) One (1) audiologist;

8 (2) One (1) audiologist from the Department of Health;

9 (3) One (1) audiologist from Arkansas Children's Hospital;

10 (4) One (1) speech-language pathologist;

11 (5) One (1) pediatrician-neonatologist or ear, nose, and throat
12 physician;

13 (6) One (1) adult who is deaf or hard of hearing to represent
14 consumer organizations for deaf and hard of hearing persons; and

15 (7) One (1) consumer of services who is a parent of a child or
16 children with hearing loss.

17
18 SECTION 54. Arkansas Code § 20-22-803(a), concerning appointments to
19 the Arkansas Fire Protection Services Board, is amended to read as follows:

20 (a)(1) There is created the Arkansas Fire Protection Services Board.

21 (2) The board shall be composed of fifteen (15) members to be
22 appointed by the Governor as follows:

23 (A)(i) Four (4) members shall be fire chiefs ~~recommended~~
24 by appointed by the Governor after consulting the Arkansas Association of
25 Fire Chiefs.

26 (ii) Two (2) of the fire chiefs under this
27 subdivision (a)(2)(A) shall be full paid fire chiefs, one (1) shall be a
28 volunteer fire chief, and one (1) shall be a retired fire chief or a
29 volunteer fire chief;

30 (B) Two (2) members shall be ~~recommended by~~ appointed
31 after consulting the Arkansas Rural and Volunteer Firefighters Association;

32 (C) Four (4) members ~~recommended by~~ appointed after
33 consulting the Arkansas State Firefighters Association, all of whom shall be
34 volunteer firefighters;

35 (D) Four (4) members shall be ~~recommended by~~ appointed by
36 the Governor after consulting the Arkansas Professional Fire Fighters

1 Association; and

2 (E) The State Forester of the Arkansas Forestry Commission
3 or his or her designee.

4 (3) The Director of the Arkansas Fire Training Academy, the
5 Director of the Arkansas Department of Emergency Management or his or her
6 designee, and the State Fire Marshal or his or her designee shall be ex
7 officio members.

8 (4) Members shall serve three-year terms.

9 (5) Each member shall hold office until his or her successor is
10 appointed and qualified.

11 ~~(6) Each recommending organization shall submit a minimum of~~
12 ~~three (3) names for consideration for appointment by the Governor for each~~
13 ~~position vacancy on the board.~~

14

15 SECTION 55. Arkansas Code § 20-24-105(c)(5), concerning appointments
16 to the Elevator Safety Board, is amended to read as follows:

17 (5) One (1) shall be ~~selected from a list of persons recommended~~
18 ~~by~~ appointed by the Governor after consulting with the board of trustees of
19 the Elevator Industry Work Preservation Fund.

20

21 SECTION 56. Arkansas Code § 20-25-105(a)(2), concerning appointments
22 to the Arkansas Manufactured Home Commission, is amended to read as follows:

23 (2) Appointments of those active in the manufactured home
24 industry shall be made by the Governor ~~from a list of three (3) names~~
25 ~~submitted to him or her by~~ after consulting the Arkansas Manufactured Housing
26 Association for each appointment.

27

28 SECTION 57. Arkansas Code § 20-77-1604(c), concerning appointments to
29 the Arkansas Youth Suicide Prevention Task Force, is amended to read as
30 follows:

31 (c)(1)(A) The Governor shall ~~select student members from a list of~~
32 ~~interested students submitted to~~ consult the Department of Education, ~~Each~~
33 ~~student on the list shall have been recommended by the superintendent of the~~
34 ~~school district in which the student attends school, by the governing body of~~
35 ~~the charter school or private school at which the student attends school, or~~
36 ~~by the president of the institution of higher education at which the student~~

1 ~~is enrolled~~ before appointing a student member.

2 (B) The Governor shall select student members to represent
3 each of the following health education center regions:

4 (i) Central;

5 (ii) South central;

6 (iii) North central;

7 (iv) Northeast;

8 (v) Northwest;

9 (vi) Southwest;

10 (vii) South; and

11 (viii) Delta.

12 (C) Student members shall be at least thirteen (13) years
13 of age but less than twenty-two (22) years of age when appointed.

14 (2) The Governor shall select the classroom teacher members ~~from~~
15 ~~a list of interested teachers who are recommended by~~ after consulting the
16 Arkansas Education Association.

17 (3) The Governor shall select the school counselor members ~~from~~
18 ~~a list of interested school counselors who are recommended by~~ after
19 consulting the Arkansas Counseling Association.

20 (4) All members shall be residents of the State of Arkansas at
21 the time of appointment and throughout their terms.

22
23 SECTION 58. Arkansas Code § 20-78-703(b), concerning appointments to
24 the Rita Rowell Hale Prenatal and Early Childhood Nurse Home Visitation
25 Program Advisory Council, is amended to read as follows:

26 (b) The council shall consist of eleven (11) members to be appointed by
27 the Governor as follows:

28 (1) Two (2) members from the Department of Health to be ~~nominated~~
29 ~~by~~ appointed by the Governor after consulting the Director of the Department
30 of Health;

31 (2) Two (2) members from the College of Medicine of the
32 University of Arkansas for Medical Sciences to be ~~nominated by~~ appointed by
33 the Governor after consulting the Dean of the College of Medicine of the
34 University of Arkansas for Medical Sciences;

35 (3) One (1) member from the College of Nursing of the University
36 of Arkansas for Medical Sciences to be ~~nominated by~~ appointed by the Governor

1 after consulting the Dean of the College of Nursing of the University of
2 Arkansas for Medical Sciences;

3 (4) One (1) member from the Arkansas Nurses Association;

4 (5) One (1) member from the University of Arkansas at Little Rock
5 School of Social Work to be ~~nominated by~~ appointed by the Governor after
6 consulting the Director of the School of Social Work of the University of
7 Arkansas at Little Rock;

8 (6) One (1) member from the Division of Child Care and Early
9 Childhood Education of the Department of Human Services;

10 (7) One (1) member from the State Child Abuse and Neglect
11 Prevention Board to be ~~nominated by~~ appointed by the Governor after
12 consulting the director; and

13 (8) Two (2) members from the public at large, at least one (1) of
14 whom shall be active in child advocacy within the state and one (1) of whom
15 shall be African-American.

16
17 SECTION 59. Arkansas Code § 23-16-403(c), concerning appointments to
18 the board of directors of the Arkansas Lifeline Individual Verification
19 Effort Corporation, is amended to read as follows:

20 (c) The Governor shall choose representatives of eligible
21 telecommunications carriers ~~from a list of three (3) names for each position~~
22 ~~submitted by~~ after consulting representatives of eligible telecommunications
23 carriers.

24
25 SECTION 60. Arkansas Code § 23-46-301(c)(3) and (4), concerning
26 appointments to the State Banking Board, is amended to read as follows:

27 (3) On the occasion of a vacancy on the board of one (1) of the
28 Arkansas Bankers Association banker members, a successor shall be ~~selected~~
29 ~~from among two (2) or more bankers whose names shall be supplied by~~ appointed
30 by the Governor after consulting the Arkansas Bankers Association.

31 (4) ~~The Governor shall make the appointment of all successor~~
32 ~~board members from among those persons recommended as provided in this~~
33 ~~section, provided that the board shall consist of one (1) member from each of~~
34 ~~the four (4) congressional districts as prescribed in § 7-2-101 et seq., and~~
35 ~~two (2) members from the state at large, one (1) of whom shall be the~~
36 ~~representative of the elderly.~~

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*SECTION 61. Arkansas Code § 24-10-201 is amended to read as follows:
24-10-201. Members and terms.*

(a) The general administration and the responsibility for the proper operation of the Arkansas Local Police and Fire Retirement System and for making effective the provisions of this chapter are vested in a board of trustees of seven (7) persons as follows:

(1) One (1) person to be appointed member trustee by the Governor ~~from two (2) lists of persons submitted to him or her, one (1) list from~~ after consulting the Arkansas Professional Fire Fighters Association and ~~one (1) list from~~ the Arkansas State Firefighters Association;

(2) One (1) person to be appointed member trustee by the Governor ~~from two (2) lists of persons submitted to him or her, one (1) list from~~ after consulting the Arkansas Municipal Police Association and ~~one (1) list from~~ the Arkansas Fraternal Order of Police;

(3) Two (2) persons to be appointed employer trustees by the Governor ~~from a list of persons submitted to him or her by~~ after consulting the Arkansas Municipal League;

(4) One (1) person who is not a member, retirant, or beneficiary of the system and who is not a member of the governing body of any political subdivision to be appointed trustee by the Governor from a list of persons submitted to him or her by the Joint Committee on Public Retirement and Social Security Programs;

(5) One (1) person who is a retired municipal police officer to be appointed a member trustee by the Governor from a list of two (2) persons submitted to him or her by the cochairs of the Joint Committee on Public Retirement and Social Security Programs; and

(6) One (1) person who is a retired municipal firefighter to be appointed a member trustee by the Governor from a list of two (2) persons submitted to him or her by the cochairs of the Joint Committee on Public Retirement and Social Security Programs.

(b)(1) The normal term of office for a trustee shall be four (4) years from January 1 next following his or her election or appointment, as the case may be.

(2) Each trustee shall continue to serve as trustee until a successor is appointed and has qualified.

1 (c) Trustees elected or appointed as member trustees shall be retired
2 or active members of the system, but:

3 (1) Not more than one (1) member trustee shall be employed or
4 formerly employed by any one (1) employer;

5 (2) Not more than two (2) member trustees shall be police
6 officers or retired police officers; and

7 (3) Not more than two (2) member trustees shall be firefighters
8 or retired firefighters.

9 (d) Trustees appointed as employer trustees shall be elected or
10 appointed officials of employers with management experience and shall not be
11 members of the system, but not more than one (1) employer trustee shall be
12 from any one (1) employer.

13 ~~(e) Whenever the Governor is to appoint a trustee, the list of persons~~
14 ~~submitted to him or her shall consist of the names of two (2) persons.~~

15
16 SECTION 62. Arkansas Code § 24-11-203(a)-(e), concerning the
17 composition of the Arkansas Fire and Police Pension Review Board, are amended
18 to read as follows:

19 24-11-203. Arkansas Fire and Police Pension Review Board.

20 (a) The purpose of this section, which creates and establishes the
21 Arkansas Fire and Police Pension Review Board, is to establish a state
22 pension review board for all municipal firemen's relief and pension funds and
23 policemen's pension and relief funds established under §§ 14-52-106, 24-11-
24 401 - 24-11-403, 24-11-405 - 24-11-413, 24-11-416, 24-11-417, 24-11-422, 24-
25 11-423, 24-11-425, 24-11-428 - 24-11-430, 24-11-801 - 24-11-807, 24-11-809,
26 24-11-813 - 24-11-815, and 24-11-818 - 24-11-820, which shall oversee all
27 requests for benefit increases and review the annual financial reports and
28 annual actuarial valuations required by this subchapter.

29 (b)(1) The Arkansas Fire and Police Pension Review Board shall be
30 composed of nine (9) persons as follows:

31 (A) Two (2) firefighters, an active member, retired
32 member, or a deferred retirement option plan participant, one (1) of whom
33 shall be appointed by the Governor ~~from a list submitted by~~ after consulting
34 the Arkansas State Firefighters Association and the other ~~from a list~~
35 ~~submitted by~~ after consulting the Arkansas Professional Fire Fighters
36 Association;

1 (B) Two (2) police officers, an active member, retired
2 member, or a deferred retirement option plan participant, to be appointed by
3 the Governor, ~~one (1) from a list submitted by~~ after consulting the Arkansas
4 Municipal Police Association and ~~the other from a list submitted by~~ the
5 Fraternal Order of Police;

6 (C) Three (3) persons to be appointed by the Governor ~~from~~
7 ~~a list submitted by~~ after consulting the Arkansas Municipal League;

8 (D) One (1) person who is not a member, retirant, or
9 beneficiary of the Arkansas Local Police and Fire Retirement System and who
10 is not a current or former member of the governing body of any political
11 subdivision, to be appointed by the Governor from a list of persons submitted
12 to the Governor by the Joint Committee on Public Retirement and Social
13 Security Programs; and

14 (E) The Director of the Department of Finance and
15 Administration or the director's designee.

16 (2) The Arkansas Fire and Police Pension Review Board shall
17 elect one (1) of its members as chair.

18 (c) Members of the Arkansas Fire and Police Pension Review Board who
19 are appointed as employee members must be active members, retired
20 firefighters or police officers, or deferred retirement option plan
21 participants of local firemen's relief and pension funds and policemen's
22 pension and relief funds established under §§ 14-52-106, 24-11-401 – 24-11-
23 403, 24-11-405 – 24-11-413, 24-11-416, 24-11-417, 24-11-422, 24-11-423, 24-
24 11-425, 24-11-428 – 24-11-430, 24-11-801 – 24-11-807, 24-11-809, 24-11-813 –
25 24-11-815, and 24-11-818 – 24-11-820.

26 (d) Members of the Arkansas Fire and Police Pension Review Board who
27 are appointed as employer members shall be elected or appointed officials of
28 municipalities or fire protection districts with established firemen's relief
29 and pension funds or policemen's pension and relief funds. However, employer
30 members shall not be from the same municipality or fire protection district.

31 ~~(e) Whenever the Governor is to appoint a member of the Arkansas Fire~~
32 ~~and Police Pension Review Board, the list of persons submitted to the~~
33 ~~Governor shall consist of the names of at least two (2) persons.~~

34
35 SECTION 63. Arkansas Code § 25-10-205(a)(1)(B), concerning
36 appointments to the Board of Division of State Services for the Blind, is

1 amended to read as follows:

2 (B) One (1) member shall be appointed ~~from each list of~~
3 ~~qualified persons nominated in separate lists furnished by the Governor after~~
4 consulting each of the following:

5 (i) The National Federation of the Blind of Arkansas;

6 (ii) The American Council of the Blind of Arkansas;

7 (iii) The Arkansas Lions Clubs Council of Governors,

8 who shall be a member of a member club of the International Association of
9 Lions Clubs within Multiple District Seven for Arkansas;

10 (iv) The American Association for Workers for the
11 Blind; and

12 (v) The Arkansas School for the Blind.

13

14 SECTION 64. Arkansas Code § 25-14-101(b), concerning appointment of
15 the Director of the Arkansas Department of Environmental Quality, is amended
16 to read as follows:

17 (b) The executive head of the department shall be the Director of the
18 Arkansas Department of Environmental Quality. The director shall ~~be nominated~~
19 ~~by the Arkansas Pollution Control and Ecology Commission and confirmed;~~

20 (1) Be appointed by the Governor, with the consent of the
21 Senate;

22 (2) Be appointed after the Governor consults with the Arkansas
23 Pollution Control and Ecology Commission; and ~~shall serve~~

24 (3) Serve at the pleasure of the Governor.

25

26 SECTION 65. Arkansas Code § 25-27-103(a), concerning appointments to
27 the Board of the Information Network of Arkansas, is amended to read as
28 follows:

29 (a) There is created the Information Network of Arkansas, a public
30 instrumentality carrying out an essential government function, which shall be
31 governed by a board consisting of twelve (12) voting members, as follows:

32 (1) The President of the Arkansas Science and Technology
33 Authority, or the president's designee;

34 (2) The Secretary of State, or the Secretary of State's
35 designee;

36 (3) The Director of the Department of Finance and

1 Administration, or the director's designee;

2 (4) Two (2) members, or their designees, who are chief executive
3 officers of agencies of the executive branch other than the Department of
4 Finance and Administration and the Department of Information Systems, shall
5 be appointed by the Governor;

6 (5)(A)(i)~~(a)~~ Four (4) members from user associations initially
7 selected by the Governor shall be appointed by the Governor ~~from a list of~~
8 ~~three (3) names submitted by~~ after consulting each user association.

9 ~~(b) Thereafter, the board shall submit a list~~
10 ~~of at least three (3) names per position, based on the recommendations of~~
11 ~~user associations.~~

12 (ii) No two (2) members appointed pursuant to this
13 subdivision (a)(5) shall be members of the same user association.

14 (B) Such members shall serve staggered three-year terms;

15 (6)(A)~~(i)~~ One (1) member who is a public library director
16 appointed by the Governor ~~from a list of three (3) names of public library~~
17 ~~directors submitted by~~ after consulting the President of the Arkansas Library
18 Association.

19 ~~(ii) Following the initial appointment hereunder,~~
20 ~~the list shall be composed of librarians of public libraries which subscribe~~
21 ~~to the Information Network of Arkansas.~~

22 (B) The member shall serve a three-year term;

23 (7)(A) One (1) member appointed by the Governor ~~from a list of~~
24 ~~three (3) names submitted by~~ after consulting the Arkansas Bar Association.

25 (B) The member shall serve a three-year term; and

26 (8) The Director of the Department of Information Systems, or
27 the director's designee.

28
29 SECTION 66. Arkansas Code § 25-29-101(c), concerning board of
30 directors of the Arkansas Deaf and Hearing Impaired Telecommunications
31 Services Corporation, is amended to read as follows:

32 (c) The Governor shall ~~choose one (1) name from a list of three (3)~~
33 ~~names submitted by~~ appoint one (1) member after consulting representatives of
34 the deaf and hearing-impaired community and one (1) ~~name from a list of three~~
35 ~~(3) names submitted by~~ member after consulting representatives of Arkansas
36 local exchange carriers.

1
2 SECTION 67. Arkansas Code § 26-57-255(a)(3), concerning appointments
3 to the Arkansas Tobacco Control Board, is amended to read as follows:

4 (3) Four (4) members of the board shall be members of the public
5 at large who are not public employees or officials, at least one (1) of whom
6 shall be an African American, and two (2) of whom shall be ~~selected from a~~
7 ~~list of at least eight (8) candidates supplied to~~ appointed by the Governor
8 by after consulting the Arkansas Medical Society.

9
10 SECTION 68. Arkansas Code § 27-101-405(a) and (b), concerning the
11 Marine Sanitation Advisory Committee, is amended to read as follows:

12 (a) There is established a Marine Sanitation Advisory Committee, to
13 consist of thirteen (13) members appointed by the Governor as follows:

14 (1) Five (5) members shall be marina operators;

15 (2) One (1) member shall be an operator of a marine repair
16 facility;

17 (3) ~~One (1) member shall be nominated by the Director of the~~
18 ~~Department of Health;~~

19 ~~(4) One (1) member shall be nominated by the Director of the~~
20 ~~Arkansas Department of Environmental Quality;~~

21 ~~(5) One (1) member shall be nominated by the Executive Secretary~~
22 ~~of the Arkansas State Game and Fish Commission~~ Three (3) members from the
23 state at large to be appointed by the Governor after consulting with the
24 Director of the Department of Health, the Director of the Arkansas Department
25 of Environmental Quality, and the Executive Secretary of the Arkansas State
26 Game and Fish Commission;

27 ~~(6)(4)~~ Three (3) members shall be boat owners; and

28 ~~(7)(5)~~ One (1) member shall be the Captain of Division 15 of the
29 United States Coast Guard Auxiliary or his or her designee.

30 (b)(1) The three (3) members appointed pursuant to subdivisions ~~(a)(3)-~~
31 ~~(5) (a)(3)~~ of this section shall serve at the pleasure of the ~~director of~~
32 ~~each respective agency, and the member appointed pursuant to subdivision~~
33 ~~(a)(7) of this section shall serve as long as the person remains Captain of~~
34 ~~Division 15, or if the designee of the captain, the designee will serve as~~
35 ~~long as the person designating him or her is Captain of Division 15~~ Governor.

36 (2) Of the initial members appointed under subdivisions (a)(1),

1 *(a)(2), and ~~(a)(6)~~ (a)(4) of this section, three (3) shall be appointed for*
2 *one-year terms, three (3) for two-year terms, and three (3) for three-year*
3 *terms.*

4 *(3) Members shall serve three-year terms except that persons*
5 *appointed to fill vacancies resulting in an unexpired term shall serve for*
6 *the remainder of that unexpired term.*

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/s/Neal

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