

# The Arkansas Register



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**Secretary of State**  
**State Capitol, Room 026**  
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# THE ARKANSAS REGISTER

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# ATTORNEY GENERAL OPINIONS

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\*\*\* 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](http://www.arkansasag.gov) or call (501) 682-3527.



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# ADOPTED RULES AND REGULATIONS

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## **AGRICULTURE DEPARTMENT**

*Livestock & Poultry Commission*

Docket No: 209.01.07-002F  
Effective Date: 10/01/2007  
Contact: Karen Gray  
Telephone: 501-907-2411

### **Horse Chipping Rule**

## **ARKANSAS DEVELOPMENT FINANCE AUTHORITY**

*Multi-Family Housing*

Docket No: 109.04.07-001F  
Effective Date: 09/07/2007  
Contact: Patrick Patton  
Telephone: 501-682-5902

### **Compliance Monitoring Policies and Procedures Manual for the Low Income Housing Tax Credit (LIHTC) Program**

Docket No: 109.04.07-002F  
Effective Date: 09/07/2007  
Contact: Patrick Patton  
Telephone: 501-682-5902

### **2008 Housing Credit Program Qualified Allocation Plan**

Docket No: 109.04.07-003F  
Effective Date: 09/07/2007  
Contact: Patrick Patton  
Telephone: 501-682-5902

### **Changes to and New Policy Pertaining to the Multi-Family Housing Minimum Design Standard**

Docket No: 109.04.07-004F  
Effective Date: 09/07/2007  
Contact: Patrick Patton  
Telephone: 501-682-5902

### **2008 Guidelines for Allocation of Private Activity Volume Cap**

Docket No: 109.04.07-005F  
Effective Date: 09/07/2007  
Contact: Patrick Patton  
Telephone: 501-682-5902

### **HOME Program Policy and Operations Manual**

*Single Family Housing*

Docket No: 109.03.07-003F  
Effective Date: 09/11/2007  
Contact: Patrick Patton  
Telephone: 501-682-5902

### **HomeToOwn Program Guide**

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# ADOPTED RULES AND REGULATIONS

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## ARKANSAS MANUFACTURED HOME COMMISSION

Docket No: 066.00.07-001F  
Effective Date: 09/03/2007  
Contact: Whit Waller  
Telephone: 501-324-9032

### Rule changes Including General Installation & Anchoring Specifications

## ARKANSAS SECURITIES DEPARTMENT

Docket No: 214.00.07-001F  
Effective Date: 10/01/2007  
Contact: John Moore  
Telephone: 501-324-8686

### Fair Mortgage Lending Act Rules

## BOARD OF ACCOUNTANCY

Docket No: 019.00.07-001E  
Effective Date: 9/06/2007  
Contact: Leveta Ray  
Telephone: 501-682-1520

### Emergency Rule 3.2(j) — Examination Transitional Rule

## DEPARTMENT OF WORKFORCE SERVICES

Docket No: 208.00.07-001F  
Effective Date: 09/14/2007  
Contact: Cindy Varner  
Telephone: 501-371-1028

**TEA 10000 - 10900 — Arkansas Work Pays; Title IV-A State Plan Section 11; Work Pays Brochure - Appendix B; DCO 213 Application - Work Pays Form**

## ECONOMIC DEVELOPMENT

Docket No: 168.00.07-002F  
Effective Date: 09/10/2007  
Contact: Michael Almond  
Telephone: 501-682-5277

### Tourism Development Incentive Act Rules

Docket No: 168.00.07-003F  
Effective Date: 09/10/2007  
Contact: Michael Almond  
Telephone: 501-682-5277

### Equity Investment Incentive Act

Docket No: 168.00.07-004F  
Effective Date: 09/10/2007  
Contact: Michael Almond  
Telephone: 501-682-5277

### Minority Business Enterprises

Docket No: 168.00.07-006F  
Effective Date: 09/10/2007  
Contact: Michael Almond  
Telephone: 501-682-5277

### Consolidated Incentive Act of 2003 Rules

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# ADOPTED RULES AND REGULATIONS

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## FINANCE & ADMINISTRATION

### *Alcoholic Beverage Control Division*

Docket No: 006.02.07-001F  
Effective Date: 09/16/2007  
Contact: Milton Lueken  
Telephone: 501-682-1105

**Amendment to Section 1.12; Section 1.19(4)(6)(7)(36)(37)(38)(39)(40); Section 1.20(18); Section 1.22.1; Section 1.22.2; Section 1.22.3; Section 1.23; Section 1.32.1; Section 1.33(8)(15); Section 1.79(25); Section 2.12; Repeal of Section 2.12.1; Section 2.16(10); Section 2.28(12)(15); Repeal of Section 2.46; Repeal of Sections 2.47, 2.48, 2.49, 2.50, 2.51, 2.52; New Regulation Sections 2.70, 2.71, 2.72, 2.73, 2.74; Section 3.1; Section 3.19(1)C (2)(3)F (10)A (10)B (13); Section 4.3; Repeal Section 5.41, 5.42, 5.43, 5.44; Section 6.6 \*\*\***

### *Office of State Procurement*

Docket No: 006.27.07-001F  
Effective Date: 09/22/2007  
Contact: Jan Moore  
Telephone: 501-682-7750

**Rule 2007-6: Changes in the Arkansas State Procurement Law**

## GAME & FISH COMMISSION

Docket No: 002.00.07-008F  
Effective Date: 09/02/2007  
Contact: James Goodhart  
Telephone: 501-223-6327

## 2008 Fishing Regulations

Docket No: 002.00.07-009F  
Effective Date: 09/02/2007  
Contact: James Goodhart  
Telephone: 501-223-6327

## Resident Licenses for Non-Resident Arkansas Guardsmen

Docket No: 002.00.07-010F  
Effective Date: 09/02/2007  
Contact: James Goodhart  
Telephone: 501-223-6327

## Alligator Hunting on Trusten Holder WMA

Docket No: 002.00.07-011F  
Effective Date: 09/02/2007  
Contact: James Goodhart  
Telephone: 501-223-6327

## 2007-08 Late Migratory Season Code Approvals

Docket No: 002.00.07-012F  
Effective Date: 10/01/2007  
Contact: Robert Jackson  
Telephone: 501-223-6327

## Selling of Alligator Parts Restriction Codes

Docket No: 002.00.07-013F  
Effective Date: 10/01/2007  
Contact: Robert Jackson  
Telephone: 501-223-6327

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# ADOPTED RULES AND REGULATIONS

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## Commercial Fishing Regulations

Docket No: 002.00.07-014F  
Effective Date: 10/01/2007  
Contact: Robert Jackson  
Telephone: 501-223-6327

## Policies on Land Use Around AGFC Owned Lakes

### HIGHER EDUCATION

*Colleges & Universities Plans & Operations*

Docket No: 008.02.07-001F  
Effective Date: 09/06/2007  
Contact: Gary Smith  
Telephone: 479-575-3507

## 2007 - 08 Parking and Traffic Regulations for the University of Arkansas

Docket No: 008.02.07-002F  
Effective Date: 09/07/2007  
Contact: Thomas Pennington  
Telephone: 479-964-0824

## 2007 - 08 Parking and Traffic Regulations for Arkansas Tech University \*\*\*

*Financial Aid Division*

Docket No: 008.10.07-002F  
Effective Date: 09/27/2007  
Contact: Tara Smith  
Telephone: 501-371-2000

## Rules for the Washington Center Scholarship Program

### HUMAN SERVICES

*Administrative Services*

Docket No: 016.14.07-006F  
Effective Date: 09/10/2007  
Contact: Jerry Berry  
Telephone: 682-5448

## DHS Contract Manual - For Professional and Consultant Services Contracts and Intra-Agency Agreements

*Child Care & Early Childhood Education*

Docket No: 016.22.07-002F  
Effective Date: 11/01/2007  
Contact: Ivory Daniels  
Telephone: 682-4895

## Family Support Unit Policy Manual

*Division of Health*

Docket No: 016.24.07-003F  
Effective Date: 10/01/2007  
Contact: Connie Melton  
Telephone: 501-661-2201

## Rules for Hospitals & Related Institutions; & Rules for Critical Access Hospital

Docket No: 016.24.07-004F  
Effective Date: 10/01/2007  
Contact: Robert Hart  
Telephone: 501-661-2623

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# ADOPTED RULES AND REGULATIONS

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## Rules Pertaining to Public Water Systems

### *Medical Services*

Docket No: 016.06.07-007F  
Effective Date: 10/01/2007  
Contact: Becky Murphy  
Telephone: (501) 682-8096

### **State Plan Transmittal #2007-010 and Section III of all Medicaid Provider Manuals**

Docket No: 016.06.07-010F  
Effective Date: 10/01/2007  
Contact: Nikki Wade  
Telephone: 501-682-8292

### **Hyperalimentation Provider Manual Update Transmittal # 89**

Docket No: 016.06.07-011F  
Effective Date: 10/01/2007  
Contact: Deborah Mahurin  
Telephone: 501-683-2916

### **Occupational, Physical, Speech Therapy Services Provider Manual Update Transmittal # 78**

Docket No: 016.06.07-012F  
Effective Date: 10/01/2007  
Contact: Deborah Mahurin  
Telephone: 501-683-2916

### **Division of Developmental Disabilities Alternative Community Service (DDS ACS) Transmittal Update 84**

Docket No: 016.06.07-013F  
Effective Date: 10/01/2007  
Contact: Deborah Mahurin  
Telephone: 501-683-2916

### **Child Health Management Services Provider Manual Update Transmittal # 90**

Docket No: 016.06.07-014F  
Effective Date: 10/01/2007  
Contact: Deborah Mahurin  
Telephone: 501-683-2916

### **Developmental Day Treatment Clinic Services Provider Manual Update # 92**

Docket No: 016.06.07-016F  
Effective Date: 10/01/2007  
Contact: Deborah Mahurin  
Telephone: 501-683-2916

### **Physician Services Provider Manual Update Transmittal #140; Hospital/Critical Access Hospital (CAH)/End Stage Renal Disease (ESRD) Provider Manual Update #124; Home Health Provider Manual #103**

Docket No: 016.06.07-017F  
Effective Date: 10/01/2007  
Contact: Carolyn Patrick  
Telephone: 501-682-8359

### **Official Notice DMS-2007-W-2: FFY 2008 ICD-9-CM Diagnosis Codes**

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# ADOPTED RULES AND REGULATIONS

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Docket No: 016.06.07-041F  
Effective Date: 10/01/2007  
Contact: Lisa Smith  
Telephone: 501-683-5776

**Medicaid Provider Electronic Solutions Software (PES) Application Handbook \*\*\***

Docket No: 016.06.07-047F  
Effective Date: 10/01/2007  
Contact: Deborah Mahurin  
Telephone: 501-683-2916

**ARKids First B Provider Manual Update Transmittal #56**

Docket No: 016.06.07-048F  
Effective Date: 10/01/2007  
Contact: Will Taylor  
Telephone: 501-682-8362

**Hospital/Critical Access Hospital (CAH)/ End Stage Renal Disease (ESRD) - Provider Manual Update Transmittal #113**

Docket No: 016.06.07-049F  
Effective Date: 10/01/2007  
Contact: Lisa Smith  
Telephone: 501-683-5776

**DMS-2007-A-3, DMS-2007-B-1, DMS-2007-Z-2, DMS-2007-N-2, DMS-2007-O-2, DMS-2007-PA-1, DMS-2007-OO-3, DMS-2007-O-3, DMS-2007-CA-2, DMS-2007-II-4, DMS-2007-RR-1, DMS-2007-R-5, DMS-2007-Y-1, DMS-2007-G-2, DMS-2007-E-1, DMS-2007-L-5, DMS-2007-KK-3, DMS-2007-EE-2, DMS-2007-YY-2 -- Tamper Resistant Prescription Pads Under the Medicaid Program**

## INSURANCE DEPARTMENT

Docket No: 054.00.07-006F  
Effective Date: 10/01/2007  
Contact: Mary Coney  
Telephone: 501-371-2820

**Rule 89: Military Sales Practices**

Docket No: 054.00.07-007F  
Effective Date: 10/01/2007  
Contact: Mary Coney  
Telephone: 501-371-2820

**Rule 91: Creating a Legal Framework within which Service Contracts are Defined, Sold and Regulated**

## NATURAL RESOURCES COMMISSION

Docket No: 138.00.07-001F  
Effective Date: 08/30/2007  
Contact: Crystal Phelps  
Telephone: 501-682-3905

**Title XI - Surplus Poultry Litter Removal Incentives Cost Share Program**

## OIL & GAS COMMISSION

Docket No: 178.00.07-004F  
Effective Date: 09/23/2007  
Contact: Maurice Rigsby  
Telephone: 501-682-5814

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# ADOPTED RULES AND REGULATIONS

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**Rule B-34: Notice of Fire, Breaks, or Blow-outs and Remediation of Associated Spills of Crude Oil and Produced Water**

## **POLLUTION CONTROL & ECOLOGY COMMISSION**

Docket No: 014.00.07-011F  
Effective Date: 09/01/2007  
Contact: Michael O'Malley  
Telephone: 501-682-7890

**Regulation 24 - Repeal of Procedures for the Creation of Regional Solid Waste Management Districts**

## **PUBLIC SERVICE COMMISSION**

*Utilities Section*

Docket No: 126.03.07-009F  
Effective Date: 09/06/2007  
Contact: Diana Wilson  
Telephone: 501-682-5782

**Arkansas Intrastate Carrier Common Line Pool - Rule 2.02(e) Reporting and Remittance**

## **STATE POLICE**

Docket No: 130.00.07-001F  
Effective Date: 09/30/2007  
Contact: Jean Langford  
Telephone: 501-618-8193

**Used Automobile Dealers Service and Handling Fees Rules**

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# INSURANCE DEPARTMENT

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\*\*\* 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.



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# ORDERS AND NOTICES

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## LEGISLATIVE AUDIT

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