

The Arkansas Register



Volume XXX, Number 2

August 2006

TABLE OF CONTENTS

ATTORNEY GENERAL

Opinions 4

RULES AND REGULATIONS 5

INSURANCE DEPARTMENT

Orders 9

LEGISLATIVE AUDIT

Orders 10

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

Editor **Jon Davidson**

Published by *Secretary of State*
Charlie Daniels

The *Arkansas Register* is an official publication of the State of Arkansas. It contains administrative rules and regulations adopted by state agencies, boards and commissions pursuant to Act 434 of 1967, as amended. The *Arkansas Register* also includes Attorney General opinions, notice of legislative audit reports and insurance orders. The subscription rate is \$40 per year or \$3.50 a copy, distributed monthly, postpaid within the United States.

THE ARKANSAS REGISTER

DISCLAIMER

The Secretary of State website, www.sos.arkansas.gov, contains copies of rules filed by Arkansas state agencies, boards and commissions with the *Arkansas Register* in an “acceptable electronic format” as per Act 1648 of 2001. The rules contained therein are not to be considered “official” copies of agency rules. The official copies remain the paper copies housed in the *Arkansas Register* division of the Secretary of State’s office. While the rule texts are not the “official” copies every attempt has been made to ensure their accuracy and reliability. However, the Secretary of State’s office makes no warranties or guarantees regarding the content of the copies presented on its website.

ACCESS TO RULES

Electronic versions of agency rule filings are available from the Secretary of State website. The rules may be accessed by clicking on the title of the rule listed in **BLUE**. Most of the rules are available in an Adobe PDF format, however, some rules may link you to a specific website for the particular agency. Rule titles followed by asterisks (***) are not available in an electronic form. To receive a hard copy of these types of rules or any other rule you may either contact the agency contact person or the office of the *Arkansas Register*. Copies of rules obtained from the office of the Register are subject to a .25 cent per page copy charge. Inquiries may be directed to the *Arkansas Register* office at the contact points listed below.

Secretary of States’ office
Arkansas Register
026 State Capitol
Little Rock, AR 72201
(501) 682-3527
register@sos.arkansas.gov

ATTORNEY GENERAL OPINIONS

*** No Attorney General Opinions will be listed in this edition of the *Arkansas Register*. For copies of Opinions that were released during this month please visit the Attorney General's website at: www.arkansasag.gov or call (501) 682-3527.



ADOPTED RULES AND REGULATIONS

ARKANSAS SENTENCING COMMISSION

Docket No: 154.00.06-001F
Effective Date: 08/14/2006
Contact: Wanda Hayes
Telephone: 501-682-5031

**Arkansas Sentencing Standards
Seriousness Reference Table**

BOARD OF EXAMINERS IN COUNSELING

Docket No: 122.00.06-001F
Effective Date: 09/18/2006
Contact: Ann Thomas
Telephone: 870-901-7055

Rules and Regulations

COMMISSION FOR PUBLIC SCHOOL ACADEMIC FACILITIES & TRANSPORTATION

Docket No: 203.00.06-001E
Effective Date: 08/21/2006
Contact: Doug Eaton
Telephone: 501-682-4261

**Emergency Rule: Governing the
Transitional Academic Facilities Program**

Docket No: 203.00.06-001F
Effective Date: 08/31/2006
Contact: Doug Eaton
Telephone: 501-682-4261

**AFT 021: Rules Governing the
Transitional Academic Facilities Program**

DEPARTMENT OF CORRECTION

Docket No: 004.00.05-001F
Effective Date: 09/05/2006
Contact: Carl Dyer
Telephone: 870-267-6345

**AR 014 - Internal Investigations and
polygraph Examinations**

DEPARTMENT OF LABOR

Elevator Safety Division

Docket No: 010.05.06-001F
Effective Date: 09/01/2006
Contact: Ron Baker
Telephone: 501-682-4547

Rules of the Elevator Safety Board

EDUCATION DEPARTMENT

Division of Academic Accountability

Docket No: 005.19.06-001F
Effective Date: 08/31/2006
Contact: Charity Smith
Telephone: 501-682-4207

ADOPTED RULES AND REGULATIONS

ADE 242 - Rules Governing the Assessment Scores for Student Attending the Arkansas School for Mathematics, Science and the Arts of the University of Arkansas

Financial Services

Docket No: 005.04.06-001E
Effective Date: 07/26/2006
Contact: Scott Smith
Telephone: 501-682-4227

Emergency Rule: Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds

Division of Learning Services

Docket No: 005.15.06-001F
Effective Date: 08/31/2006
Contact: Dee Cox
Telephone: 501-683-5300

ADE 241 - Eye and Vision Screening Report in Arkansas Public Schools

FINANCE & ADMINISTRATION

Racing Commission

Docket No: 006.06.06-001F
Effective Date: 08/18/2006
Contact: Byron Freeland
Telephone: 501-688-8810

Regulations for Franchise Holders Operating Electronic Games of Skill

GAME & FISH COMMISSION

Docket No: 002.00.06-006F
Effective Date: 08/27/2006
Contact: James Goodhart
Telephone: 501-223-6327

2006-2007 Early Migratory Season Approvals & 2006-2007 Miscellaneous Hunting Code Approvals

HIGHWAY & TRANSPORTATION COMMISSION

Docket No: 001.01.06-001F
Effective Date: 08/14/2006
Contact: Michelle Davenport
Telephone: 501-569-2157

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

Docket No: 001.00.06-002F
Effective Date: 08/14/2006
Contact: Michelle Davenport
Telephone: 501-569-2157

Regulations for the Control of Outdoor Advertising

HUMAN SERVICES

Administrative Services

Docket No: 016.14.06-009F
Effective Date: 08/07/2006
Contact: Glenda Higgs
Telephone: 501-682-6476

ADOPTED RULES AND REGULATIONS

Sub-Grant Policy & Procedure Manual

Children and Family Services

Docket No: 016.15.06-003F
Effective Date: 08/24/2006
Contact: Jim Blok
Telephone: 501-682-8451

Family Services Policy & Procedure Manual (FSPP); Children & Family Services (CFS) forms CFS-509A, CFS-509B and CFS-521; and the DCFS Publication 04 - Minimum Licensing Standards for Child Welfare Agencies

Division of Health

Docket No: 016.24.06-005F
Effective Date: 08/10/2006
Contact: Robert Brech
Telephone: 501-661-2297

Rules Pertaining to the Arkansas Clean Indoor Air Act of 2006

Medical Services

Docket No: 016.06.06-044F
Effective Date: 09/01/2006
Contact: Renita Honorable
Telephone: 501-682-8577

Transportation Provider Manual Update Transmittal #82

Docket No: 016.06.06-045F
Effective Date: 09/01/2006
Contact: Dorothy Vance
Telephone: 501-683-2916

ARKids First-B Provider Manual Update Transmittal #38

Docket No: 016.06.06-046F
Effective Date: 09/01/2006
Contact: Dorothy Vance
Telephone: 501-683-2916

Hearing Services Provider Manual Update Transmittal #63

Docket No: 016.06.06-047F
Effective Date: 09/01/2006
Contact: Renita Honorable
Telephone: 501-682-8577

Visual Care Provider Manual Update Transmittal #80

Docket No: 016.06.06-048F
Effective Date: 08/28/2006
Contact: Will Taylor
Telephone: 501-682-8362

Hospital/Critical Access Hospital/End Stage Renal Disease Provider Manual Update Transmittal #98 and State Plan Amendment #2006-002 ***

ADOPTED RULES AND REGULATIONS

INFORMATION TECHNOLOGY

Docket No: 200.00.06-002F
Effective Date: 08/21/2006
Contact: Drew Mashburn
Telephone: 501-682-5256

Arkansas Records Retention Schedule

Docket No: 200.00.06-003F
Effective Date: 09/01/2006
Contact: Kym Patterson
Telephone: 501-682-4300

Spyware Scanning Standard

INSURANCE DEPARTMENT

Docket No: 054.00.06-005F
Effective Date: 08/18/2006
Contact: Sara Farris
Telephone: 501-371-2828

Rule 7 - Biographical Affidavits of Company Officers and Directors

OIL & GAS COMMISSION

Docket No: 178.00.06-004F
Effective Date: 08/03/2006
Contact: Lawrence Bengal
Telephone: 870-862-4965

B-40 — Authorization for Director of Production and Conservation to Administratively Approve Applications for Exceptional Well Locations

POLLUTION CONTROL & ECOLOGY COMMISSION

Docket No: 014.00.06-013F
Effective Date: 09/09/2006
Contact: Michael O'Malley
Telephone: 501-682-7890

Regulation No. 32 - Environmental Professional Certification

PUBLIC EMPLOYEES RETIREMENT SYSTEM

Docket No: 075.00.06-001F
Effective Date: 09/08/2006
Contact: Michele Williams
Telephone: 501-682-7853

Regulation 105 - Additional Funding for Initial Unfunded Liabilities

INSURANCE DEPARTMENT

*** No Insurance Department Orders will be listed in this edition of the *Arkansas Register*. For copies of Orders that were released during this month please call (501) 682-3527.



ORDERS AND NOTICES

LEGISLATIVE AUDIT

***** No Legislative Audit Notices will be listed in this edition of the *Arkansas Register*. For copies of the Notices that were released during this month please call (501) 682-3527.**



Secretary of State
Charlie Daniels
Arkansas Register Division
State Capitol Building, Room 026
Little Rock, AR 72201-1094

***** **2006** subscriptions to the *ARKANSAS REGISTER* will be sold on a “CALENDAR YEAR” basis (January through December) only. To subscribe to the *ARKANSAS REGISTER* complete the following form and mail to the address given above.

_____ I would like to subscribe to the *ARKANSAS REGISTER* for the **2006** year (January through December) at the price of **\$40** per subscription.

_____ I would like to order the following copies of the *ARKANSAS REGISTER* at \$3.50 per copy.

Volume: _____ **Issue:** _____

Name: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Contact Person: _____ **Phone No.:** () _____

The *ARKANSAS REGISTER*, an official publication of the State of Arkansas, is published monthly with a cumulative index published annually. Subscribe to the *ARKANSAS REGISTER* by completing the form above and mailing it to the address given on the form. Make all checks payable to the *ARKANSAS REGISTER*.

ARKANSAS

REGISTER



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