

MINUTES OF THE MEETING
OF THE
ARKANSAS LEGISLATIVE COUNCIL

Friday, June 20, 2014

The Arkansas Legislative Council met at 9:00 a.m., Friday, June 20, 2014 in Committee Room A of the Big Mac Building, Little Rock, Arkansas. Vice Co-Chair David Johnson called the meeting to order and recognized a quorum of members present.

Minutes of the Last Meeting

Vice Co-Chair Johnson referred the members to the minutes of the last Legislative Council meeting on May 16, 2014 (Exhibit C) and asked if there was a motion to approve the minutes.

Representative John Charles Edwards moved the adoption of the minutes of the Legislative Council meeting on May 16, 2014. The motion was seconded and passed by voice vote.

Presentation of May 2014 Revenue Report

Vice Co-Chair Johnson recognized Richard Wilson, Assistant Director for Research Services with the Bureau of Legislative Research, to present the May 2014 monthly revenue report (Exhibit D). Mr. Wilson reported that after eleven months of fiscal year 2014, gross general revenue collections were \$33.4 million dollars ahead of collections for the same period last year for a growth rate of zero point six percent (0.6%). The net revenue is \$ 3.3 million dollars ahead of the same period last year for a growth rate of one-tenth of one percent (0.1%). The graph shows that collections were about \$ 53 million dollars ahead of the official forecast after eleven (11) months. Mr. Wilson reported that the spreadsheet reflects that gross receipts are slowing down a bit for a growth rate of two point eight percent (2.8%) and income tax receipts appear flat. There were no questions regarding the revenue report.

Executive Subcommittee Report

Vice Co-Chair Johnson referred the members to the report of the Executive Subcommittee (Exhibit E) and noted that because a quorum was not present at the meeting yesterday, no action was taken on the items on the subcommittee agenda and that the full Legislative Council would now consider those items. Vice Co-Chair Johnson recognized Representative Terry Rice to present the report from the Executive Subcommittee.

Representative Rice reported that the Executive Subcommittee met on June 19, 2014 and took no action on the agenda items as a quorum was not present. Representative Rice reported that the subcommittee heard a presentation from Chief Darrell Hedden, Chief of Police of the State Capitol Police, concerning the security of the State Capitol grounds and facilities and were provided his recommendations for improving security in the area. Representative Rice stated the security recommendations are attached to the report and will be distributed to all members of the General Assembly.

Representative Rice reported that the subcommittee also heard a presentation on the proposed security policy for the fifth floor of the Big Mac Building. Representative Rice asked that Jillian Thayer, Legal Counsel to the Director of the Bureau of Legislative Research, be recognized to present the draft policy for discussion by the committee.

Vice Co-Chair Johnson recognized Ms. Thayer who referred members to the copy of the draft security policy that is attached to the Executive Subcommittee Report and explained the security procedures included in the proposed security policy. There were no questions regarding the policy.

Vice Co-Chair Johnson recognized Representative Rice. **Representative Rice moved that the Legislative Council adopt the security policy for the Big Mac Building as presented. The motion was seconded and passed by voice vote.**

Vice Co-Chair Johnson recognized Representative Rice to continue with the Executive Subcommittee Report. Representative Rice reported that the subcommittee discussed the need to cancel or to re-schedule the July and August meetings of the Legislative Council due to the heavy schedule of conferences and seminars scheduled for those months. The subcommittee recommended that the Legislative Council meeting in July 2014 be cancelled and that the Legislative Council meeting in August be moved to August 8, 2014. All actions of the subcommittees that would normally be reported at the July meeting would be considered final and reported to the Legislative Council at the August meeting; however, subcommittees have the option of specifying that certain items are not final until they receive approval by the Legislative Council at the August meeting.

Representative Rice moved that the Legislative Council not meet during July 2014 and that actions of the Legislative Council subcommittees that would normally be reported at the July meeting be considered final and reported to the Legislative Council at the August meeting and with the option of specifying that certain items are not final until they receive approval by the Legislative Council at the August meeting. The motion was seconded.

Vice Co-Chair Johnson recognized Representative Stephen Meeks for a question. Representative Meeks asked if Legislative Council members could make a motion or object to items under consideration by a subcommittee if the member was not a member of the subcommittee. Vice Co-Chair Johnson responded that Legislative Council members could attend the meeting of the subcommittee and express an opinion, but only subcommittee members may make a motion and that the actions of the subcommittees would be final. Vice Co-Chair Johnson noted that the Legislative Council usually does not meet during the month when conferences are also scheduled and has normally passed this type of motion to make the subcommittee actions final.

Vice Co-Chair Johnson called for a voice vote on the motion by Representative Rice to cancel the July 2014 Legislative Council meeting and the motion passed.

Vice Co-Chair Johnson recognized Representative Rice to continue with the Executive Subcommittee Report. Representative Rice reported that Senator Jason Rapert had filed a letter of protest following the May 2014 Legislative Council meeting and because no such letter has ever been filed, the Executive Subcommittee discussed a policy for the filing of protests.

Representative Rice referred members to the draft policy attached to the report and explained the policy would authorize such letters to be considered by the Executive Subcommittee and that the merits of the protest would not be taken up by either the Executive Subcommittee or the Legislative Council. Under this policy, the Executive Subcommittee would simply have the power to authorize the inclusion of the protest with the official minutes of the meeting that the protest is concerning. There were no questions concerning the proposed policy.

Representative Rice moved that the Legislative Council adopt the policy concerning letters of protest on official actions taken during meetings of the Legislative Council. The motion was seconded and passed by voice vote.

Vice Co-Chair Johnson recognized Representative Rice to continue with the Executive Subcommittee Report. Representative Rice reported that with the adoption of this policy, the Legislative Council may now consider whether to authorize the addition to the minutes of the May 16, 2014 meeting of the Legislative Council Senator Rapert's letter of protest that is also attached to the report. There were no questions.

Representative Rice moved that the Executive Subcommittee and the Legislative Council authorize the addition of Senator Rapert's letter of protest, dated June 9, 2014, to the official record of the minutes of the Legislative Council meeting on May 16, 2014 and to direct the staff to begin work on clarifying certain discrepancies that exist in the rules of the Legislative Council and to present the results to the Executive Subcommittee at its next regularly scheduled meeting. The motion was seconded and passed by voice vote.

Vice Co-Chair Johnson recognized Representative Rice. Representative Rice moved that the report of the Executive Subcommittee be adopted. The motion was seconded and passed by voice vote.

Announcements

Vice Co-Chair Johnson recognized Representative Jonathan Barnett who introduced Robin Lunstrom, who will replace Representative Barnett in the next General Assembly. The committee members welcomed her with applause.

Vice Co-Chair Johnson noted that John E. Miller, a past long-time member of the General Assembly, had recently passed away and he recognized Representative John Charles Edwards. Representative Edwards commented that he did not get to know Representative Miller as well as some, but he was fortunate to know him as one of the stars of the Arkansas General Assembly and that the Big Mac Building was one of his achievements.

Representative Edwards commented that he admired Representative Miller for his willingness to share his knowledge and he asked that the committee take time to reflect upon the life of a true public servant and a good man. The committee members observed a moment of silence in honor of Representative John E. Miller.

Standing Subcommittees

Vice Co-Chair Johnson referred members to the reports of the standing subcommittees and stated that reports from the subcommittees meeting since the last meeting would be heard.

Administrative Rules and Regulations Subcommittee

Vice Co-Chair Johnson recognized Representative Kelley Linck to present the report of the Administrative Rules and Regulations Subcommittee (Exhibit F.1). Representative Linck reported that the Administrative Rules and Regulations Subcommittee met on June 11, 2014 and reviewed numerous rules from state agencies. Representative Linck noted that the subcommittee received the report from the Senate and House Interim Committees on Public Health, Welfare and Labor (see item 2 on page 3 of the report) recommending that the rule from the Department of Labor be reviewed. Representative Linck reported the subcommittee re-reviewed a rule from the Department of Finance and Administration on State Employee Dispute Resolution Appeal and Procedures and recommends that this rule be filed as reviewed.

Representative Linck reported that the subcommittee also adopted policy concerning rulemaking under Act 1498 of 2013 (attached as the last page of the report). Representative Linck reported that the Special Needs Rule 3.46 by the Assessment Coordination Department was pulled at the request of the agency, but all other rules were reviewed. There were no questions regarding the report.

Representative Kelley Linck moved that the Report of the Subcommittee on Administrative Rules and Regulations be adopted. The motion was seconded and was passed by voice vote.

Litigation Reports Oversight Subcommittee

Vice Co-Chair Johnson stated the next report is from the Litigation Reports Oversight Subcommittee (Exhibit F.7) and asked if Representative Tommy Thompson was ready to present the report. There was no response and Vice Co-Chair Johnson stated the report would be considered later.

Performance Evaluation and Expenditure Review (PEER) Subcommittee

Vice Co-Chair Johnson recognized Senator Bruce Maloch to present the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee (Exhibit F.8). Senator Maloch reported that the PEER Subcommittee met on June 5, 2014 and approved the following items: five general improvement fund set-aside release requests; the request to continue the additional three-tenths of one percent deduction on general revenues for state central services; the appropriation transfer request from the Minority Health Commission; and a reallocation of resources request from the Department of Human Services. All other items on the agenda were reviewed and no items were held.

Senator Bruce Maloch moved that the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee be adopted. The motion was seconded.

Vice Co-Chair Johnson recognized Representative Stephen Meeks who asked to make a substitute motion. Vice Co-Chair Johnson asked that he state his motion.

Representative Stephen Meeks made a substitute motion that all items on the Performance Evaluation and Expenditure Review (PEER) Subcommittee report be reviewed with the exception of items G.9, G.10, G.11, and G.12, which are listed under the heading of "Continuation of Miscellaneous Federal Grant Appropriation Requests" on page 3 and page 4 of the report.

Vice Co-Chair Johnson stated that Representative Meeks' motion is to amend Senator Maloch's motion. Vice Co-Chair Johnson recognized Senator Maloch who asked if the intention of the substitute motion is to adopt the report without those items or is it to vote on those items separately. Representative Meeks stated he would agree to either way and left it to the discretion of the chair. Vice Co-Chair Johnson stated those items will be held and voted on separately and that there are motions pending: the motion to adopt the full report and the motion to amend that motion.

Vice Co-Chair Johnson called for a voice vote on the motion by Representative Stephen Meeks to adopt the Performance Evaluation and Expenditure Review (PEER) Subcommittee report without items G.9, G.10, G.11, and G.12, which are listed under the heading of "Continuation of Miscellaneous Federal Grant Appropriation Requests" on page 3 and page 4 of the report. The motion failed to pass by voice vote.

Vice Co-Chair Johnson called for a voice vote that the full report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee be adopted. The motion passed by voice vote.

Litigation Reports Oversight Subcommittee

Vice Co-Chair Johnson recognized Representative Kim Hammer to present the report of the Litigation Reports Oversight Subcommittee (Exhibit F.7). Representative Kim Hammer reported that the Litigation Reports Oversight Subcommittee met on June 11, 2014 and heard and reviewed without objection the following items: an update on the status of new cases of litigation from Joe Cordi, Senior Assistant Attorney General with the Office of Attorney General; a review of reported and closed cases from Martha Hunt, Chief Counsel for the DFA Division of Revenue; and a review of reported and closed cases by Valerie Boyce, Staff General Counsel for the Arkansas Public Service Commission. There were no questions.

Representative Kim Hammer moved that the report of the Litigation Reports Oversight Subcommittee be adopted. The motion was seconded and passed by voice vote.

Policy-Making Subcommittee

Vice Co-Chair Johnson recognized Representative James Word to present the report of the Policy-Making Subcommittee (Exhibit F.9). Representative Word reported that the Policy-Making Subcommittee met on June 16, 2014 and discussed the possibility of hiring a consultant to perform an analysis and review of the current design and financial forecasting methodology for the Medicaid Expansion Private Option. Representative Word reported that because a quorum was

not present, no action was taken and the discussion was for informational purposes only. Representative Word stated the subcommittee is waiting for more information from the Bureau of Legislative Research for the purpose of determining whether to proceed with more than one company bidding on providing the analysis of the Private Option. There were no questions.

Representative James Word moved that the report of the Policy-Making Subcommittee be adopted. The motion was seconded and passed by a voice vote.

Review Subcommittee

Vice Co-Chair Johnson recognized Senator David Sanders to present the report of the Review Subcommittee (Exhibit F.10). Senator Sanders asked that before he presents this report, he would like Representative Wardlaw to be recognized for comments.

Vice Co-Chair Johnson recognized Representative Jeff Wardlaw who asked if Krista Hughes could be invited to come before the committee to answer questions. Vice Co-Chair Johnson recognized Ms. Krista Hughes, with the Department of Human Services Division of Aging and Adult Services, who introduced herself and responded to questions from Representative Wardlaw regarding the CFC (Community First Choice) program and the Independent Choices program.

Vice Co-Chair Johnson recognized Representative Kim Hammer who asked to be allowed to ask questions on another matter and asked if officials with the Department of Arkansas Heritage could be recognized for questions. Vice Co-Chair Johnson stated that Rick Pruitt with the Department of Arkansas Heritage is in attendance and he would be recognized after the Review Subcommittee Report has been presented.

Vice Co-Chair Johnson recognized Senator David Sanders to present the Report of the Review Subcommittee. Senator Sanders reported that the Review Subcommittee met on June 18, 2014 and reviewed various methods of finance, discretionary grants, and professional consultant services contracts. Senator Sanders reported that the subcommittee held two contracts; one for the Department of Parks and Tourism with Cranford, Johnson, Robinson, and Woods, and another for the Arkansas Department Workforce Services with the Argenta Community Development Corporation for additional information. Senator Sanders reported that the additional information has been provided for both contracts and the hold has been released on both of these contracts.

Senator David Sanders moved that the report of the Review Subcommittee be adopted and include the review of the contract for the Department of Parks and Tourism with Cranford, Johnson, Robinson, and Woods and the contract for the Arkansas Department Workforce Services with the Argenta Community Development Corporation. The motion was seconded.

Vice Co-Chair Johnson stated the vote on this motion would be held until Representative Hammer has an opportunity to address his questions to the Department of Arkansas Heritage. Vice Co-Chair Johnson recognized Rick Pruitt with the Department of Arkansas Heritage to respond to questions.

Vice Co-Chair Johnson recognized Representative Hammer who asked Mr. Pruitt whether the Attorney General has addressed the issue of the method of expenditure allowed under

Amendment 75, which is the authority cited by the Department of Arkansas Heritage for funding a portion of the cost of the building. Mr. Pruitt responded that he was not aware of any opinion from the Attorney General on this matter. Representative Hammer stated that an official Attorney General's Opinion has been requested and that an official complaint has been filed with the Appraisal Board regarding an investigation of the appraisal and the details associated with that because of questions that have been raised. Representative Hammer asked Mr. Pruitt to confirm that the Department of Arkansas Heritage had found \$750,000 from savings in the Director's Office that would be used to guarantee that the seven agencies whose budgets would have been cut will not experience the cuts and will continue to receive their funding. Mr. Pruitt stated that the savings is a per year savings, beginning with \$40,000 the first year, then \$30,021, and after year seven it became a savings to the department for the entire time of bond pay back. The total was \$761,932.00 over the repayment of the bonds and not for any one year. Mr. Pruitt stated that Ms. Miller had agreed that the \$40,000, the \$30,021, and so forth would not impact the programs of the individual agencies within the department. Mr. Pruitt stated that these funds will never come out of any of the agency's projects, but will come within general operating expenses within the department's central office.

Vice Co-Chair Johnson recognized Representative Debra Hobbs for a question. Representative Hobbs stated she has questions regarding the contract between the Department of Human Services and PALCO, Inc., listed as number 142 on page 77 of the Review Subcommittee Report. Vice Co-Chair Johnson asked that the officials with the Department of Human Services come forward and he then recognized Krista Hughes who responded to additional questions.

Vice Co-Chair Johnson called for a voice vote on Senator Sanders motion that the report of the Review Subcommittee be adopted and to include the review the contract for the Department of Parks and Tourism with Cranford, Johnson, Robinson, and Woods and the contract for the Arkansas Department Workforce Services with the Argenta Community Development Corporation.

Vice Co-Chair Johnson recognized Representative Jeff Wardlaw for a question. **Representative Wardlaw made a substitute motion, that since the actions of the subcommittee will be final and that the contract between the Department of Human Services and PALCO, Inc. must be reviewed before June 30, 2014, that the contract between the Department of Human Services and PALCO, Inc. be referred back to the Review Subcommittee and a joint meeting of the Review Subcommittee and the Committees on Public Health Welfare and Labor be called before June 30, 2014 for further discussion of the contract and whether it is tied to CFCOs.**

Vice Co-Chair Johnson stated he would hold the substitute motion for a moment and then he recognized Krista Hughes and Sandy Ellis with the Department of Human Services to come forward and be recognized to answer questions. There followed several questions from the committee members and discussion of the PALCO, Inc. contract.

Vice Co-Chair Johnson recognized Senator Maloch. **Senator Maloch moved the immediate consideration of the substitute motion and asked that it be restated. The motion was seconded.**

Vice Co-Chair Johnson stated the first motion by Senator Sanders was to adopt the full report and the motion to amend Senator Sanders' motion was to pull the PALCO contract from the Review

Subcommittee Report and refer the contract back to the Review Subcommittee to be heard at another meeting before June 30, 2014 and the action of the subcommittee would be the final decision for the Legislative Council.

Vice Co-Chair Johnson called for a voice vote on the motion to immediately consider the substitute motion by Representative Wardlaw and the motion passed by voice vote.

Vice Co-Chair Johnson called for a voice vote on the substitute motion by Representative Wardlaw to pull the PALCO contract from the Review Subcommittee Report and refer the contract back to the Review Subcommittee to be heard at another meeting before June 30, 2014 and the action of the subcommittee would be the final decision for the Legislative Council. The motion failed to pass by voice vote.

Vice Co-Chair Johnson stated the motion to adopt the Review Subcommittee Report is still open for debate and he then recognized Senator Gary Stubblefield. Ms. Hughes and Ms. Ellis continued to respond to questions concerning the PALCO contract and the Community First Choice program. Marilyn Strickland, with the Division of Medical Services, was recognized and she responded to questions regarding the current process for review of the contracts and questions regarding the PALCO contract and the Community First Choice program.

Vice Co-Chair Johnson recognized Senator Gary Stubblefield. **Senator Stubblefield moved the immediate consideration of Senator Sanders' motion to adopt the full report of the Review Subcommittee. The motion was seconded and passed by voice vote.**

Vice Co-Chair Johnson called for a voice vote on the motion by Senator Sanders to adopt the full report of the Review Subcommittee and the motion passed by voice vote.

Personnel Subcommittee

Vice Co-Chair Johnson recognized Senator Uvalde Lindsey to present the report of the Uniform Personnel Classification and Compensation Plan Subcommittee (Exhibit F.11). Senator Lindsey reported that the Uniform Personnel Classification and Compensation Plan Subcommittee met at 9:00 a.m. on June 18, 2014 and reviewed the following: reports of grid movements; the provisional positions reports for higher education institutions; special entry rates for exceptionally well-qualified candidates; swap pool positions; central growth pool positions; and one request for miscellaneous federal grant program position for the Arkansas Fair Housing Commission that was approved by the Performance Evaluation and Expenditure Review (PEER) Subcommittee; a request from the Department of Parks and Tourism for the correction of three (3) titles; a report from the Department of Veterans Affairs and the Department of Finance and Administration about a workforce reduction in force; and a number of requests from various agencies and institutions for continuation of previously approved salary grids, differentials, labor market rates, miscellaneous federal grant program titles; pool positions for those state agencies and institutions of higher education from fiscal year 2014 to fiscal year 2015. There were no questions.

Senator Uvalde Lindsey 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

Vice Co-Chair Johnson referred members to the communications listed as Exhibits H.1 through H.15 and stated that Exhibit H.7, Exhibit H.13, and Exhibit H.15a and Exhibit H.15b require action by the Legislative Council.

Arkansas Teacher Retirement System

Vice Co-Chair Johnson referred the members to request from the Arkansas Teacher Retirement System listed as Exhibit H.7. Vice Co-Chair Johnson recognized Rod Graves with the Arkansas Teacher Retirement System, to explain the request. Mr. Graves explained that before the Legislative Council today are two private equity investments, both of which are for a commitment of up to \$30 million. Mr. Graves stated the first investment is with BVIP Fund VIII, which is a firm headquartered in Boston that had a prior fund that returned a net IRR of eleven point nine percent (11.9%), and which specializes in buying out information business service and communication companies primarily based in the US. Mr. Graves explained that the second investment is with NGP, which has a prior performance of over \$8 billion in 176 deals with a net IRR of approximately twenty-three percent (23%). Mr. Graves stated that NGP is headquartered in Dallas and invests primarily in up-stream oil and gas companies in the US. There were no questions regarding these investments.

Representative Tommy Thompson moved that the Arkansas Teacher Retirement System investments with BVIP Fund VIII, L.P. and with NPG Natural Resources XI, L.P. be filed as reviewed. The motion was seconded and passed by voice vote.

Department of Higher Education

Vice Co-Chair Johnson referred the members to the request from the Department of Higher Education listed as Exhibit H.13. Vice Co-Chair Johnson recognized Shane Broadway, Director of the Department of Higher Education, and Harold Criswell with the Department of Higher Education, to explain the request. Mr. Broadway explained that this request has occurred since 2006 while the fund has existed since 1985. Mr. Broadway stated that the Higher Education Research and Development funds accrue through federal mineral leases to the Department of Finance and Administration. Once the fund balance reaches a certain threshold, the Department of Higher Education is contacted and then the approval process for distribution of the funds begins with approval by the Higher Education Board and then the Legislative Council.

Mr. Broadway explained that prior to 2006, the funds were deposited into a deferred maintenance fund, but since 2006 these funds have been used for the annual operations of the ARE-ON network by decision of the institutions. Mr. Broadway explained these funds are solely used for the current operations of the ARE-ON network for the institutions that are currently online with ARE-ON. Mr. Broadway explained that the fund transfer request before the Legislative Council today would be used to meet bills and notices that come due in July with private providers if approved by the Legislative Council. Mr. Broadway stated that since 2006, there has been a little over \$10 million dollars transferred to support the operations of the ARE-ON network. The balance of the fund account will be \$13,000 after this transfer and it takes a while for the fund to build up money. Mr. Broadway stated that the last request for the Legislative Council's approval of a transfer was in November 2012. Mr. Broadway answered questions from the committee.

Representative Tommy Thompson moved that the Legislative Council give favorable advice to the distribution of \$750,000.00 from the Research Development Fund to the University of Arkansas at Fayetteville for expenses associated with the Arkansas Research and Education Optical Network (ARE-ON). The motion was seconded by Representative Edwards and passed by a voice vote.

Arkansas State Parks Division

Co-Chair Edwards referred the members to requests from the Division of State Parks within the Department of Parks and Tourism listed as Exhibit H.15a and Exhibit H.15b. Vice Co-Chair Johnson recognized Greg Butts, Director of the Division of State Parks, to explain the requests. Mr. Butts introduced himself and Kevin Carr, the Manager of Parks Administration, and John Brown, Manager of Parks Operations.

Mr. Butts explained that the first item (Exhibit H.15b) is the semi-annual report regarding general revenue allocations to the parks, which has been required by special language for a very long time and which is the general revenue side of the operation of the state parks. Mr. Butts answered questions from the members regarding the report on general revenue allocations to the state parks.

Representative Kelley Linck asked Mr. Butts to follow-up with him regarding whether or not funding for repair and resurfacing of boat ramps is available from marine fuel tax revenue and whether these are projects for the Game and Fish Commission. Mr. Butts agreed to do so.

Representative Kelley Linck moved that the Legislative Council approve the expenditures for the Special Maintenance Program. The motion was seconded by Representative Rice and passed by voice vote.

Representative Rice moved that the report of general revenue allocations to the Arkansas State Parks be filed as reviewed. The motion was seconded and passed by voice vote.

New Proposals and Resolutions

Co-Chair Edwards referred the members to the Interim Study Proposal 2013-194 (HB 1743 of 2013) listed as Exhibit J.1 on the agenda. **Representative Rice moved that Interim Study Proposal 2013-194 be referred to the House Committee on State Agencies and Governmental Affairs. The motion was seconded and passed by voice vote.**

Co-Chair Edwards referred the members to Interim Resolution 2013-004, listed as Exhibit J.2 on the agenda. Co-Chair Edwards recognized Senator Jason Rapert to present Interim Resolution 2013-004.

Senator Rapert stated that the resolution spoke for itself and asked to offer an amendment to add additional co-sponsors to the resolution.

Senator Rapert moved that Interim Resolution 2013-004 be amended to add the following as co-sponsors: Representative Fonda Hawthorne; Representative Mark Lowery; and

Representative Richard Womack. Co-Chair Edwards stated that without objection the amendment is adopted.

Senator Rapert explained that Interim Resolution 2013-004 concerns Amendment 83 and is simply a means for the legislature to speak on this matter. Senator Rapert stated it is clear what the majority of Arkansans said about this matter in 2004, with seventy-five percent (75%) voting for it. Senator Rapert asked for a good vote.

Senator Jason Rapert moved that Interim Resolution 2013-004 be adopted as amended. The motion was seconded.

There followed debate among the members speaking for and against the resolution and Senator Rapert closed for his motion.

Co-Chair Edwards stated that the motion by Senator Rapert to adopt Interim Resolution 2013-004 as amended has been seconded and he called for a vote. The motion passed by voice vote.

Co-Chair Edwards recognized Senator Johnny Key who introduced Senator-Elect Scott Flipppo from Mountain Home and asked that he be welcomed. The members responded with applause.

Co-Chair Edwards recognized Senator Jonathan Dismang who stated he could not be here for the entire meeting, but that he wished to comment on the PALCO contract for \$79 million that was approved earlier in the Review Subcommittee for which some members had concerns and the motion for immediate consideration that was made in this meeting. Senator Dismang stated that this amount is a lot of money for the State of Arkansas and that if there are questions concerning the contract, he did not feel that debate should be limited.

Adjournment

At 11:00 a.m., Co-Chair Edwards stated that he saw no further questions and as there is no further business before the Legislative Council the meeting is adjourned.

Respectfully submitted,

ATTEST:

Senator David Johnson
Vice Co-Chair, Senate

Marty Garrity
Executive Secretary