

1 State of Arkansas As Engrossed: H3/17/15 H3/26/15

2 90th General Assembly

# A Bill

3 Regular Session, 2015

HOUSE BILL 1851

4

5 By: Representative Neal

6

7

## 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

16

## Subtitle

17

*TO AMEND THE LAW CONCERNING APPOINTMENTS*

18

*TO AND MEMBERSHIP ON CERTAIN BOARDS,*

19

*COMMISSIONS, COMMITTEES, AND OTHER*

20

*ADMINISTRATIVE BODIES.*

21

22

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

24

25 *SECTION 1. Arkansas Code § 3-5-701(a), concerning appointments to the*  
26 *Arkansas Wine Producers Council, is amended to read as follows:*

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

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

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

36 *(3) ~~One (1) member shall be appointed by the Governor and~~*



1 ~~confirmed by the Senate from a list of two (2) names submitted by the~~  
2 ~~Arkansas State Horticulture Society.~~

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

6 ~~(5)~~(4) One (1) member shall be designated by the State Parks,  
7 Recreation, and Travel Commission, and the member shall be either a member or  
8 employee of the commission.

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

13 (5)(A) One (1) member selected from the state at large and  
14 appointed by the Governor from a list of three (3) nominees submitted by the  
15 Arkansas School Boards Association; subject to confirmation of the Senate.

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

19  
20 SECTION 3. Arkansas Code § 6-20-2516(b)(1), concerning appointments to  
21 the Academic Facilities Review Board, is amended to read as follows:

22 (b)(1) The board is composed of five (5) members appointed by the  
23 Governor and subject to confirmation of the Senate as follows:

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

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

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

35 (ii) The Governor shall consult the Arkansas Chapter  
36 of the American Institute of Architects before making an appointment under

1 subdivision (b)(1)(B)(i) of this section;

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

7 (ii) The Governor shall consult the American Council  
 8 of Engineering Companies of Arkansas and the Arkansas Society of Professional  
 9 Engineers before making an appointment under subdivision (b)(1)(C)(i) of this  
 10 section; and

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

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

17 (ii) The Governor shall consult the Arkansas  
 18 Association of Educational Administrators and the Arkansas School Boards  
 19 Association before making an appointment under subdivision (b)(1)(D)(i) of  
 20 this section.

21  
 22 SECTION 4. Arkansas Code § 6-47-305(c)(10)-(12), concerning  
 23 appointments to the Distance Learning Coordinating Council, are amended to  
 24 read as follows:

25 (10)(A) One (1) member who is an employee of an education  
 26 service cooperative appointed by the Governor ~~from a list of three (3) names~~  
 27 ~~submitted by the State Board of Education;~~ subject to confirmation of the  
 28 Senate.

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

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

34 (12) Two (2) members who are employed by telecommunications  
 35 companies that are members of the Arkansas Telecommunications Association and  
 36 appointed as follows:

1 (A) One (1) member shall be employed by a  
2 telecommunications company with more than seventy-five thousand (75,000)  
3 access lines and shall be appointed by the Governor ~~from a list of three (3)~~  
4 ~~names submitted by the association~~ and appointed subject to confirmation of  
5 the Senate; and

6 (B) One (1) member shall be employed by a  
7 telecommunications company with less than seventy-five thousand (75,000)  
8 access lines and shall be appointed by the Governor ~~from a list of three (3)~~  
9 ~~names submitted by the association~~ and appointed subject to confirmation of  
10 the Senate; and

11 (C) The Governor shall consult the Arkansas  
12 Telecommunications Association before making an appointment under this  
13 subdivision (c)(12); and  
14

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

18 (a)(1) ~~The Department of Career Education shall, in collaboration with~~  
19 ~~the Office of Apprenticeship of the United States Department of Labor,~~  
20 ~~recommend to the Governor, and the Governor shall appoint,~~ an apprenticeship  
21 and training advisory committee composed of members with the following  
22 qualifications:

23 (A) Five (5) persons representing employers of members of  
24 apprenticeable trades;

25 (B) Five (5) persons representing bargaining agents for  
26 members of apprenticeable trades;

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

30 (D) Five (5) persons who teach or immediately supervise  
31 preparatory instruction, supplementary instruction, or related instruction  
32 courses.

33 (2) Members of the coordination committee shall serve terms of  
34 four (4) years.

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

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

5           (5) Appointments made by the Governor under this subsection  
6 shall be subject to confirmation by the Senate.

7  
8           SECTION 6. Arkansas Code § 6-61-201(b), concerning appointments to the  
9 Arkansas Higher Education Coordinating Board, is amended to read as follows:

10           **(b)(1)** After the appointment of the initial board, the members to be  
11 appointed from recent or current boards of two-year and four-year campuses  
12 shall be appointed by the Governor ~~from a list of names submitted by the~~  
13 ~~Presidents Council~~ subject to confirmation by the Senate.

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

16  
17           SECTION 7. Arkansas Code § 6-64-304(b)(3), concerning appointments to  
18 the Board of Visitors for the University of Arkansas at Pine Bluff, is  
19 repealed.

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

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

27  
28           SECTION 8. Arkansas Code § 8-7-904(a)(2), concerning appointments to  
29 the Advisory Committee on Petroleum Storage Tanks is amended to read as  
30 follows:

31           (2) The Governor shall appoint the members of the advisory  
32 committee subject to confirmation by the Senate as follows:

33           (A) The member appointed Governor shall consult the  
34 Arkansas Petroleum Council before making the appointment under subdivision  
35 (a)(1)(B) of this section shall be from a list of three (3) names submitted  
36 by the Arkansas Petroleum Council;

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

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

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

13  
14           SECTION 9. Arkansas Code § 12-61-110(a), concerning appointment of the  
15 property and finance officer for the United States, is amended to read as  
16 follows:

17           (a) ~~The~~ After consulting with the Adjutant General, the Governor, ~~upon~~  
18 ~~recommendation of the Adjutant General,~~ shall appoint, designate, and detail,  
19 subject to the approval of the Secretary of the Army and confirmation by the  
20 Senate, an officer of the National Guard as the property and finance officer  
21 for the United States.

22  
23           SECTION 10. Arkansas Code § 12-64-104(a), concerning appointment of  
24 the State Judge Advocate, is amended to read as follows:

25           (a)(1) ~~The Governor, on the recommendation of the Adjutant General,~~  
26 shall appoint an officer of the organized militia as State Judge Advocate  
27 subject to confirmation by the Senate.

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

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

33  
34           SECTION 11. Arkansas Code § 13-5-704(b)(2)(B)(iv), concerning  
35 membership of the Delta Cultural Center Policy Advisory Board, is amended to  
36 read as follows:

1 (iv) A member of the Board of the Arkansas ~~Endowment~~  
2 ~~for the Humanities~~;

3  
4 SECTION 12. Arkansas Code § 15-4-2204(b)(1)(D), concerning  
5 appointments to the Arkansas Workforce Investment Board, is amended to read  
6 as follows:

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

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

11 (ii) One (1) chief elected official ~~nominated by~~  
12 appointed by the Governor after consulting the Association of Arkansas  
13 Counties;

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

17 (iv) No fewer than two (2) representatives of  
18 individuals and organizations who have experience with respect to youth  
19 activities and programs; and

20 (v) No fewer than two (2) representatives of  
21 individuals and organizations who have experience and expertise in the  
22 delivery of workforce investment activities of which:

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

26 (b) One (1) member shall represent a community-  
27 based organization;

28  
29 SECTION 13. Arkansas Code § 15-9-104(a)(7), concerning appointments to  
30 the Commission on Information Age Communities, is amended to read as follows:

31 (7)(A) Three (3) members appointed by the Governor ~~from a list~~  
32 ~~of names submitted by the membership of the commission~~ subject to  
33 confirmation by the Senate who are knowledgeable in various aspects of  
34 information technology and community development.

35 (B) The members appointed by the Governor shall serve  
36 staggered three-year terms.

1                    (C) The Governor shall consult the commission before  
2 making an appointment under this subdivision (a)(7).

3  
4            SECTION 14. Arkansas Code § 15-12-101(a)-(c), concerning appointments  
5 to the Arkansas Natural and Cultural Resources Council, is amended to read as  
6 follows:

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

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

10                   (2) The Director of the Department of Arkansas Heritage;

11                   (3) The Chair of the State Parks, Recreation, and Travel  
12 Commission or his or her designee;

13                   (4) The Chair of the Arkansas Natural Heritage Commission or his  
14 or her designee;

15                   (5) The Commissioner of State Lands;

16                   (6) Two (2) resident electors of this state as public members  
17 who are representatives of recreation groups, conservation groups, or other  
18 groups interested in the wise use, preservation, and conservation of  
19 Arkansas' natural or cultural resources;

20                   (7)(A) One (1) member appointed by the Governor subject to  
21 confirmation by the Senate to represent Arkansas cities and towns, ~~to be~~  
22 ~~named by the Governor from a list of three (3) names recommended to the~~  
23 ~~Governor by the Arkansas Municipal League.~~

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

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

28                   (8)(A) One (1) member appointed by the Governor subject to  
29 confirmation by the Senate to represent Arkansas counties, ~~who shall be~~  
30 ~~appointed by the Governor from a list of three (3) names submitted to the~~  
31 ~~Governor by the Arkansas County Judges Association.~~

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

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

36                   (9) One (1) member appointed by the Speaker of the House of



1 *Representatives; and*

2 *(10) One (1) member appointed by the President Pro Tempore of*  
3 *the Senate.*

4 *(b) The appointments under subdivisions (a)(6)-(8) of this section*  
5 *shall be made by the Governor and, ~~insofar as possible,~~ the Governor shall be*  
6 *~~made from names recommended to the Governor by groups representative of those~~*  
7 *~~organizations~~ consult the organizations described in subdivisions (a)(6)-(8)*  
8 *before making the appointments.*

9 *(c)(1) One (1) member appointed under subdivision (a)(6) of this*  
10 *section shall represent rural areas ~~and will be chosen from a list of names~~*  
11 *~~submitted to~~ and the Governor by shall consult the Arkansas Forestry*  
12 *Association before making the appointment.*

13 *(2) The other member appointed under subdivision (a)(6) of this*  
14 *section shall represent urban areas.*

15

16 *SECTION 15. Arkansas Code § 15-20-305(a)(2)(A), concerning*  
17 *appointments to the Arkansas Natural Heritage Commission, is amended to read*  
18 *as follows:*

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

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

25 *(iii) One (1) member shall be chosen from a list of*  
26 *five (5) persons jointly nominated by the Arkansas Farm Bureau Federation,*  
27 *~~the Arkansas Farmers' Union,~~ and the Arkansas Agricultural Council.*

28 *(iv) One (1) member shall be ~~chosen from a list of~~*  
29 *~~five (5) persons nominated by the Arkansas Wood Products Association~~*  
30 *appointed by the Governor from the state at large subject to confirmation by*  
31 *the Senate.*

32 *(v) One (1) member shall be ~~chosen from a list of~~*  
33 *~~five (5) persons nominated by~~ appointed by the Governor after consulting the*  
34 *Arkansas Wildlife Federation and subject to confirmation by the Senate.*

35

36 *SECTION 16. Arkansas Code § 15-20-306(c), concerning business of the*

1 Arkansas Natural Heritage Commission, is amended to read as follows:

2 (c) ~~Five (5)~~ Eight (8) members shall constitute a quorum for the  
3 transaction of business.

4  
5 SECTION 17. Arkansas Code § 15-23-201(a), concerning appointments to  
6 the Arkansas Waterways Commission, is amended to read as follows:

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

10 (1) ~~Each~~ The Governor shall consult the organized associations  
11 established to promote the development of the five (5) navigable stream basin  
12 areas of this state, i.e., which are the Arkansas River, White River,  
13 Ouachita River, Red River, and Mississippi River basin areas, shall through  
14 their organized associations established to promote the development of such  
15 basin areas, recommend to the Governor the names of three (3) qualified  
16 persons from each of their respective river basin areas of demonstrated  
17 experience and interest in river development before making an appointment  
18 under this section;

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

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

25  
26 SECTION 18. Arkansas Code § 15-45-302(b), concerning appointments to  
27 the Nongame Preservation Committee, is amended to read as follows:

28 (b) The remaining two (2) members will be appointed by the Governor  
29 subject to confirmation by the Senate for three-year terms. ~~In making the~~  
30 ~~appointments, the~~ The Governor will take nominations for representatives from  
31 shall appoint two (2) members after consulting private conservation  
32 organizations from within the state and will appoint the two (2) committee  
33 members from the nominations received.

34  
35 SECTION 19. Arkansas Code § 16-123-303(b), concerning appointments to  
36 the Arkansas Fair Housing Commission, is amended to read as follows:

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

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

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

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

20           (B) The Governor shall appoint members to fill vacancies  
21 ~~for the two (2) members to represent subdivisions (b)(2)(A)(i) and (ii) under~~  
22 subdivision (b)(2)(A) of this section from a list of four (4) nominees  
23 ~~submitted by~~ after consulting the Arkansas Realtors Association ~~and a member~~  
24 ~~to fill a vacancy for the one (1) member to represent subdivision~~  
25 ~~(b)(2)(A)(iii) of this section not involving nominees from the Arkansas~~  
26 ~~Realtors Association~~ subject to confirmation by the Senate.

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

29           (B) The Governor shall appoint a member to fill a vacancy  
30 for the member to represent subdivision (b)(3)(A) of this section ~~from a list~~  
31 ~~of four (4) nominees submitted by~~ after consulting the Arkansas Homebuilders  
32 Association and subject to confirmation by the Senate.

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

36           (B) The Governor shall appoint a member to fill a vacancy

1 for the member to represent subdivision (b)(4)(A) of this section ~~from a list~~  
2 ~~of four (4) nominees submitted by~~ after consulting the Arkansas Mortgage  
3 Bankers Association and subject to confirmation by the Senate.

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

6 (B) The Governor shall appoint a member to fill a vacancy  
7 for the member to represent subdivision (b)(5)(A) of this section ~~from a list~~  
8 ~~of four (4) nominees jointly submitted by~~ after consulting the Arkansas  
9 Community Bankers and the Arkansas Bankers Association and subject to  
10 confirmation by the Senate.

11 (6)(A)(i) Seven (7) members shall represent consumers and shall  
12 not be actively engaged in or retired from the business of real estate,  
13 homebuilding, mortgage lending or banking, including one (1) member who shall  
14 be appointed by the Governor to represent persons meeting the definition of  
15 "disabled" in this subchapter ~~from a list of four (4) nominees submitted by~~  
16 after consulting the Governor's Commission on People with Disabilities and  
17 subject to confirmation by the Senate.

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

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

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

30  
31 SECTION 20. Arkansas Code § 17-14-201(b), concerning appointments to  
32 the Arkansas Appraiser Licensing and Certification Board, is amended to read  
33 as follows:

34 (b)(1)(A) The Governor shall appoint the members of the board subject  
35 to confirmation by the Senate and may remove a member for cause.

36 (B) The Governor may, at his or her discretion, request

1 additional names to be submitted from organizations mentioned in this  
2 subchapter eligible to fill appointments to this board.

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

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

12 ~~(i) State chapters of national appraisal~~  
13 ~~organizations that are members of the Appraisal Foundation or its successor;~~  
14 ~~and~~

15 ~~(ii) Association of Consulting Foresters of America,~~  
16 ~~Inc., Arkansas Chapter.~~

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

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

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

31 (3) The Arkansas Bankers Association, the Arkansas League of  
32 Savings Institutions, the Arkansas Association of Bank Holding Companies, the  
33 Arkansas Independent Bankers Association, the Mortgage Bankers Association of  
34 Arkansas, and the Arkansas Credit Union League should each submit a list of  
35 two (2) names, annually, on or before January 15 of each calendar year, to  
36 the Governor, and the financial member shall be appointed and the vacancy

1 filled from the lists of names provided.

2  
3 SECTION 21. Arkansas Code § 17-15-201(a)(2), concerning appointments  
4 to the Arkansas State Board of Architects, Landscape Architects and Interior  
5 Designers, is amended to read as follows:

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

14  
15 SECTION 22. Arkansas Code § 17-24-201(b)(1), concerning appointments  
16 to the State Board of Collection Agencies, is amended to read as follows:

17 (b)(1)(A)~~(i)~~ One (1) member shall be ~~selected~~ appointed by the  
18 Governor ~~from a list of three (3) names furnished to him or her by the~~ after  
19 consulting the Associated Credit Bureaus of Arkansas subject to confirmation  
20 by the Senate, and another shall be ~~selected from a list of three (3) names~~  
21 ~~submitted by~~ appointed by the Governor after consulting with the Arkansas  
22 members of the American Collectors Association and subject to confirmation by  
23 the Senate.

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

28 (i) Be actively engaged as the owners or managers of  
29 a collection agency or someone employed by collection agencies in an  
30 executive capacity; and

31 ~~(B) All nominees on the list submitted to the Governor~~  
32 ~~shall be individuals who have~~

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

36

1           SECTION 23. Arkansas Code § 17-25-503(a)(2)(A)(i) and (ii), concerning  
2 appointments to the Residential Contractors Committee, is amended to read as  
3 follows:

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

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

11                           (iii) The appointments made under subdivision  
12 (a)(2)(A) of this section shall be subject to confirmation by the Senate.

13  
14           SECTION 24. Arkansas Code § 17-27-201(c), concerning appointments to  
15 the Arkansas Board of Examiners in Counseling, is amended to read as follows:

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

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

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

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

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

33                           (C)(i) One (1) member from the general public who is not  
34 licensed or licensable and not actively engaged in or retired from the  
35 profession of counseling who shall represent consumers.

36                           (ii) ~~This member shall be appointed from a list~~

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

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

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

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

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

15 (3) Appointments made by the Governor under this section shall  
16 be subject to confirmation by the Senate.

17  
18 SECTION 25. 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 26. 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 27. 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 (c) Appointments made by the Governor under this section shall be  
 17 subject to confirmation by the Senate.

18  
 19 SECTION 28. Arkansas Code § 17-43-201(a), concerning appointments to  
 20 the Arkansas State Board of Sanitarians, is amended to read as follows:

21 (a)(1) There is created the Arkansas State Board of Sanitarians to  
 22 consist of six (6) members who shall be appointed by the Governor subject to  
 23 confirmation by the Senate.

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

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

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

35 (ii) The Governor shall consult the Arkansas Society  
 36 of Professional Sanitarians before making an appointment under this

1 subdivision (a)(2)(C).

2 (3) One (1) member shall not be actively engaged in or retired  
3 as a sanitarian and shall represent consumers. This member shall be appointed  
4 from the state at large subject to confirmation by the Senate. He or she  
5 shall be a full voting member but shall not participate in the grading of  
6 examinations.

7  
8 SECTION 29. Arkansas Code § 17-47-201(b)(1), concerning appointments  
9 to the Arkansas State Board of Registration for Professional Soil  
10 Classifiers, is amended to read as follows:

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

16  
17 SECTION 30. Arkansas Code § 17-81-201(b) and (2), concerning  
18 appointments to the Arkansas State Board of Chiropractic Examiners, are  
19 amended to read as follows:

20 (b)(1) The board shall be composed of seven (7) members appointed by  
21 the Governor subject to confirmation by the Senate for terms of five (5)  
22 years.

23 (2)(A) Five (5) members shall be qualified chiropractors. ~~At~~  
24 ~~least thirty (30) days prior to the expiration of the term of office of each~~  
25 ~~professional member, the various chartered chiropractic state organizations~~  
26 ~~may submit to the Governor a list of three (3) names of qualified~~  
27 ~~chiropractors for each position for which a term expires. On or before June~~  
28 ~~30 of each year, the Governor may appoint from the list a person to fill each~~  
29 ~~position for which the term of office expires.~~

30 (B) The Governor shall consult the Arkansas Chiropractic  
31 Physicians Association before making an appointment under this subdivision  
32 (b)(2).

33  
34 SECTION 31. Arkansas Code § 17-83-201(d)(1), concerning appointments  
35 to the Arkansas Dietetics Licensing Board, is amended to read as follows:

36 ~~(d)(1)(d)(1)(A)~~ The Governor shall consult the Board of Directors of

1 the Arkansas Academy of Nutrition and Dietetics before appointing the four  
2 (4) board members who are representative of the dietetics profession shall be  
3 selected from a list of ten (10) names submitted to the Governor by the Board  
4 of Directors of the Arkansas Academy of Nutrition and Dietetics.

5 (B) The appointments made by the Governor under  
6 subdivision (d)(1)(A) of this section shall be subject to confirmation by the  
7 Senate.

8  
9 SECTION 32. Arkansas Code § 17-84-201(b)(1)(B), concerning  
10 appointments to the Arkansas Board of Hearing Instrument Dispensers, is  
11 amended to read as follows:

12 (B) The Governor shall consider nominations from consult  
13 the Arkansas Hearing Society before making an appointment under subdivision  
14 (b)(1)(A) of this section, and the appointment shall be subject to  
15 confirmation by the Senate;

16  
17 SECTION 33. Arkansas Code § 17-87-710(b), concerning appointments to  
18 the Medication Assistive Person Advisory Committee, is amended to read as  
19 follows:

20 (b)(1) The board Governor shall appoint six (6) members to be approved  
21 by the Governor subject to confirmation by the Senate who have the following  
22 qualifications:

23 ~~(1)(A)~~ Two (2) members shall be certified medication assistive  
24 persons;

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

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

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

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

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

35  
36 SECTION 34. Arkansas Code § 17-89-201(b)(4) and (5), concerning

1 appointments to the Arkansas Board of Dispensing Opticians, is amended to  
2 read as follows:

3 (4) One (1) member of the Arkansas Board of Dispensing Opticians  
4 shall be a licensed optometrist appointed by the Governor ~~from a list of~~  
5 ~~three (3) names submitted by~~ after consulting the Arkansas Optometric  
6 Association and subject to confirmation by the Senate.

7 (5) Two (2) members of the Arkansas Board of Dispensing  
8 Opticians shall be licensed ophthalmologists appointed by the Governor ~~from a~~  
9 ~~list of six (6) names submitted by the Ophthalmology Section of~~ after  
10 consulting the Arkansas Medical Society and subject to confirmation by the  
11 Senate.

12

13 SECTION 35. Arkansas Code § 17-92-201(a)(1) and (2), concerning  
14 membership of the Arkansas State Board of Pharmacy, are amended to read as  
15 follows:

16 (1) Five (5) members shall be experienced pharmacists who have  
17 been actively engaged in the practice of pharmacy for the last five (5) years  
18 immediately preceding their appointments, to be appointed ~~upon the advice and~~  
19 ~~recommendation of~~ by the Governor after consulting the Arkansas Pharmacists  
20 Association and subject to confirmation by the Senate;

21 (2) One (1) member shall be a minority who is a licensed  
22 practicing pharmacist in this state, to be appointed by the Governor ~~upon the~~  
23 ~~advice and recommendation of~~ after consulting the Pharmaceutical Section of  
24 the Arkansas Medical, Dental, and Pharmaceutical Association and subject to  
25 confirmation by the Senate; and

26

27 SECTION 36. Arkansas Code § 17-92-209(b), concerning appointments to  
28 the Medications Administration Advisory Committee, is amended to read as  
29 follows:

30 (b) ~~The Arkansas State Board of Pharmacy Governor shall, after~~  
31 consulting the Arkansas State Board of Pharmacy, appoint five (5) members, ~~to~~  
32 ~~be approved by the Governor,~~ subject to confirmation by the Senate who have  
33 the following qualifications:

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

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

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

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

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

12  
13 SECTION 37. Arkansas Code § 17-95-301(b), concerning appointments to  
14 the Arkansas State Medical Board, is amended to read as follows:

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

17 (B) The Governor shall consider diversity of practice  
18 specialties and geographical areas of practice in making appointments to the  
19 board.

20 (2)(A)(i) Ten (10) members shall be duly qualified, licensed,  
21 and active medical practitioners and appointed ~~upon the advice and~~  
22 ~~recommendation of~~ by the Governor after consulting the Arkansas Medical  
23 Society and subject to confirmation by the Senate.

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

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

27 (B) Congressional district representation required under  
28 this subdivision (b)(2) shall be achieved by appointment as vacancies occur.

29 (3) One (1) member shall be a licensed practicing physician in  
30 this state and shall be appointed ~~upon the advice and recommendation of~~ by  
31 the Governor after consulting the Physicians' Section of the Arkansas  
32 Medical, Dental, and Pharmaceutical Association and subject to confirmation  
33 by the Senate.

34 (4) Two (2) members of the board shall not be actively engaged  
35 in or retired from the practice of medicine. One (1) member shall represent  
36 consumers, and one (1) member shall be sixty (60) years of age or older and

1 shall represent the elderly. Both shall be appointed from the state at large  
2 subject to confirmation by the Senate. The two (2) positions may not be held  
3 by the same person. Both shall be full voting members but shall not  
4 participate in the grading of examinations.

5 (5) One (1) member shall be a duly qualified, licensed, and  
6 practicing osteopathic physician and appointed ~~upon the recommendation of~~  
7 after consulting the Arkansas Osteopathic Medical Association and subject to  
8 confirmation by the Senate.

9  
10 SECTION 38. Arkansas Code § 17-96-201(a)(2), concerning appointments  
11 to the examining board, is amended to read as follows:

12 (2) Three (3) members shall be podiatrists and shall have been  
13 actually engaged in the practice of podiatric medicine immediately preceding  
14 their appointment. They shall be appointed ~~upon recommendation of~~ after  
15 consulting the Arkansas Podiatric Medical Association and subject to  
16 confirmation by the Senate.

17  
18 SECTION 39. Arkansas Code § 17-97-201(a)(3), concerning appointments  
19 to the Arkansas Psychology Board, is amended to read as follows:

20 (3)~~(A)~~ The academic psychologist member, the practicing  
21 psychologist members, and the psychological examiner members shall be  
22 appointed ~~from a list of nominees provided by~~ by the Governor after  
23 consulting the Arkansas Psychological Association, and the Arkansas  
24 Association of Masters in Psychology, ~~or from any other list with the~~  
25 ~~signatures of at least twenty (20) licensed psychologists or psychological~~  
26 ~~examiners attached~~ and subject to confirmation by the Senate.

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

29 ~~(ii) The Governor may disregard the nominees whose~~  
30 ~~names were not transmitted prior to the expiration of the twenty-day period.~~

31  
32 SECTION 40. Arkansas Code § 17-97-201(a)(5), concerning filling  
33 vacancies on the Arkansas Psychology Board, is amended to read as follows:

34 (5)(A) The Governor shall fill all vacancies on the board within  
35 thirty (30) days after the vacancy occurs. ~~The Arkansas Psychological~~  
36 ~~Association, the Arkansas Association of Psychological Examiners, and other~~



~~interested licensed psychologists and psychological examiners shall transmit the names of their nominees to the Governor no later than forty (40) days prior to the expiration of board members' terms, and at least thirty (30) days before the expiration of the term of any board member, the Governor shall appoint the person to replace the board member when the term expires.~~

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

~~(C) The Governor shall remove any member from the board if he or she:~~

~~(i) Ceases to be qualified;~~

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

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

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

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

SECTION 41. Arkansas Code § 17-98-201 is amended to read as follows:  
17-98-201. Creation.

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

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

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

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

(B) The term of office shall be fixed so that one (1)

1 member of the board will be retired each year, and each year three (3)  
2 candidates shall be submitted by registered disease intervention specialists  
3 to the Governor, who shall appoint one (1) to fill the expired term.

4 (c)(1) The appointees shall be registered disease intervention  
5 specialists who have been residents in the State of Arkansas for at least one  
6 (1) year, have had experience in the field of disease intervention for at  
7 least five (5) years, and are presently engaged in the field of disease  
8 intervention.

9 (2) The board members must hold a current certificate of  
10 registration issued by the board.

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

13 ~~(2) Vacancies for unexpired terms shall be filled from three (3)~~  
14 ~~candidates submitted within thirty (30) days by registered disease~~  
15 ~~intervention specialists.~~

16 ~~(3) If no candidate is submitted within thirty (30) days, the~~  
17 ~~Governor shall fill the vacancy with any eligible disease intervention~~  
18 ~~specialist.~~

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

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

24  
25 SECTION 42. Arkansas Code § 17-99-203(b), concerning the Arkansas  
26 State Respiratory Care Examining Committee, is amended to read as follows:

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

29 (1)(A) One (1) member shall be a board-certified  
30 anesthesiologist and appointed by the Governor subject to confirmation by the  
31 Senate.

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

34 (2)(A) One (1) member shall be a member of the American College  
35 of Chest Physicians and appointed by the Governor subject to confirmation by  
36 the Senate.

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

3 (3)(A) Three (3) members shall be licensed under this chapter  
4 and appointed by the Governor subject to confirmation by the Senate.

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

8  
9 SECTION 43. Arkansas Code § 17-100-201(b), concerning appointments to  
10 the Board of Examiners in Speech-Language Pathology and Audiology, is amended  
11 to read as follows:

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

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

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

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

23 (B) The board shall have the following professional  
24 members:

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

26 (ii) Two (2) audiologists; and

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

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

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

33 (B) The representative of the elderly shall:

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

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

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

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

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

7  
8 SECTION 44. Arkansas Code § 17-107-201(c), concerning appointments to  
9 the Arkansas Orthotics, Prosthetics, and Pedorthics Advisory Board, is  
10 amended to read as follows:

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

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

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

25  
26 SECTION 45. Arkansas Code § 19-12-113(e)(1), concerning appointments  
27 to the Tobacco Prevention and Cessation Advisory Committee, is amended to  
28 read as follows:

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

30 (1) The Advisory Committee shall consist of eighteen (18)  
31 members; one (1) member to be appointed by the President Pro Tempore of the  
32 Senate and one (1) member to be appointed by the Speaker of the House of  
33 Representatives, and sixteen (16) members to be appointed by the Governor  
34 subject to confirmation by the Senate. ~~The Committee members appointed by the~~  
35 ~~Governor shall be selected from a list of at least three (3) names submitted~~  
36 ~~by consult each of the following designated groups to the Governor before~~

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

20  
21 SECTION 46. Arkansas Code § 20-7-102 is amended to read as follows:

22 20-7-102. Members – Appointment.

23 (a) The State Board of Health shall consist of the following members,  
24 to be appointed by the Governor subject to confirmation by the Senate as  
25 follows:

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

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

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

35 (B) Notwithstanding the provisions of subdivision  
36 (a)(1)(A) of this section, at least one (1) of the positions allocated for

1 *licensed medical doctors shall be an osteopathic physician appointed ~~from a~~*  
2 *~~list of not fewer than three (3) names presented to the Governor by~~ by the*  
3 *Governor after consulting the Arkansas Osteopathic Medical Association from*  
4 *the state at large;*

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

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

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

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

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

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

36 (8) *One (1) member shall be a hospital administrator who has at*

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

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

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

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 47 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 48. 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  
25 subject to confirmation by the Senate as 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 after 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 49. 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)(1)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)(A)~~ One (1) audiologist;

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

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

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

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

13          ~~(6)(F)~~ 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)(G)~~ One (1) consumer of services who is a parent of a child or  
16 children with hearing loss.

17           (2) Appointments made by the Governor under this subsection  
18 shall be subject to confirmation by the Senate.

19  
20           SECTION 50. Arkansas Code § 20-22-803(a), concerning appointments to  
21 the Arkansas Fire Protection Services Board, is amended to read as follows:

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

23           (2) The board shall be composed of fifteen (15) members to be  
24 appointed by the Governor subject to confirmation by the Senate as follows:

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

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

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

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

1 (D) Four (4) members shall be ~~recommended by~~ appointed by  
2 the Governor after consulting the Arkansas Professional Fire Fighters  
3 Association; and

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

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

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

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

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

16  
17 SECTION 51. Arkansas Code § 20-24-105(c)(5), concerning appointments  
18 to the Elevator Safety Board, is amended to read as follows:

19 (5) One (1) shall be ~~selected from a list of persons recommended~~  
20 ~~by~~ appointed by the Governor after consulting with the board of trustees of  
21 the Elevator Industry Work Preservation Fund and subject to confirmation by  
22 the Senate.

23  
24 SECTION 52. Arkansas Code § 20-25-105(a)(2), concerning appointments  
25 to the Arkansas Manufactured Home Commission, is amended to read as follows:

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

30  
31 SECTION 53. Arkansas Code § 20-77-1604(c), concerning appointments to  
32 the Arkansas Youth Suicide Prevention Task Force, is amended to read as  
33 follows:

34 (c)(1)(A) The Governor shall ~~select student members from a list of~~  
35 ~~interested students submitted to~~ consult the Department of Education, ~~Each~~  
36 ~~student on the list shall have been recommended by the superintendent of the~~

1 ~~school district in which the student attends school, by the governing body of~~  
2 ~~the charter school or private school at which the student attends school, or~~  
3 ~~by the president of the institution of higher education at which the student~~  
4 ~~is enrolled~~ before appointing a student member.

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

- 7 (i) Central;  
8 (ii) South central;  
9 (iii) North central;  
10 (iv) Northeast;  
11 (v) Northwest;  
12 (vi) Southwest;  
13 (vii) South; and  
14 (viii) Delta.

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

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

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

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

25 (5) Appointments made by the Governor under this section shall  
26 be subject to confirmation by the Senate.

27  
28 SECTION 54. Arkansas Code § 20-78-703(b), concerning appointments to  
29 the Rita Rowell Hale Prenatal and Early Childhood Nurse Home Visitation  
30 Program Advisory Council, is amended to read as follows:

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

33 (1) Two (2) members from the Department of Health to be ~~nominated~~  
34 by appointed by the Governor after consulting the Director of the Department  
35 of Health and subject to confirmation by the Senate;

36 (2) Two (2) members from the College of Medicine of the

1 *University of Arkansas for Medical Sciences to be ~~nominated by~~ appointed by*  
2 *the Governor after consulting the Dean of the College of Medicine of the*  
3 *University of Arkansas for Medical Sciences and subject to confirmation by*  
4 *the Senate;*

5 (3) *One (1) member from the College of Nursing of the University*  
6 *of Arkansas for Medical Sciences to be ~~nominated by~~ appointed by the Governor*  
7 *after consulting the Dean of the College of Nursing of the University of*  
8 *Arkansas for Medical Sciences and subject to confirmation by the Senate;*

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

10 (5) *One (1) member from the University of Arkansas at Little Rock*  
11 *School of Social Work to be ~~nominated by~~ appointed by the Governor after*  
12 *consulting the Director of the School of Social Work of the University of*  
13 *Arkansas at Little Rock and subject to confirmation by the Senate;*

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

16 (7) *One (1) member from the State Child Abuse and Neglect*  
17 *Prevention Board to be ~~nominated by~~ appointed by the Governor after*  
18 *consulting the director and subject to confirmation by the Senate; and*

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

22  
23 *SECTION 55. Arkansas Code § 23-16-403(c), concerning appointments to*  
24 *the board of directors of the Arkansas Lifeline Individual Verification*  
25 *Effort Corporation, is amended to read as follows:*

26 (c)(1) *The Governor shall ~~choose~~ appoint representatives of eligible*  
27 *telecommunications carriers ~~from a list of three (3) names for each position~~*  
28 *~~submitted by~~ after consulting representatives of eligible telecommunications*  
29 *carriers.*

30 (2) *The appointments made by the Governor under subdivision*  
31 *(c)(1) of this section shall be subject to confirmation by the Senate.*

32  
33 *SECTION 56. Arkansas Code § 23-46-301(c)(3) and (4), concerning*  
34 *appointments to the State Banking Board, is amended to read as follows:*

35 (3) *On the occasion of a vacancy on the board of one (1) of the*  
36 *Arkansas Bankers Association banker members, a successor shall be ~~selected~~*

1 ~~from among two (2) or more bankers whose names shall be supplied by appointed~~  
2 ~~by the Governor after consulting the Arkansas Bankers Association, and the~~  
3 ~~appointment shall be subject to confirmation by the Senate.~~

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

10  
11 SECTION 57. Arkansas Code § 23-61-803(d)(1), concerning terms of the  
12 members of the Board of Directors of the Arkansas Health Insurance  
13 Marketplace appointed by the Governor, is amended to to read as follows:

14 "(d)(1)(A) ~~The initial members appointed by the Governor under~~  
15 ~~subdivision (e)(1) of this section shall serve terms as follows:~~

16 (i) ~~One (1) initial member shall be appointed to a term of~~  
17 ~~four (4) years;~~

18 (ii) ~~One (1) initial member shall be appointed to a term of~~  
19 ~~six (6) years; and~~

20 (iii) ~~One (1) initial member shall be appointed to a term~~  
21 ~~of eight (8) years.~~

22 (B) ~~A member subsequently appointed to the board under~~  
23 ~~subdivision (e)(1) of this section shall serve a term of six (6) years.~~  
24 Members appointed by the Governor serve at the pleasure of the Governor.

25  
26 SECTION 58. Arkansas Code § 24-10-201 is amended to read as follows:  
27 24-10-201. Members and terms.

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

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

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

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

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

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

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

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

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

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

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

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

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

35           (d) Trustees appointed as employer trustees shall be elected or  
36 appointed officials of employers with management experience and shall not be



1 members of the system, but not more than one (1) employer trustee shall be  
2 from any one (1) employer.

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

5  
6 SECTION 59. Arkansas Code § 24-11-203(a)-(e), concerning the  
7 composition of the Arkansas Fire and Police Pension Review Board, are amended  
8 to read as follows:

9 24-11-203. Arkansas Fire and Police Pension Review Board.

10 (a) The purpose of this section, which creates and establishes the  
11 Arkansas Fire and Police Pension Review Board, is to establish a state  
12 pension review board for all municipal firemen's relief and pension funds and  
13 policemen's pension and relief funds established under §§ 14-52-106, 24-11-  
14 401 - 24-11-403, 24-11-405 - 24-11-413, 24-11-416, 24-11-417, 24-11-422, 24-  
15 11-423, 24-11-425, 24-11-428 - 24-11-430, 24-11-801 - 24-11-807, 24-11-809,  
16 24-11-813 - 24-11-815, and 24-11-818 - 24-11-820, which shall oversee all  
17 requests for benefit increases and review the annual financial reports and  
18 annual actuarial valuations required by this subchapter.

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

21 (A) Two (2) firefighters, an active member, retired  
22 member, or a deferred retirement option plan participant, one (1) of whom  
23 shall be appointed by the Governor ~~from a list submitted by~~ after consulting  
24 the Arkansas State Firefighters Association and the other ~~from a list~~  
25 ~~submitted by~~ after consulting the Arkansas Professional Fire Fighters  
26 Association and subject to confirmation by the Senate;

27 (B) Two (2) police officers, an active member, retired  
28 member, or a deferred retirement option plan participant, to be appointed by  
29 the Governor, ~~one (1) from a list submitted by~~ after consulting the Arkansas  
30 Municipal Police Association and ~~the other from a list submitted by~~ the  
31 Fraternal Order of Police and subject to confirmation by the Senate;

32 (C) Three (3) persons to be appointed by the Governor ~~from~~  
33 ~~a list submitted by~~ after consulting the Arkansas Municipal League and  
34 subject to confirmation by the Senate;

35 (D) One (1) person who is not a member, retirant, or  
36 beneficiary of the Arkansas Local Police and Fire Retirement System and who

1 *is not a current or former member of the governing body of any political*  
2 *subdivision, to be appointed by the Governor from a list of persons submitted*  
3 *to the Governor by the Joint Committee on Public Retirement and Social*  
4 *Security Programs; and*

5 *(E) The Director of the Department of Finance and*  
6 *Administration or the director's designee.*

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

9 *(c) Members of the Arkansas Fire and Police Pension Review Board who*  
10 *are appointed as employee members must be active members, retired*  
11 *firefighters or police officers, or deferred retirement option plan*  
12 *participants of local firemen's relief and pension funds and policemen's*  
13 *pension and relief funds established under §§ 14-52-106, 24-11-401 – 24-11-*  
14 *403, 24-11-405 – 24-11-413, 24-11-416, 24-11-417, 24-11-422, 24-11-423, 24-*  
15 *11-425, 24-11-428 – 24-11-430, 24-11-801 – 24-11-807, 24-11-809, 24-11-813 –*  
16 *24-11-815, and 24-11-818 – 24-11-820.*

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

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

25  
26 *SECTION 60. Arkansas Code § 25-10-205(a)(1)(B), concerning*  
27 *appointments to the Board of Division of State Services for the Blind, is*  
28 *amended to read as follows:*

29 *(B)(i) One (1) member shall be appointed ~~from each list of~~*  
30 *~~qualified persons nominated in separate lists furnished by~~ the Governor after*  
31 *consulting each of the following:*

32 ~~*(i)(a) The National Federation of the Blind of*~~  
33 *Arkansas;*

34 ~~*(ii)(b) The American Council of the Blind of*~~  
35 *Arkansas;*

36 ~~*(iii)(c) The Arkansas Lions Clubs Council of*~~

1 *Governors, who shall be a member of a member club of the International*  
2 *Association of Lions Clubs within Multiple District Seven for Arkansas;*  
3 ~~*(iv)(d) The American Association for Workers for the*~~  
4 *Blind; and*  
5 ~~*(v)(e) The Arkansas School for the Blind.*~~  
6 *(ii) Appointments made by the Governor under subdivision*  
7 *(a)(1)(B)(i) of this section shall be subject to confirmation by the Senate.*  
8

9 *SECTION 61. Arkansas Code § 25-14-101(b), concerning appointment of*  
10 *the Director of the Arkansas Department of Environmental Quality, is amended*  
11 *to read as follows:*

12 *(b) The executive head of the department shall be the Director of the*  
13 *Arkansas Department of Environmental Quality. The director shall ~~be nominated~~*  
14 *~~by the Arkansas Pollution Control and Ecology Commission and confirmed:~~*

15 *(1) Be appointed by the Governor, with the consent of the*  
16 *Senate;*

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

19 *(3) Serve at the pleasure of the Governor.*  
20

21 *SECTION 62. Arkansas Code § 25-27-103(a), concerning appointments to*  
22 *the Board of the Information Network of Arkansas, is amended to read as*  
23 *follows:*

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

27 *(1) The President of the Arkansas Science and Technology*  
28 *Authority, or the president's designee;*

29 *(2) The Secretary of State, or the Secretary of State's*  
30 *designee;*

31 *(3) The Director of the Department of Finance and*  
32 *Administration, or the director's designee;*

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

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

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

7                                 (b) Members appointed by the Governor under  
8 (a)(5)(A)(i)(a) of this section shall be subject to confirmation by the  
9 Senate.

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

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

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

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

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

21           (7)(A) One (1) member appointed by the Governor ~~from a list of~~  
22 ~~three (3) names submitted by~~ after consulting the Arkansas Bar Association  
23 and subject to confirmation by the Senate.

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

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

27  
28           SECTION 63. Arkansas Code § 25-29-101(c), concerning board of  
29 directors of the Arkansas Deaf and Hearing Impaired Telecommunications  
30 Services Corporation, is amended to read as follows:

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

36           (2) Members appointed by the Governor under subdivision (c)(1)

1 of this section shall be subject to confirmation of the Senate.

2  
3 SECTION 64. Arkansas Code § 26-57-255(a)(3), concerning appointments  
4 to the Arkansas Tobacco Control Board, is amended to read as follows:

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

11  
12 SECTION 65. Arkansas Code § 27-101-405(a) and (b), concerning the  
13 Marine Sanitation Advisory Committee, is amended to read as follows:

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

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

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

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

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

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

29 ~~(6)(4)~~ Three (3) members shall be boat owners; and

30 ~~(7)(5)~~ One (1) member shall be the Captain of Division 15 of the  
31 United States Coast Guard Auxiliary or his or her designee.

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

1 ~~long as the person designating him or her is Captain of Division 15 Governor.~~

2 (2) Of the initial members appointed under subdivisions (a)(1),  
3 (a)(2), and ~~(a)(6)~~ (a)(4) of this section, three (3) shall be appointed for  
4 one-year terms, three (3) for two-year terms, and three (3) for three-year  
5 terms.

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

9  
10 SECTION 66. Arkansas Code § 27-101-405, concerning the Marine  
11 Sanitation Advisory Committee, is amended to add an additional subdivision to  
12 read as follows:

13 (h) Members appointed under subdivision (a)(3) of this section shall  
14 be appointed by the Governor subject to confirmation by the Senate.

15  
16 /s/Neal

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19 APPROVED: 04/06/2015  
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