

November 7, 2008

Do You Have a License to Move that Chair?

*Rep. Dan Greenberg
takes on Arkansas'
interior design cartel*

"I can understand wanting a sex offender registry. But I have a hard time finding the necessity of a interior designer registry." Meet Rep. Dan Greenberg (R-Little Rock), an Arkansas state legislator who likes to make trouble. For those who aren't going to make it down to Little Rock to meet the man in person, imagine a young Sen. Tom Coburn (R-Okla.), without some of his stranger "family values" fixations, transplanted to the Arkansas state legislature. He's worked for the Cato Institute and is a senior editor at the libertarian-friendly academic journal *Critical Review*.

Legislative sessions have historically occurred only every other year in Arkansas, so there's lots of time for extracurricular activities, and one of Greenberg's hobbies is apparently reading policy papers from the D.C. economic liberty litigators at the Institute for Justice. One of their current hobbyhorses: Interior design cartels. In 22 states, including Arkansas, it is illegal to call yourself an interior designer without going through an arduous and expensive certification process. In Nevada, it's illegal to *do* interior design without a license. That's right, advising someone about drapes could land you in the hoosegow.

Like many states, Arkansas has an Interior Design Board. The sole purpose of this board is to register interior designers. The IJ paper notes that "consumer complaints about interior designers to state regulatory boards are extremely

rare. Since 1998 an average of one designer out of every 289 has received a complaint for any reason. Nearly all of those complaints, 94.7 percent, concern whether designers are properly licensed—not the quality of their service."

In 2007, Greenberg voted against the continued funding of the Interior Design Board, along with his ideological partners in crime in the legislature, former Rep. Jon Woods (R-Springdale) and Rep. Aaron Burkes (R-Benton). Says Greenberg: "My wife, after seeing the movie 300 with me, once commented: 'Hey, you guys are just like the 300—except, for you, it's just the 3!'" For now, funding is on hold for the board, and Greenberg hopes to kill it in the next session.

Greenberg made a bit of a splash in 2007 by trying to prohibit politicians from putting their names on public buildings. House Bill 1035 would have prohibited naming buildings that received 50 percent or more of their funding from the public coffers after people who held elected office within the ten years prior to the building's construction. True fogies—75 or older and retired—were assumed to be past their trouble-making days and therefore exempted from the ban. "I think the other senators thought I was some kind of a class traitor or something," he says.

This session, Greenberg started asking questions about the state's Interior Design Board and ran into opposition right away. "My experience is that a lot of these debates or discussions are driven by sentiment," says Greenberg. "One of the senators got really upset and offended. She said, 'Look, the work that interior designers do is very important. And furthermore, my daughter is an interior designer.'" That was state Sen.

Mary Anne Salmon (D-North Little Rock).

Sen. Terry Smith (D-Hot Springs) wondered why everyone was getting "heartburn" over \$11,000 dollars, which is what the agency costs the state. "There's incredible institutional, psychological, and moral pressure" to go along, says Greenberg.

Smith is right, of course. All of this is small potatoes, not much more important than whether the walls in the powder room should be mauve or rose. These kinds of tiny squabbles are utterly typical of state legislative politics. But state level politics can matter. The lobbying wing of the interior design cartel has pushed 70 bills in 20 states over the last few years, for a total of about 6 million dollars, with mercifully limited success, mostly because IJ has been roughing people up and leaving (figurative) horse heads on their Laura Ashley sheets.

David Sanders, a former Huckabee aide and longtime Arkansas political columnist says, "Dan represents a school of thought that has been underrepresented in the state of Arkansas, probably since its founding. We have free market conservatives here, but Dan is really giving heart and voice to those arguments."

Perhaps this is just the warm-up for a chance to be persnickety on a bigger stage: There's a chance that a seat will open up in the House of Representatives next cycle. The current occupant of Arkansas' 2nd district seat, 61-year-old Democrat Vic Snyder, will soon be the proud father of newborn triplets. Wonder if he needs any help decorating the nursery?