



## Daily Legislative Update

Wednesday, February 18, 2015

38<sup>th</sup> Day of 90<sup>th</sup> General Assembly

\* \* \* **CALL TO ACTION** \* \* \*  
**PLEASE ASK YOUR STATE REPRESENTATIVE TO VOTE NO ON HB 1158**

February 18, 2015

Dear Members of the Arkansas General Assembly:

The undersigned Arkansas businesses, business associations and professional associations join to express intense opposition to HB 1158, as it will have a negative impact on businesses across Arkansas and will jeopardize the safety and security of Arkansas consumers and your constituents.

The stated purpose of HB 1158 is to “allow a person to engage in a lawful occupation free from unnecessary regulation.” This is accomplished by rendering Arkansas’s professional and occupational licensing standards pointless.

Government regulation subjects individuals and businesses to public oversight to ensure the proper delivery of services to the public. This intrusion is the widely-accepted by-product of the passage of laws and implementation of rules and regulations. Unforeseen and unintended consequences frequently occur. It is not the business community’s intent to stand in the way of responsible free-market and regulatory reforms. However, stripping away such measures is not the solution to bureaucratic overreach. HB 1158 attempts to address such intrusion by eliminating *all* industry standards promulgated by Arkansas’s Executive Branch and adopted by Arkansas’s Legislature. This bill makes no effort to pinpoint specific areas of concern but eliminates licensing requirements for all professions – from a license to represent *you* in court, to a license to install electrical wiring in *your* home. This bill is misconceived, overly broad and puts businesses and consumers alike in harm’s way.

On February 12, testimony was offered in Committee that if passed, HB 1158 would create 8,000 new jobs in Arkansas. No information was provided substantiating this claim;

however, the logical conclusion is that HB 1158 would promote widespread delivery of unqualified services to unsuspecting Arkansas businesses and consumers that could cause a public safety risk. It would create a “right” to deliver a service without appropriate skill or experience. Bonding could not be guaranteed, the cost of professional insurance would be prohibitive and many would not obtain insurance absent regulatory requirement.

The Arkansas Legislature appropriates limited resources to the state’s boards and commissions. Appointees selected and vetted by the Governor will be overwhelmed by litigation over licensing issues and those qualified to serve would become increasingly reluctant to do so. HB 1158 undermines the Governor and the ability of the Executive Branch to effectively and efficiently execute its duties.

HB 1158 creates the potential for unwarranted chaos and creates an unlicensed environment where anyone may hold themselves out as a professional. This puts Arkansas out of step with *all* other states by negatively impacting the value and mobility of our professional licenses and assigning heightened risk to our commercial and residential population. Nearly identical legislative attempts have occurred in other states across the U.S. Each has been summarily defeated. Arkansas must not be the first to pass legislation fraught with unnecessary and potentially damaging errors.

We respectfully request and strongly advocate for your immediate opposition to HB 1158.

Sincerely,

Arkansas State Chamber of Commerce

Associated Industries of Arkansas, Inc.

Associated General Contractors of America

Associated Builders & Contractors

American Council of Engineering Companies of Arkansas

Arkansas Education Association

Arkansas Home Builders Association

Arkansas HVACR Association

Arkansas Society of Professional Surveyors

Arkansas Society of CPAs

Arkansas Society of Professional Engineers  
Arkansas Speech-Language-Hearing Association  
Brown Engineers, LLC  
Cross, Gunter, Witherspoon and Galchus, P.C.  
Garver USA  
McMillan, McCorkle, Curry & Bennington, LLP  
Snyder Environmental  
Wholesale Beer Distributors Association  
Arkansas Optometric Association  
Arkansas Fire Sprinkler Association  
Arkansas State Dental Association  
American Institute of Architects, Arkansas Chapter  
Nabholz Construction  
Arkansas Bar Association  
AFCO Steel  
Pack Engineering, Inc.  
Arkansas Realtors Association  
Little Rock REALTORS® Association  
McGoodwin, Williams and Yates, Inc.  
Arkansas Environmental Federation  
Arkansas Pest Management Association  
Arkansas Chapter of Appraisal Institute


Cc: The Honorable Asa Hutchinson, Governor  
The Honorable Leslie Rutledge, Attorney General

## TODAY AT THE CAPITOL

House convenes 1:30 p.m.

Senate convenes 1:30 p.m.

### JOINT

7:30 AM	Room B, MAC	<a href="#">JBC-PERSONNEL</a>	<a href="#">Agenda</a> 
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### HOUSE

10:00 AM	Room 151	<a href="#">STATE AGENCIES &amp; GOVT'L AFFAIRS- HOUSE</a>	<a href="#">Agenda</a>
10:00 AM	Room 138	<a href="#">AGRICULTURE, FORESTRY &amp; ECONOMIC DEVELOPMENT- HOUSE</a>	<a href="#">Agenda</a>
10:00 AM	Room 130	<a href="#">AGING, CHILDREN AND YOUTH, LEGISLATIVE &amp; MILITARY AFFAIRS- HOUSE</a>	<a href="#">Agenda</a>
10:00 AM	Room B, MAC	<a href="#">CITY, COUNTY &amp; LOCAL AFFAIRS COMMITTEE- HOUSE</a>	<a href="#">Agenda</a>
12:00 PM	Room B, MAC	<a href="#">HOUSE RULES</a>	<a href="#">Agenda</a>
15 Minutes Upon Adjournment	Room 151	<a href="#">STATE AGENCIES &amp; GOVT'L AFFAIRS- HOUSE</a>	<a href="#">Agenda</a>

### SENATE

10:00 AM	Room 171	<a href="#">JUDICIARY COMMITTEE - SENATE</a>	<a href="#">Agenda</a>
10:00 AM	OSC	<a href="#">REVENUE &amp; TAX - SENATE</a>	<a href="#">Agenda</a>
10:00 AM	Room 207	<a href="#">EDUCATION COMMITTEE - SENATE</a>	<a href="#">Agenda</a>
10:00 AM	Room 272	<a href="#">PUBLIC HEALTH, WELFARE AND LABOR COMMITTEE - SENATE</a>	<a href="#">Agenda</a>
10 Minutes upon Adjournment	Room 309	<a href="#">TRANSPORTATION, TECHNOLOGY &amp; LEGISLATIVE AFFAIRS - SENATE</a>	<a href="#">Agenda</a>

## STATE CHAMBER/AIA BILL TRACKING

To date, the House has filed 395 bills and the Senate has filed 416 bills.

The State Chamber/AIA is tracking 197 bills and resolutions.

New bills added to State Chamber/AIA tracking today:

- |                                |  |  |
|--------------------------------|--|--|
| <a href="#"><u>HB 1383</u></a> | <a href="#"><u>Collins, Charlie (R)</u></a>    | Reduces the income tax on capital gains. (Shell bill)  |
| <a href="#"><u>HB 1384</u></a> | <a href="#"><u>Collins, Charlie (R)</u></a>    | Reduces the state income tax. (Shell bill)   |
| <a href="#"><u>HB 1387</u></a> | <a href="#"><u>Dotson, Jim (R)</u></a>         | Increases the maximum sale price of a used motor vehicle that qualifies for the exemption from sales tax from \$4,000 to \$5,000.  |
| <a href="#"><u>HB 1392</u></a> | <a href="#"><u>House, Douglas (R)</u></a>      | Provides architects and engineers immunity from damages for personal injury, death, property damage or other loss related to the person's errors or emissions in performance of voluntary professional service.                                  |
| <a href="#"><u>SB 389</u></a>  | <a href="#"><u>Stubblefield, Gary (R)</u></a>  | Sets the date for the Arkansas presidential primary election on the first Tuesday in March of the year when the national party conventions are held.   |
| <a href="#"><u>SB 392</u></a>  | <a href="#"><u>Chesterfield, Linda (D)</u></a> | Authorizes the installation and use of distributed generation of electricity.  |
| <a href="#"><u>SB 396</u></a>  | <a href="#"><u>Chesterfield, Linda (D)</u></a> | Requires judgments in property disputes to award the prevailing party's actual damages, attorney's fee and costs, and may include punitive damages and other relief including possession of encroaching property such as fencing and structures. |

For the complete, searchable list of bills being tracked, please visit our [tracking site](#). The full text of each bill is available at the site.

## WORKFORCE DEVELOPMENT PACKAGE

Sen. Jane English's package of workforce development bills have all been referred to the Senate Committee on Education. All of these bills were developed by Sen. English in cooperation with the State Chamber/AIA.

**SB 368** is sponsored by Rep. Charlotte Douglas in the House. The bill would create a new statewide workforce development system and rename the Board of Career Education as The Career Education and Workforce Development Board. The purpose of the Board is to “develop and monitor a state plan for vocational-technical education which shall include at least the establishment of at least one area vocational center in each education service cooperative service area and in Pulaski County.”

**SB 369** and **SB 372** would eliminate specified service areas for two-year colleges and technical schools, removes the duty of the Arkansas Higher Education Coordinating Board to determine service areas for two-year institutions of higher education.

**SB 370** and **SB 371** would expand public schools partnering with higher educational institutions by allowing school districts to use national school lunch funds to provide concurrent courses or technical education options to students in grades eight through twelve.

## **TOMORROW AT THE CAPITOL**

Committee Meetings for Thursday, February 19, 2015

### **JOINT**

7:30 AM	Room B, MAC	<a href="#">JBC-SPECIAL LANGUAGE</a>	
9:00 AM	Room A, MAC	<a href="#">JOINT BUDGET COMMITTEE</a>	<a href="#">Agenda</a>

### **HOUSE**

10:00 AM	Room 151	<a href="#">REVENUE &amp; TAXATION- HOUSE</a>	<a href="#">Agenda</a>
10:00 AM	Room 138	<a href="#">EDUCATION COMMITTEE- HOUSE</a>	<a href="#">Agenda</a>
10:00 AM	Room B, MAC	<a href="#">PUBLIC TRANSPORTATION- HOUSE</a>	<a href="#">Agenda</a>
10:00 AM	Room 149	<a href="#">JUDICIARY COMMITTEE- HOUSE</a>	<a href="#">Agenda</a>
10:00 AM	Room 130	<a href="#">PUBLIC HEALTH, WELFARE AND LABOR COMMITTEE- HOUSE</a>	<a href="#">Agenda</a>

### **SENATE**

10:00 AM	OSC	<a href="#">STATE AGENCIES &amp; GOVT'L AFFAIRS-SENATE</a>	<a href="#">Agenda</a>
10:00 AM	Room 171	<a href="#">INSURANCE &amp; COMMERCE - SENATE</a>	<a href="#">Agenda</a>

10:00 AM	Room 309	<a href="#">AGRICULTURE, FORESTRY &amp; ECONOMIC DEVELOPMENT - SENATE</a>	<a href="#">Agenda</a>
10:00 AM	Room 272	<a href="#">CITY, COUNTY &amp; LOCAL AFFAIRS COMMITTEE - SENATE</a>	<a href="#">Agenda</a>

### ***LEGISLATIVE SESSION CONTACT INFORMATION***

State Senators: 501-682-2902

State Representatives: 501-682-6211

To view schedules, calendars, bill information and legislator information, visit:  
[www.arkleg.state.ar.us](http://www.arkleg.state.ar.us).

To view live stream video and audio from the Arkansas House of Representatives,  
 visit [www.arkansashouse.org](http://www.arkansashouse.org).

State Chamber/AIA Staff:

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