

The Arkansas Register



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Charlie Daniels
Secretary of State
State Capitol, Room 026
Little Rock, AR 72201-1094

Editor **Jon Davidson**

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THE ARKANSAS REGISTER

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ATTORNEY GENERAL OPINIONS

Opinion No.: 2004-075

Miller, Paul
State Senator

RE: Does Act 1727 of 2003 create “new district courts” and “new district judge offices” that are different from the current municipal courts and municipal judge offices? Q2) For a current municipal judge who was appointed the Governor, does Act 1727 of 2003 make the individual eligible to run for the office of district [judge] upon completion of the appointed term as a municipal judge? **RESPONSE:** Q1) In my opinion, the answer to your first question is “no.” Act 1727 of 2003, codified at A.C.A § 16-17-901 et seq., merely establishes the district court districts and departments effective January 1, 2005 and fixes the number of district judges to serve those courts. Currently, “district” courts and judges are merely renamed “municipal” courts and judges, having precisely the same subject matter and territorial jurisdiction. A.C.A § 16-17-132(a) (Supp. 2003). In Act 1185 of 2003, §§ 207 and 208, the legislature amended A.C.A § 16-88-101(a) to provide that district courts will continue to exercise essentially the same criminal jurisdiction that municipal courts exercised pursuant to A.C.A § 16-17-704 before its amendment in Act 1185, §§ 163 and 164. See Amendment 80, §§ 7(B) and 10 (charging district courts with concurrent jurisdiction of misdemeanors and authorizing the legislature with authority to define further criminal jurisdiction). The Arkansas Supreme Court has yet to define, as it is charged with doing at Amendment 80, § 7(B), what will be the civil subject matter jurisdiction of district courts. However, whatever that jurisdiction might be, I do not believe Act 1727 establishes a new variety of court or judge that would enable a gubernatorial appointee to run for a judgeship without offending Ark. Const. amend. 29, § 2. Q2) I believe that an appointee could run for district judge in 2004 only if Act 1727 had reconfigured the district in which the individual had served as an appointee to an extent that the individual could not reasonably be described as “succeeding himself” in violation of Ark. Const. amend. 29, § 2.

Opinion No.: 2004-082

Key, Johnny
State Representative

RE: Q1) Does a reading of ACA 6-15-504(a), as amended by Act 1793 of 2003, require home school children to be tested in the same grades public school students are tested? Q2) If the answer to q1 is “yes,” can the Department of Education make the decision not to follow this law by testing public school students in grades 5 and 9 while testing home school students in grades 5, 7 and 10? Q3) Would students who are notified of the testing date and do not take the required test within the testing window be in violation of ACA 6-15-504(e)(1)(A) and subject to the applicable truancy laws of Arkansas? Q4) What would constitute a “refusal to participate” under ACA 6-15-504(e)(1)(A)? Q5) Under ACA 6-15-504(a)(1)(B), would a student be prohibited from home schooling until they took a makeup test? **RESPONSE:** Q1) Yes. Q2) No. Q3) The answer will depend on the facts of the case. Q4) The failure to participate must be wilfull and intentional. Q5) This is a question that must ultimately be answered by the Dept. of Ed.

Opinion No.: 2004-089

Robinson, Charles
Legislative Auditor

RE: Did the Pankey Community Improvement Association violate the provisions of Act 804 of 1999, or other Arkansas laws, by contracting for the construction of the Josephine Pankey Education Center without having secured adequate funding to complete the project? Q2) If the answer to Q1 is “yes,” what remedies are available to the Department of Finance and Administration or other public entities concerning the violation of Arkansas law? **ANSWER:** Q1) No. The disbursement control language in the appropriation act (prohibiting contracts or obligations in excess of available state funds) applies to state agencies and institutions, consistent with the General Accounting and Budgetary Procedures Law (see A.C.A. 19-4-524 and 19-4-1409). It cannot reasonably be construed to apply to private entities.

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Opinion No.: 2004-101

Scroggin, Preston
State Representative

RE: Does the Enola-Mt. Vernon Water Authority qualify for tort immunity provided to “all other political subdivisions of the state,” as provided in ACA 21-9-301? Q2) If the response to q1 is “yes,” then what effect does the subsequent passage of Act 1330 of 2003, The Water Authority Act, have on the Authority’s tort immunity due to the change in the description of the Authority from a “political subdivision” to a “public body politic and governmental entity”? Q3) If Act 1330 of 2003 effectively extinguished the Authority’s grant of tort immunity as a political subdivision, then does the Authority as a governmental entity enjoy tort immunity under the Arkansas or United States Constitutions, or any other legal precedent or authority? **RESPONSE:** Q1) I believe the Enola-Mt. Vernon Water Authority (the “Authority”), which constitutes a “public body politic and governmental entity” under the Water Authority Act, A.C.A 4-35-101 et seq., in all likelihood enjoys the limited immunity established by A.C.A 21-9-301. Q2) I believe Act 1330 of 2003 merely standardized the various descriptive references to water authorities used interchangeably in Act 115 of 2001, under which the Authority was organized, consistently using the phrase “public body politic and governmental entity” and dropping, inter alia, the term “political subdivision.” I do not believe the legislature, in failing to maintain the term “political subdivision” in the Water Authority Act, intended to deny water authorities the limited immunity they presumably were accorded in being designated “political subdivisions” in Act 115 of 2001. Q3) In addition to the limited statutory immunity noted above, I believe officers and employees of the Authority would be accorded qualified immunity against actions in federal court alleging violations of federal law.

Opinion No.: 2004-104

Courtway, Tom
Interim Director, AR Dept of Education

RE: Is the educational level of parents of home school students contained in the “Notice of Intent to Home School” record subject to public disclosure? **RESPONSE:** As I noted in Opinion No. 2004-018, I believe the answer to this question is “no,” although any statistical compilations based upon the portion of the Form containing this information might be subject to disclosure. I appreciate the Arkansas Democrat-Gazette’s eagerness to obtain information that it considers germane to what I gather will be an assessment of home schooling in Arkansas. I further appreciate, as I noted in Ark. Op. Att’y Gen. No. 2004-018, that A.C.A. § 6-15-503(c), which requires each local school district to “report the statistical data required by this section to the Department of Education each year,” appears to envision some possibly disclosable compilation of the information contained in the Notice of Intent to Home School forms. As I have previously noted, I am unaware if any such compilations exist. If not, the only available remedy for the ADG would appear to be legislative action declaring the desired information subject to disclosure.

Opinion No.: 2004-105

Steele, Tracy
State Senator

RE: Can an attorney hold two municipal/district judge positions in the same county? Q2) Can the same attorney hold two municipal/district judge positions and serve as the deputy prosecutor in the same county? Q3) If either of the previous questions violates current state law, what would be the retroactive affect on any cases handled by the individual who served as municipal/district judge and deputy

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prosecutor? ANSWER: Q1) No. This is contrary to Ark. Const. Amendment 80, section 16 (F) and Article 19, Section 6. Q2) No, under amend. 80, section 16(f). Q3) The cases would be unaffected owing to the “de facto” officer doctrine.

Opinion No.: 2004-109

Knickrehm, Kurt
Director, AR Dept of Human

RE: Are the names of the evaluation committee members for the Medicaid Management Information Services Request for Proposal barred from disclosure under the Arkansas Freedom of Information Act’s (FOIA) prohibition against disclosures which would give an unfair competitive advantage to competitors or bidders? **RESPONSE:** No. The “competitive advantage” exemption does not apply to this type of information, nor does any other exemption. The names should be released.

Opinion No.: 2004-110

Wooldridge, Tim
State Senator

RE: Since the 4-H program is a function of the Cooperative Extension Service, which is a branch of the University of Arkansas, is this organization exempt from liability lawsuits based on the sovereign immunity provisions provided by Art. V, Sec. 20 of the Arkansas Constitution and therefore would not need to purchase liability insurance for events which they sponsor? Q2) Since the FFA program is a function of the public school system which is a branch of the Arkansas Department of Education, is this organization exempt from liability lawsuits based on the sovereign immunity provisions provided by Art. V, Sec. 20 of the Ark. Const. and therefore would not need to purchase liability insurance for events which they sponsor? Q3) In the event the Green County Fair Association, a private

non-profit organization that maintains the fair grounds, ceases to exist, ownership of all the grounds and buildings of the Green County Fair would be assumed by the Greene County government. Would this relationship provide any protection for the Greene County Fair Board from liability lawsuits under any sovereign immunity provision of the Arkansas Constitution? Q4) In the event the 4-H and FFA programs are provided sovereign immunity protection from liability lawsuits, would the Greene County Fair Board also be provided any protection from such suits if the Board members are named as co-sponsors of an event or if the Board were to rent the grounds for use by these organizations? Q5) If the Board requires participants to sign a waiver stating that “all persons attending the event do so at their own risk,” and releasing the Greene County Fair Board and any sponsoring organization from liability arising from any injury which occurs while attending the event, would this provide protection for the Greene County Fair Board from liability lawsuits? **RESPONSE:** Decline to answer questions submitted on behalf of a private corporation. See A.C.A. 25-16-706 which precludes the Attorney General from engaging or assisting in the private practice of law.

Opinion No.: 2004-115

Miller, Paul
State Senator

RE: In light of future annexation in compliance with Act 60 of 2003, can the Evening Shade School District use bond proceeds originally dedicated to “erecting and equipping a new cafeteria and refurbishing, remodeling, and equipping existing school facilities” to renovate buildings as planned and also use the money to refurbish the existing cafeteria instead of construction a new one? Q2) Does the district need to refund the bonds completely? If so, would the district be required to pay any kind of penalty? **RESPONSE:** Decline to answer because too factual in nature. Refer to bond counsel.

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Opinion No.: 2004-118

Baker, Gilbert
State Senator

RE: Does a school district have authority to use its funds to build and/or repair roads which are not on school property but would provide access to a school in the district? **RESPONSE:** Generally “no,” absent some facts showing that the expenditure is necessary for school purposes.

Opinion No.: 2004-119

Scrimshire, Bill
State Representative

RE: Since the “rules concerning prior authorization for Medicaid ElderChoices” were in fact “identical to those in effect for nursing homes on the effective date of [Sec. 1(e) of Act 136 of 2003],” is any further action required by this legislation? **RESPONSE:** If the term “prior authorization,” as used in Act 136, is given its widely accepted regulatory definition, no further action is necessary, because the ElderChoices rules concerning prior authorization are already identical to those in effect for nursing homes. (Neither requires prior authorization.) The term “prior authorization” may have been used by the drafters in some other sense, but I cannot read that into the language of the Act. Legislative clarification on this issue is needed.

Opinion No.: 2004-120

Chesterfield, Linda
State Representative

RE: Do school districts that are under federal court supervision enjoy “sovereign status”? Q2) Does the State have the authority to mandate school districts which are under federal court supervisions to consolidate so long as it does not have a negative impact on desegregation in the resulting district or districts? **RESPONSE:** Decline to answer because of pending litigation.

Opinion No.: 2004-121

King, Barbara
State Representative

RE: Can Phillips County enter into an agreement with the City of Lexa to contribute \$10,000 from sales tax proceeds for the purchase of an early warning system for the area? Q2) Can Phillips County spend \$10,000 of this money to aid the City of Lexa in the paving of its streets? **ANSWER:** I am unable to opine on these questions, which require interpreting the levying ordinance and ballot title for the sales tax election to determine the intent of the local officials and electorate. These are matters within the local domain, to be decided with the assistance of local counsel. The opinions sets out the general analytical framework for the factual review.

Opinion No.: 2004-122

Argue, Jim, Jr.
State Senator

RE: Is information regarding the education level of parents that is contained on the Notice of Intent to Home School form releasable after personally identifying information has been redacted? **RESPONSE:** No, unless the information has been memorialized in a separate compilation of the information contained in the Notice of Intent to Home School forms. See Opinions 2004-018 and 2004-104.

Opinion No.: 2004-123

Judy, Jan A.
State Representative

RE: Q1) In light of provisions of Act 107 of the 2d Ex. Sess. Of 2003 and other legislation regarding the Arkansas Gross Receipts Act, can the state legally collect the full 6% of the state gross receipts tax on sanitation or garbage collection services under the new section of the Arkansas Code added by Sec. 7 of Act 107 in light of the specific exemption in 26-52-

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301(2) that was not repealed and in light of the language in the title of the Arkansas Gross Receipts Act of 1941, which, according to the publisher's notes, does not include the new section added by Sec. 7 of Act 107 or 26-52-302? Q2) If the answer to Q1 is "no," can the state legally collect the additional tax levied in the act, 7/8ths of one percent (0.875%), on sanitation or garbage collection services under Act 107? Q3) If Act 107 only allows the collection of the additional 7/8ths of one percent tax, can cities and counties legally collect their local sales tax on sanitation or garbage collection services? Q4) Do you recommend corrective legislation before Act 107 becomes effective on July 1, 2004? RESPONSE: Q1) The State can legally collect the full 6% gross receipts tax on services for the "collection and disposal of solid wastes" under the authority of A.C.A. 26-52-316. I do not answer the question of what services, in particular, these are. Q2) In light of the response to Q. 1, a response to this question is unnecessary. Q3) In light of the response to Q. 1, a response to this question is unnecessary. Q4) although Act 107 has effectively repealed the exemption language of A.C.A. 26-52-301(2) Although it is my opinion (discussed in response to Q.1) that Act 107 effectively repealed the exemption language of A.C.A. 26-52-301(2) by implication, a specific repeal of that language would clarify the issue and remove a source of potential confusion.

Opinion No.: 2004-126

Blair, Buddy
State Representative

RE: May a Fort Smith city director be appointed to the position of Fort Smith Regional Airport manager? **RESPONSE:** No. The service is prohibited by the common law principle of incompatibility, as well as by ACA 14-42-107; 14-48-128; and 14-48-110.

Opinion No.: 2004-129

Baker, Gilbert
State Senator

RE: Pursuant to provisions of ACA 6-21-301 et

seq., must a public school district solicit bids when it contemplates purchasing a new commodity (specifically a new copy machine with an accompanying service/maintenance agreement under a lease-purchase arrangement) when the purchase price will exceed \$10,000? **RESPONSE:** Yes. See ACA 6-21-304 & -301(3).

Opinion No.: 2004-133

Martin, Harold G.

RE: Request for certification of the popular name and ballot title for a proposed constitutional amendment authorizing bingo and raffles by nonprofit organizations, authorizing the General Assembly to create a lottery or lotteries, authorizing Harold Glen Martin to operating gambling, and for other purposes. **RESPONSE:** Popular name and ballot title rejected due to ambiguities in the text of the proposed measure.

Opinion No.: 2004-135

Prater, Sandra
State Representative

RE: Does an educator who taught for 24 years, was a member of the military and taught two years at a military base in the states — not overseas — qualify for retirement buy back of those two years pursuant to Act 1479 of 2003? How does Act 1479 affect this educator? **RESPONSE:** The individual may be eligible to buy back years of service under one or more of the following: ACA 24-7-602, 603, 604, 605, 606, 607, 610, 611. However, the ability to do so may be limited, as discussed in the opinion. See esp. 24-7-611(d).

Opinion No.: 2004-136

Emigh, Barry

RE: Request for certification of popular name and ballot title of a proposed constitutional amendment permitting the operation of bingo, raffles, state-operated lotteries, gambling, and for other purposes.

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RESPONSE: Popular name and ballot title rejected due to ambiguities in the text of the proposed measure.

Opinion No.: 2004-137

Strickland, Marilyn
Division of Medical Sciences, DHS

RE: Is the decision of the custodian of records to disclose Ms. Strickland's personnel records, specifically education and professional background information and work experience, with certain noted exceptions, consistent with provisions of the Freedom of Information Act (FOIA)? ANSWER: Generally, "yes." This type of information that is typically contained in a resume is not exempt under the "clearly unwanted invasion of personal privacy" test. Other specific exemptions should be noted, however, e.g., medical and education records.

Opinion No.: 2004-138

Helms, Randy
Division of Medical Sciences, DHS

RE: Is the decision of the custodian of records to disclose Mr. Helms' personnel record, specifically education and professional background information and work experience, with certain noted exceptions, consistent with provisions of the Freedom of Information Act (FOIA)? ANSWER: Generally, "yes." This type of information that is typically contained in a resume is not exempt under the "clearly unwanted invasion of personal privacy" test. Other specific exemptions should be noted, however, e.g., medical and education records.

Opinion No.: 2004-139

Ford, Pam
Division of Medical Sciences, DHS

RE: Is the decision of the custodian of records to release Ms. Ford's personnel record, specifically

education and professional background information and work experience, with certain noted exceptions, consistent with provisions of the Freedom of Information Act (FOIA)? ANSWER: Generally, "yes." This type of information that is typically contained in a resume is not exempt under the "clearly unwanted invasion of personal privacy" test. Other specific exemptions should be noted, however, e.g., medical and education records.

Opinion No.: 2004-140

Wright, Oren P.

RE: Is the decision of the custodian of records to release Mr. Wright's personnel record, specifically education and professional background information and work experience, with certain noted exceptions, consistent with provisions of the Freedom of Information Act (FOIA)? ANSWER: Generally, "yes." This type of information that is typically contained in a resume is not exempt under the "clearly unwanted invasion of personal privacy" test. Other specific exemptions should be noted, however, e.g., medical and education records.

Opinion No.: 2004-141

Johnson, Rick
Division Director, Enterprise System Mgmt, DIS

RE: State employee requests an opinion on whether his request for the custodian to withhold release of his personnel file in response to a Freedom of Information Act inquiry is consistent with provisions of the FOIA. The requester specifically seeks access to education and professional background information and work experience. ANSWER: Public records containing this information that is typically provided in a resume are not exempt from disclosure under the "clearly unwanted invasion of personal privacy" test. Other specific exemptions should be noted, however, e.g., medical and education records.

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Opinion No.: 2004-142

Boyce, Henry H.
Prosecuting Attorney, Third Judicial District

RE: Is a party, either the state or the defendant, in a criminal case required to tender a witness fee and mileage to a lay witness? Q2) If the answer to q1 is "yes," is the witness required to attend if the fee and mileage is not paid? Q3) If the party subpoenaing the witness is represented by the Public Defender Commission, are they required to pay the witness fee pursuant to A.C.A. 16-87-212? **RESPONSE:** Decline to answer because of pending litigation. However, with respect to the general subject matter addressed in these questions, see Opinion 91-301.

Opinion No.: 2004-147

Fowler, Pamela L.
Division of Developmental Disabilities

RE: Is the decision of the custodian of records to release Ms. Fowler's personnel records, specifically education and professional background information and work experience, withholding exempt items as indicated, consistent with provisions of the Freedom of Information Act (FOIA)? **ANSWER:** Generally, "yes." This type of information that is typically contained in a resume is not exempt under the "clearly unwanted invasion of personal privacy" test. Other specific exemptions should be noted, however, e.g., medical and education records.



ADOPTED RULES AND REGULATIONS

BOARD OF DENTAL EXAMINERS

Docket No.: 038.00.04--001
Effective Date: 5/20/04
Contact Person: Donna Cobb
Telephone: (501) 682-2085

Article XI: Dental Hygienist Functions

BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS

Docket No.: 155.00.03--001
Effective Date: 4/26/04
Contact Person: Connie Raper
Telephone: (501) 683-0150

Section 5-3 -- Practice After Registration

Docket No.: 155.00.03--002
Effective Date: 4/26/04
Contact Person: Connie Raper
Telephone: (501) 683-0150

Section 7 -- Fees and Costs

GAME & FISH COMMISSION

Docket No.: 002.00.04--004
Effective Date: 5/6/04
Contact Person: James Goodhart
Telephone: (501) 223-6327

2004-2005 Deer, Bear and Turkey Hunting Regulation

HIGHER EDUCATION

Financial Aid

Docket No.: 008.10.04--001
Effective Date: 5/21/04
Contact Person: Melissa Goff
Telephone: (501) 371-2055

Amendment of the State Teacher Assistance Resource Program

HIGHWAY & TRANSPORTATION

Docket No.: 001.01.04--001
Effective Date: 5/22/04
Contact Person: Larry Long
Telephone: (501) 569-2088

Amendment to Regulations for Tourist-Oriented Directional Signs (TODS)

HUMAN SERVICES

Administrative Services

Docket No.: 016.14.04--001
Effective Date: 7/1/04
Contact Person: Brenda Jackson
Telephone: (501) 682-6250

Comprehensive Services Program Plan

Childcare & Early Childhood Education

Docket No.: 016.22.04--002
Effective Date: 7/1/04
Contact Person: Donna Allison
Telephone: (501) 682-9699

ADOPTED RULES AND REGULATIONS

Revisions to the Arkansas Child Care Approval System

Medical Services

Docket No.: 016.06.04--013
Effective Date: 5/1/04
Contact Person: Tommy Wingard
Telephone: (501) 682-6117

Criminal Record Checks for Employees of Long Term Care Facilities

Docket No.: 016.06.04--015
Effective Date: 6/1/04
Contact Person: Nikki Wade
Telephone: (501) 682-8859

Official Notice DMS-2004-E-1 -- Supernumerary Teeth

Docket No.: 016.06.04--016
Effective Date: 6/1/04
Contact Person: Nikki Wade
Telephone: (501) 682-8859

Targeted Case Management Update Transmittal #45

Docket No.: 016.06.04--017
Effective Date: 6/1/04
Contact Person: Betty Reed
Telephone: (501) 682-8363

2004 CPT Procedure Code Conversion: Official Notice DMS-2004-A-1, DMS-2004-AR-1, DMS-2004-HH-1, DMS-2004-C-2, DMS-2004-G-1, DMS-2004-L-4, DMS-2004-SS-1, DMS-2004-KK-2, DMS-2004-R-3, DMS-2004-QQ-1, DMS-2004-Y-2, DMS-2004-YY-3, DMS-2004-OO-1

Docket No.: 016.06.04--018
Effective Date: 6/1/04
Contact Person: Carolyn Patrick
Telephone: (501) 682-8359

ElderChoices Provider Manual Update Transmittal #42

Docket No.: 016.06.04--031
Effective Date: 4/20/04
Contact Person: Renita Honorable
Telephone: (501) 682-8577

Emergency Rule: Transportation Update Transmittal #60

Docket No.: 016.06.04--033
Effective Date: 5/7/04
Contact Person: Betty Reed
Telephone: (501) 682-8363

Emergency Rule: Official Notice DMS-2004-O-1, DMS-2004-C-4, DMS-L-7, DMS-2004-SS-2, DMS-2004-KK-4, DMS-2004-R-5

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Docket No.: 016.06.04--040
Effective Date: 6/1/04
Contact Person: Will Taylor
Telephone: (501) 682-8362

Home Health Update #60 - Insert Section 200 - 206, 212.3 - 213.2, 217, 240 - 242.150 Remove Section 218 - 219

Docket No.: 016.06.04--041
Effective Date: 6/1/04
Contact Person: Betty Reed
Telephone: (501) 682-8363

Alternatives for Adults with Physical Disabilities (APD) Waiver Update Transmittal #19

POLLUTION CONTROL & ECOLOGY

Regulated Storage Tanks

Docket No.: 014.07.04--001
Effective Date: 5/14/04
Contact Person: Jennifer Tucker
Telephone: (501) 682-0885

Regulation No. 12 - Storage Tanks

Water Pollution Control

Docket No.: 014.04.04--001
Effective Date: 5/17/04
Contact Person: Jennifer Tucker
Telephone: (501) 682-0885

Regulation No. 2 - Regulation Establishing Water Quality Standards for Surface Waters of the State of Arkansas

INSURANCE DEPARTMENT

04-003A

Order of Revocation

In the Matter of

Delbert R. Huelle and Senior Advisors, Inc.

04-010A

Order

In the Matter of Amending the

Examination Report of

QCA Health Plan, Inc.

04-016

Order of Cancellation

In the Matter of the

Certificate of Authority of

Reciprocal of America

04-017

Emergency License Suspension Order

In the Matter of

Charlotte Kay Johnson

04-018

Order of Continued Suspension

In the Matter of the Certificate of Authority of

Fidelity Mutual Life Insurance Company

04-020

Adoption Order

In the Matter of the Report of Examination of

Southern Pioneer Life Insurance Company

04-021

Adoption Order

In the Matter of the Report of Examination of

Southern Pioneer Property & Casualty Insurance Company

INSURANCE DEPARTMENT

04-022

Cease and Desist Order

In the Matter of the Illegal Insurance Activities of
Hubert Earl Young

04-023

Order

In the Matter of Examination of
First Deposit Life Insurance Company

04-024

Order of Suspension

In the Matter of the Certificate of Authority of
National Health Insurance Company

04-026

Dispute Resolution Review Determination

In the Matter of the Appeal by
**TIG Insurance Group and Fairfax Financial of the
National Workers Compensation Reinsurance Pool
Security Deposit Requirement**

04-027

Order

In the Matter of the Certificate of Authority of
**Commercial Casualty Insurance Company
of North Carolina**

ORDERS AND NOTICES

LEGISLATIVE AUDIT May 3, 2004

Agency	Period Covered
Arkansas State Board of Pharmacy - Two-Year Period Ended	6/30/03
Arkansas State Board of Athletic Training - Two-Year Period Ended	6/30/03
Office of the Attorney General	6/30/03
Department of Finance and Administration - Employee Benefits Division - Two-Year Period Ended	6/30/02
Soil and Water Conservation Commission	6/30/02
Central Arkansas Planning and Development District, Inc. (Private)	6/30/03
Arkansas Employment Security Department (Private)	6/30/03
Arkansas National Guard Morale, Welfare and Recreation, Inc. (Private)	12/31/03
Arkansas State Board of Architects	6/30/03
Arkansas Auctioneer's Licensing Board - Two-Year Period Ended	6/30/03
Arkansas State Board of Chiropractic Examiners - Two-Year Period Ended	6/30/03
Contractor's Licensing Board - Two-Year Period Ended	6/30/03
Arkansas Corn and Grain Sorghum Promotion Board Two-Year Period Ended	6/30/03
Arkansas State Board of Cosmetology - Two-Year Period Ended	6/30/03

ORDERS AND NOTICES

Arkansas Ethics Commission - Two-Year Period Ended	6/30/03
State Board of Examiners in Speech-Language Pathology and Audiology - Two-Year Period Ended	6/30/03
Department of Workforce Education - Federal Surplus Property Two-Year Period Ended	6/30/03
Arkansas State Board of Landscape Architects Two-Year Period Ended	6/30/03
Arkansas Manufactured Home Commission Two-Year Period Ended	6/30/03
Arkansas State Board of Registration for Professional Soil Classifiers - Two-Year Period Ended	6/30/03
Department of Rural Services - Two-Year Period Ended	6/30/03
Arkansas Sentencing Commission - Two-Year Period Ended	6/30/03
Arkansas State University - Newport	6/30/03
Arkansas State University - Mountain Home	6/30/03

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