

**MINUTES OF THE MEETING  
OF THE  
ARKANSAS LEGISLATIVE COUNCIL**

**February 16, 2024**

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The Arkansas Legislative Council met at 9:00 a.m., Friday, January 26, 2024, in Committee Room A of the Big MAC Building, Little Rock, Arkansas. Co-Chair Jeff Wardlaw called the meeting to order and recognized a quorum of members present. Representative Wade Andrews was recognized to give the morning prayer.

**Minutes of the Previous Meeting**

Co-Chair Wardlaw referred members to the minutes of the last Legislative Council meeting held on December 15, 2023 (Exhibit C), and asked if there were any questions. There were no questions.

**Senator Scott Flippo moved that the minutes of the December 15, 2023, meeting of the Legislative Council be adopted. The motion was seconded and passed by voice vote.**

**Point of Personal Privilege**

Co-Chair Wardlaw recognized Representative Mark Berry for a point of personal privilege. Representative Berry expressed appreciation to the Arkansas Department of Transportation (ArDOT), Arkansas National Guard, Arkansas State Police (ASP), Emergency Medical Services (EMS), tow companies, and all emergency responders for the work they did in protecting and caring for the state's citizens and streets during and after the recent wintry weather. Representative Berry gave special recognition to Arkansas State Trooper Brandon Bird for going above and beyond his duties during inclement weather to assist a stranded and scared citizen. The work of all was greatly appreciated by ALC members, staff, and those in attendance.

**Revenue Report**

Co-Chair Wardlaw recognized Dr. Carlos Silva, Legislative Economist, BLR, to present the December 2023 General Revenue Report (Exhibit D). Dr. Silva reported, the collections of Gross General Revenues year-to-date are approximately \$4,092.97 million, a decrease of \$52.3 million, or 1.3% below the \$4,145.24 million collected last fiscal year-to-date. Dr. Silva further reported, the Net General Revenue Available for distribution of \$3,429.3 million, decreased \$182.1 million, or 5.0% from the \$3,611.41 million available for distribution in December 2022. The Cumulative Deviation is above the forecast at \$216 million. This concluded the December 2023 General Revenue report. Co-Chair Wardlaw recognized members for questions. Mr. Jim Hudson, Secretary, and Mr. Robert Brech, Deputy Director and Controller, Office of Budget, both of Department of Finance & Administration (DF&A), came forward to respond.

Co-Chair Wardlaw requested to receive information comparing the delinquency on payments of vehicle sales tax, since increasing the payment period from 30 days to 60 days.

Additionally, Senator Kim Hammer requested to receive information on whether the delinquency with temporary tags is attributed to new legislation or to a specific failure.

### **Report of the Executive Subcommittee**

Co-Chair Wardlaw recognized Co-Chair Terry Rice to present the report of the Executive Subcommittee (Exhibit E). Co-Chair Rice reported that the Executive Subcommittee met on Thursday, January 25, 2024, and reviewed and approved an emergency rule for the Arkansas Department of Education (ADE), Division of Elementary & Secondary Education (DESE), concerning literacy tutoring grants. In addition, a motion was adopted to recommend to ALC that special language be drafted for the upcoming fiscal session to require annual reporting from the department beginning July 1, 2024, regarding utilization of literacy tutoring grant and provide student test results to show the effectiveness of the grant program. The subcommittee also heard from representatives of Meadors, Adams, & Lee Insurance, Inc., concerning its study on Education Facilities Property Insurance. The Subcommittee will meet again on February 15, 2024, to continue its study on school property insurance. All ALC members and alternates are encouraged to attend the meetings. This concluded the report of the Executive Subcommittee, and there were no questions.

**Co-Chair Terry Rice moved that the report of the Executive Subcommittee be adopted. The motion was seconded and passed by voice vote.**

### **Standing Committee Presentations**

#### Administrative Rules Subcommittee

Co-Chair Wardlaw recognized Senator Kim Hammer to present the report of the Administrative Rules Subcommittee (Exhibit F.1). Senator Hammer reported the Administrative Rules Subcommittee met on Thursday, January 25, 2024. The Subcommittee filed a report from the Executive Subcommittee concerning its review and approval of an emergency rule. The subcommittee reviewed and filed quarterly reports from the Department of Corrections and the Parole Board. Pursuant to Act 595 of 2021, the Subcommittee received agency updates on outstanding rulemaking from the 2021 General Session, filed monthly written updates from the 2023 General Session, and considered agency requests for exclusion of one act from the Act 595 reporting requirements. The subcommittee also considered the recommendation by Group 2 agencies concerning the extension or appeal of rules, pursuant to Act 781 of 2017 and Act 65 of 2021. One rule was held until the next meeting in February 2024. All other rules were reviewed and approved as noted in the report. This concluded the report of the Administrative Rules Subcommittee, and there were no questions.

**Senator Kim Hammer moved that the report of the Administrative Rules Subcommittee be adopted. The motion was seconded and passed by voice vote.**

Employee Benefits Division (EBD) Oversight Subcommittee

Co-Chair Wardlaw recognized Representative Aaron Pilkington to present the report of the Employee Benefits Division Oversight Subcommittee (Exhibit F.4). Representative Pilkington reported that the Employee Benefits Division Oversight Subcommittee met on Wednesday, January 24, 2024. The subcommittee heard presentations from the Segal Group on mental health and other co-morbid conditions, as well as a cost analysis for weight loss medications. This concluded the report of the Employee Benefits Division Oversight Subcommittee, and there were no questions.

**Representative Aaron Pilkington moved that the report of the Employee Benefits Division Oversight Subcommittee be adopted. The motion was seconded and passed by voice vote.**

Game & Fish/State Police Subcommittee

Co-Chair Wardlaw recognized Representative Jack Fortner to present the report of the Game & Fish/State Police Subcommittee (Exhibit F.5). Representative Fortner reported the Game & Fish/State Police Subcommittee met on Wednesday, January 10, 2024, and also on Wednesday, January 24, 2024. The Subcommittee heard a presentation from Jennifer Craun, Senior Legislative Attorney, Legal Research and Drafting, Bureau of Legislative Research (BLR), regarding the Summary of Concealed Carry Laws Concerning Firearms, and testimony from the Attorney General's Office, Arkansas Game and Fish Commission, Arkansas State Police, and members of the public. A motion was adopted in the subcommittee to move forward with consideration and further discussion of the Attorney General's recommendations.

The chairs/co-chairs made the following comments regarding the upcoming meetings:

- **Public Comment:**

There will be an opportunity for the public to provide comments to the Subcommittee on each of the topics we take up in this study. There will be a link on the General Assembly website for public comment sign up and there will be a sign up sheet at the committee meeting. Only those members of the public who have signed up in one of those two ways will be allowed to come forward and present their comments to the Subcommittee.

- **Member Participation:**

I want to invite and encourage all members of the General Assembly to attend these meetings and participate as we work towards recommendations to present to the Legislative Council next year. Although only members of the Subcommittee will be permitted to make motions and vote on the recommendations during this phase, we welcome input from all members of the General Assembly.

- **Next Meeting:**

Our next meeting will be February 12, 2024 at 1:00 p.m. in this room and we will begin hearing recommendations regarding the hunting laws, concealed carry laws concerning firearms and Arkansas State Police concealed carry regulations.

This concluded the report of the Game & Fish/State Police Subcommittee, and there were no questions.

**Representative Jack Fortner moved that the report of the Game & Fish/State Police Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### Highway Commission Review and Advisory Subcommittee

Co-Chair Wardlaw recognized Senator Blake Johnson to present the report of the Highway Commission Review and Advisory Subcommittee (Exhibit F.7). Senator Johnson reported that the Highway Commission Review and Advisory Subcommittee met on Wednesday, January 24, 2024, and heard testimony from the Office of Internal Audit on a Revised Letter of Engagement for the ARDOT Project and Efficiency Study; and December 2023 and January 2024 Monthly Updates of the ALC Efficiency Study Recommendations Rules for Implementation Reports from Arkansas Department of Transportation (ArDOT). This concluded the report of the Highway Commission Review and Advisory Subcommittee, and there were no questions.

**Senator Blake Johnson moved that the report of the Highway Commission Review and Advisory Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### Occupational Licensing Review Subcommittee

Co-Chair Wardlaw recognized Representative Stephen Meeks to present the report of the Occupational Licensing Review Subcommittee (Exhibit F.11). Representative Meeks reported that the Occupational Licensing Review Subcommittee met on Thursday, January 25, 2024, and reviewed reports on occupational authorizations from the following entities: Arkansas State Board of Dental Examiners; Arkansas State Board of Architects, Landscape Architects and Interior Designers; Arkansas State Board of Registered Professional Sanitarians; Arkansas Fire Training Academy; and the Arkansas Livestock and Poultry Commission.

**Representative Stephen Meeks moved that the report of the Occupational Licensing Review Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### Performance Evaluation and Expenditure Review (PEER) Subcommittee

Co-Chair Wardlaw recognized Representative Jon Eubanks to present the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee (Exhibit F.12). Representative Eubanks reported the PEER Subcommittee met on Tuesday, January 23, 2024. The subcommittee received reports, reviewed requests, and approved the following: Various Temporary Appropriations; American Rescue Plan Act Appropriations; Infrastructure Investment and Jobs Act Appropriations; and Restricted Reserve Fund Transfers. One (1) item in the report, a Cash Fund Appropriation request from NorthWest Arkansas Community College – \$3.7 million was held. Co-Chair Wardlaw recognized members for questions or discussion. He then recognized Mr. Al Massri, Vice President of Finance and Administration, NorthWest Arkansas Community College (NWACC) to respond to members. After discussion, Representative Stephen Meeks explained that he was the member to request a hold on this item, and since then has spoken to representatives of the college and is satisfied enough with their response to release the hold. This concluded the report of the PEER Subcommittee.

**Representative Jon Eubanks moved to adopt the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee. The motion was seconded and passed by voice vote.**

**Representative Jon Eubanks also moved to approve the review of Item F.3 - NorthWest Arkansas Community College – \$3,700,000. The motion was seconded and passed by voice vote.**

#### Review Subcommittee

Co-Chair Wardlaw recognized Senator Scott Flippo to present the report of the Review Subcommittee (Exhibit F.14). Senator Flippo reported that the Review Subcommittee met on Tuesday, January 23, 2024, and reviewed methods of finance, grants, and contracts. The subcommittee also approved a RFQ request for a motor vehicle lease. No items were held. This concluded the report of the Review Subcommittee, and there were no questions.

**Senator Scott Flippo moved to adopt the report of the Review Subcommittee. The motion was seconded and passed by voice vote.**

#### Uniform Personnel Classification and Compensation Plan Subcommittee

Co-Chair Wardlaw recognized Representative Mark Berry to present the report of the Uniform Personnel Classification and Compensation Plan Subcommittee (Exhibit F.15). Representative Berry reported the Uniform Personnel Classification and Compensation Plan Subcommittee met on Tuesday, January 23, 2024. The subcommittee reviewed and approved Items 2-8 on the report. Item 1 - Department of Transformation and Shared Services, was pulled from the agenda by the department and subcommittee chairs following discussion of revisions. A motion was then made and approved to suspend the subcommittee rules to allow the Department of Transformation and Shared Services until February 7, 2024, to provide the revised policies and procedures related to the proposed Performance Pay System and for the item to be placed on the subcommittee's regular agenda for the February 14, 2024 meeting. This concluded the report of the Uniform Personnel Classification and Compensation Plan Subcommittee, and there were no questions.

**Representative Mark Berry moved that the report of the Uniform Personnel Classification and Compensation Plan Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### **Review of Communications**

Co-Chair Wardlaw referred members to the communications listed on the agenda as Items H.01- H.14 and noted that action by Legislative Council was needed for Items H.02 and H.03(e). He then requested a motion.

**H.02 - Arkansas Infant and Child Death Review Panel - Arkansas Children's Hospital and UAMS, Annual Report on the Arkansas Infant and Child Death Review Program, for review year 2021, submitted pursuant to A.C.A. § 20-27-1707.**

**Co-Chair Terry Rice moved to refer the annual report on the Arkansas Infant and Child and Death Review program to the Senate Interim Committee on Children and Youth and the House Committee on Aging, Children and Youth, Legislative and Military Affairs. The motion was seconded and passed by voice vote.**

**H.03(e) - Arkansas Economic Development Commission, Division of Rural Services, Request for approval of a Wildlife Education Grant Program, submitted pursuant to Section 48 of Act 605 of 2023;**

**Co-Chair Terry Rice moved to approve the request for approval of wildlife education grants from the Arkansas Economic Development Commission, Division of Rural Services. The motion was seconded and passed by voice vote.**

**H.07 - DHS - Co-Chair Wardlaw recognized Ms. Kristi Putnam, Secretary, Department of Human Services (DHS), for the verbal report on assisted living facility reimbursements, pursuant to Section 15 of Act 213 of 2022.**

**Co-Chair Wardlaw stated without objection, this report is being referred to the ALC - Hospital and Medicaid Study Subcommittee to take public comment on the presented rates and report back to ALC at the February 16, 2024 meeting, and the Subcommittee is granted authority to meet outside of the regular ALC meeting week.**

### **Interim Study Proposals**

Co-Chair Wardlaw referred members to Interim Study Proposal 2023-099, by Senator Bryan King and stated the ISP had been placed on the agenda for two (2) months; therefore without objection, ISP 2023-099 will be removed from the agenda and held in the queue until the member can be present to present it to ALC.

Co-Chair Wardlaw referred members to Interim Resolution 2023-003, by Representative Mary Bentley and Senator Kim Hammer, requesting that the Arkansas Legislative Council (ALC) proclaim January 23, 2024, to be Religious Freedom Day. Representative Bentley and Senator Hammer came forward to present the Interim Resolution.

**Senator Ben Gilmore moved to approve Interim Resolution 2023-003, naming January 23, 2024 as Religious Freedom Day. The motion was seconded and passed by voice vote.**

### **New Business**

Co-Chair Wardlaw then recognized Representative Matthew Shepherd, Speaker, House of Representatives, for questions and discussion on the issues and status of the Helena - West Helena water crisis and conditions. Co-Chair Wardlaw then also recognized Mr. AJ Gary, Director, and Ms. Jodi Lee, Deputy Director, Recovery and Mitigation, both of Arkansas Division of Emergency Management, to respond.

After questions and discussion, Senator Linda Chesterfield requested a report regarding the Infrastructure Investment and Jobs Act funds distribution to entities in the state-including the entity name, amount, and the purpose.

**Adjournment**

At 9:57 a.m., the meeting was adjourned as there was no further business to come before the Legislative Council.

Respectfully submitted,

ATTEST:

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Representative Jeff Wardlaw  
Co-Chair, House

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Marty Garrity  
Executive Secretary