



STATE OF ARKANSAS  
TOBACCO CONTROL BOARD

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**BOARD MEMBERS**

Ronald Rivers, Chairman

Mark Carter

Kevin Case

Kevin Dedner

John Hauge

Gene McKissic

Vince Macy

Open Position

Mike Beebe  
Governor

J.R. Thomas  
Director

**JULY 9, 2007 CONFERENCE CALL MEETING MINUTES**

Mr. Ronald Rivers, the Chairman, called the meeting to order. He acknowledged those attending in person at the Attorney General's Office—Mr. Peter Kumpe, Attorney, of Williams and Anderson, representing McLane Company, Mr. J.R. Thomas, Director of the Tobacco Control Board, Mr. Arnie Jochums, Attorney for the Board, Mr. Roland Darrow, Staff Attorney for the Tobacco Control Board, Mr. Greg Sled, Sales to Minors Enforcement Agent Supervisor for the Tobacco Control Board, Mr. Clifford Block, Attorney, of Griffin & Block, representing McLane Company, Ms. Janis Campbell, Fiscal Officer for the Tobacco Control Board and himself, Mr. Ronald Rivers. He stated there was a quorum of five (5) Board Members. Those attending by telephone were Mr. Mark Carter, Mr. Kevin Case, Mr. John Hauge, Mr. Gene McKissic with Mr. Kevin Dedner and Mr. Vince Macy not participating, and one (1) Open Position.

The Chairman stated there was one item on the agenda and that was whether or not to appeal Judge Kilgore's recent decision regarding Regulation 15 of the Rules and Regulations of the Tobacco Control Board. He asked Mr. Arnie Jochums to review the courts decision and discuss the Board's options.

In Mr. Jochum's discussion he stated only parts of Judge Kilgore's decision invalidated the Cost Allocation Rule, but he did not invalidate the entire Rule. He reviewed sections of the Rule in question. He discussed the advantages and disadvantages of an appeal. In Mr. Jochums judgment, he felt the Board would have a difficult burden if the Board voted to appeal.

After discussion by the Board, a motion was made to not appeal Judge Kilgore's decision and move forward in re-writing Regulation 15 with 5 – Yes votes, 2 – Members absent and 1 – Open position.

The meeting was adjourned.

Minutes prepared by: Janis L. Campbell

July 9, 2007