

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/17/15 H3/26/15

A Bill

HOUSE BILL 1851

By: Representative Neal

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING APPOINTMENTS TO CERTAIN BOARDS, COMMISSIONS, COMMITTEES, AND OTHER ADMINISTRATIVE BODIES; TO AMEND THE LAW CONCERNING MEMBERSHIP ON CERTAIN BOARDS, COMMISSIONS, COMMITTEES, AND OTHER ADMINISTRATIVE BODIES; AND FOR OTHER PURPOSES.

Subtitle

*TO AMEND THE LAW CONCERNING APPOINTMENTS
TO AND MEMBERSHIP ON CERTAIN BOARDS,
COMMISSIONS, COMMITTEES, AND OTHER
ADMINISTRATIVE BODIES.*

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) The Commissioner of State Lands;

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

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

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

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

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

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

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

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

Representatives; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

filled from the lists of names provided.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 25. Arkansas Code § 17-29-201(b), concerning appointments to the State Board of Embalmers and Funeral Directors, is amended to read as follows:

(b)(1) The board shall consist of seven (7) members, appointed by the Governor with the advice and consent of the Senate for a term of three (3) years.

(2) Four (4) members, at least one (1) of whom shall be from each of the four (4) congressional districts, and one (1) at large representative shall be appointed as follows:

(A)(i) Five (5) members of the board shall be embalmers or funeral directors, or both, licensed under § 17-29-301 et seq. who shall have had at least five (5) consecutive years of active experience as embalmers or funeral directors in Arkansas immediately preceding appointment.

(ii) ~~The Governor shall appoint members to the board from three (3) nominees submitted by the~~ consult licensed embalmers and funeral directors. ~~In the event that no nominations are submitted to the Governor by July 1 of any year in which an appointment is to be made, the Governor may make the appointment provided that the appointee meets the other requirements for board membership~~ before making an appointment under this

subdivision (b)(2)(A); and

(B) One (1) member of the board shall be designated as a consumer representative. He or she shall be appointed from the state at large, subject to confirmation by the Senate, ~~but he or she shall not be required to be appointed from a list submitted by the licensed embalmers and funeral directors.~~ He or she shall be a full voting member.

(3)(A) One (1) member of the board shall not be actively engaged in or retired from the profession of embalming and funeral directing, shall be sixty (60) years of age or older, and shall represent the elderly. He or she shall be appointed from the state at large, subject to confirmation by the Senate, ~~but he or she shall not be required to be appointed from a list submitted by the licensed embalmers and funeral directors.~~ He or she shall be a full voting member.

(B) The position may not be held by the person holding the consumer representative position.

SECTION 26. Arkansas Code § 17-40-202(a), concerning appointments to the Arkansas Board of Private Investigators and Private Security Agencies, is amended to read as follows:

(a) The Arkansas Board of Private Investigators and Private Security Agencies shall be composed of seven (7) members as follows:

(1)(A) One (1) citizen who is not registered under this chapter and who is not employed by the same person as any other member of the board, appointed by the Governor ~~from a list of three (3) names submitted by the Arkansas Sheriffs Association,~~ subject to confirmation by the Senate.

(B) The Governor shall consult the Arkansas Sheriffs Association before making an appointment under this subdivision (a)(1);

(2)(A) One (1) municipal law enforcement officer or his or her designee, appointed by the Governor ~~from a list of three (3) names submitted by the Arkansas Municipal Police Association,~~ subject to confirmation by the Senate.

(B) The Governor shall consult the Arkansas Municipal Police Association before making an appointment under this subdivision (a)(2);

(3) One (1) member who is registered under this chapter, who is a Class A or Class D licensee, who has been engaged for a period of five (5)

consecutive years as a private investigator, and who is not employed by the same person as any other member of the board, appointed by the Governor, subject to confirmation by the Senate;

(4) One (1) member who is registered under this chapter, who has been employed for a period of five (5) consecutive years by a security services contractor, and who is not employed by the same person as any other member of the board, appointed by the Governor, subject to confirmation by the Senate;

(5) One (1) polygraph examiner who is registered under § 17-39-101 et seq., who has been engaged for a period of five (5) consecutive years as a polygraph examiner, and who is not employed by the same person as any other member of the board, appointed by the Governor, subject to confirmation by the Senate;

(6) One (1) member in business with contract security service responsibilities that does not hold a license under this chapter, appointed by the Governor ~~from a list of three (3) names submitted by the Arkansas Chapter of the American Society of Industrial Security,~~ subject to confirmation by the Senate.

(B) The Governor shall consult the Arkansas Chapter of the American Society of Industrial Security before making an appointment under this subdivision (a)(6); and

(7) One (1) member who is registered under this chapter, who has been engaged for a period of five (5) consecutive years in the alarms systems profession, and who is not employed by the same person as any other member of the board, appointed by the Governor, subject to confirmation by the Senate.

*SECTION 27. Arkansas Code § 17-42-201 is amended to read as follows:
17-42-201. Creation – Members.*

(a)(1) The Arkansas Real Estate Commission shall consist of five (5) members, appointed by the Governor for terms of three (3) years, whose terms shall begin on January 1 and end on December 31 of the third year or when their respective successors are appointed and qualified.

(2)(A) Three (3) members shall have been licensed real estate brokers or licensed real estate salespersons for not fewer than five (5) years prior to their nominations.

(B) The Governor shall ~~appoint members to fill vacancies~~

~~from a list of four (4) nominees submitted by consult the Arkansas Realtors Association before making an appointment to fill a vacancy.~~

(3)(A) Two (2) members shall not be actively engaged in or retired from the business of real estate.

(B) One (1) shall represent consumers, and one (1) shall be sixty (60) years of age or older and shall represent the elderly.

(C) Both shall be appointed from the state at large, subject to confirmation by the Senate, ~~but shall not be required to be appointed from a list submitted by the Arkansas Realtors Association.~~

(D) The two (2) positions may not be held by the same person.

(E) Both shall be full voting members but shall not participate in the grading of examinations.

(b) Each commissioner may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.

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

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

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

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

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

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

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

subdivision (a)(2)(C).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5)(A) The Governor shall fill all vacancies on the board within thirty (30) days after the vacancy occurs. ~~The Arkansas Psychological 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)

member of the board will be retired each year, and 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) *Two (2) audiologists; and*

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

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

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

(B) *The representative of the elderly shall:*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20-7-102. Members – Appointment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(11) One (1) member shall be a restaurant operator who has owned or operated a restaurant for a minimum of five (5) years. This member shall be appointed by the Governor ~~from a list of three (3) names submitted by~~ after consulting the Arkansas Hospitality Association;

(12) One (1) member shall be a consumer representative who has an interest in public health. This member shall be appointed by the Governor from the state at large;

(13) One (1) member shall be more than sixty (60) years old and represent the elderly. This person shall not be actively engaged in or retired from any occupation, profession, or industry to be regulated by the board. The member shall be appointed by the Governor from the state at large and be subject to confirmation by the Senate;

(14) One (1) member shall be a licensed doctor of podiatric medicine of good professional standing who has at least seven (7) years' experience in the practice of the profession in this state. The member shall be appointed ~~from a list of not fewer than three (3) names presented by~~ by the Governor after consulting the Arkansas Podiatric Medical Association;

(15) One (1) member shall be a member of the Arkansas Public Health Association. The member shall be appointed by the Governor ~~from a list of three (3) names submitted by~~ after consulting the Arkansas Public Health Association;

(16) One (1) member shall be a licensed medical doctor of good

professional standing who shall be appointed by the Governor from a rural county that contains a medically underserved population in the state; and

(17) One (1) member shall be the Director of the Department of Health.

(b) Each of the members of the board so appointed shall take the oath prescribed by the Arkansas Constitution for state officers and shall be commissioned by the Governor in the same manner as other state officials.

SECTION 47 Arkansas Code § 20-10-301(a), concerning appointments to the Long-Term Care Facility Advisory Board, is amended to read as follows:

(a)(1) There is created the Long-Term Care Facility Advisory Board composed of ten (10) members selected as follows:

(A) One (1) member appointed by the Governor from the public at large;

(B)(i) Two (2) members appointed by the Governor who shall be owners or administrators of long-term care nursing facilities ~~selected from a list of nominees prepared by the Arkansas Health Care Association.~~

(ii) The Governor shall consult the Arkansas Health Care Association before making an appointment under subdivision (a)(1)(B)(i) of this section;

(C) One (1) member appointed by the Governor who shall be a doctor of medicine nominated by the Arkansas Medical Society;

(D)(i) One (1) member appointed by the Governor who shall be a registered nurse with experience in geriatric nursing ~~from a list provided by the Arkansas Nurses Association.~~

(ii) The Governor shall consult the Arkansas Nurses Association before making an appointment under subdivision (a)(1)(D)(i) of this section;

(E) One (1) member who shall be the deputy director of the appropriate division as determined by the Director of the Department of Human Services or his or her appointed representative;

(F) One (1) member who shall be over sixty (60) years of age and represent the elderly. This person shall not be actively engaged in or retired from any occupation, profession, or industry to be regulated by the board. The member shall be appointed by the Governor from the state at large and subject to confirmation by the Senate;

(G) One (1) member who shall be the Director of Department of Health or his or her appointed representative;

(H) One (1) member appointed by the Governor who shall be a provider licensed by the Office of Long-Term Care to provide residential care or adult day-care services; and

(I) One (1) member from the Arkansas Association of Area Agencies on Aging, Inc., selected by the Governor.

(2) All members shall be appointed after consultation with the appropriate professional societies.

(3) The deputy director of the appropriate division as determined by the Director of the Department of Human Services shall be an ex officio member and chair of the board, voting only in case of a tie vote.

(4) Only a member appointed under subdivision (a)(1)(B) of this section may have a financial interest in, be retired from, or be employed by any long-term care facility. However, a provider licensed by the Office of Long-Term Care appointed under subdivision (a)(1)(H) of this section shall not have a financial interest in, be retired from, or employed by any nursing home. The person appointed pursuant to subdivision (a)(1)(D) of this section may be employed by a nursing home.

SECTION 48. Arkansas Code § 20-13-807(b), concerning appointments to the Trauma Advisory Council, is amended to read as follows:

(b) The council shall consist of twenty (20) voting members who have a demonstrated interest in trauma systems to be appointed by the Governor subject to confirmation by the Senate as follows:

(1) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Chapter of the American College of Emergency Physicians;

(2) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Academy of Family Physicians;

(3) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Chapter of the American College of Surgeons;

(4) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ Arkansas Medical Society;

(5) Four (4) members appointed ~~from a list of eight (8) nominees submitted by the Governor after consulting~~ the Arkansas Hospital Association;

(6) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the ~~Governor's~~ Emergency Medical Services Advisory Council;

(7) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Emergency Nurses Association;

(8) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Emergency Medical Technicians Association;

(9) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Ambulance Association;

(10) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Emergency Medical Services for Children Program;

(11) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Trauma Society;

(12) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Society of Trauma Nurses;

(13) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Spinal Cord Commission;

(14) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Minority Health Commission;

(15) One (1) member appointed ~~from a list of two (2) nominees submitted by the Governor after consulting~~ the Arkansas Medical, Dental and Pharmaceutical Association;

(16) One (1) member appointed to represent injury prevention;
and

(17) One (1) member appointed from the public at large as a consumer representative who has an interest in trauma systems.

SECTION 49. Arkansas Code § 20-15-1503(b), concerning appointments to the Universal Newborn Screening, Tracking, and Intervention Advisory Board, is amended to read as follows:

(b)(1) The board shall be composed of seven (7) members appointed by the Governor, ~~with recommendations from~~ after consulting the Arkansas Speech-Language-Hearing Association, from the following professions or groups:

~~(1)~~ (A) One (1) audiologist;

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

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

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

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

~~(6)~~ (F) One (1) adult who is deaf or hard of hearing to represent consumer organizations for deaf and hard of hearing persons; and

~~(7)~~ (G) One (1) consumer of services who is a parent of a child or children with hearing loss.

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

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

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

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

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

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

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

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

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

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

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

(4) Members shall serve three-year terms.

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

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

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

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

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

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

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

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

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

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

- (i) Central;
- (ii) South central;
- (iii) North central;
- (iv) Northeast;
- (v) Northwest;
- (vi) Southwest;
- (vii) South; and
- (viii) Delta.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Governors, who shall be a member of a member club of the International Association of Lions Clubs within Multiple District Seven for Arkansas;

~~(iv)~~(d) The American Association for Workers for the Blind; and

~~(v)~~(e) The Arkansas School for the Blind.

(ii) Appointments made by the Governor under subdivision (a)(1)(B)(i) of this section shall be subject to confirmation by the Senate.

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

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

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

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

(3) Serve at the pleasure of the Governor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

/s/Neal