



**State of Arkansas
Bureau of
Legislative Research**

Marty Garrity, Director
Kevin Anderson, Assistant Director
for Fiscal Services
Matthew Miller, Assistant Director
for Legal Services
Richard Wilson, Assistant Director
for Research Services
Timothy Carlock, Assistant Director
for Information Technology

MEMORANDUM

TO: Members of the Legislative Council and the Joint Budget Committee

FROM: Kevin Anderson, Assistant Director for Fiscal Services

SUBJECT: Pre-Regular Session Budget Hearings

DATE: October 2016

The Arkansas Legislative Council and the Joint Budget Committee will be holding hearings on the budget requests from state agencies and institutions for the 2017-2019 biennium. All hearings will be held in **Committee Room A on the 5th Floor of the Big Mac Building** and are open to the public. The first day the Committee will meet is 10:00 a.m. on October 11, 2016.

SCHEDULE:

All hearing dates are subject to change, please call us or check the Arkansas General Assembly website to verify a particular hearing date. At the Budget Hearings you will receive written notice from us each week reflecting the next week's budget hearing schedule. Once hearings start we generally begin on Tuesdays at 9:00 am with a break for lunch around 11:00 am to 1:30 pm and resume until 4:30 pm. Wednesdays is normally the same schedule as Tuesday and on Thursday's the committee will normally meet 9:00 am until lunch. Please keep in mind that do to various conflicts there are several changes to this standard schedule.

RULES AND POLICY POSITIONS:

The rules will be adopted during the morning hour meeting of the Committee beginning at 10:00 a.m. on October 11. If you have any proposed changes, please be prepared to present them at that time. At the end of the rules is a policy position that has been adopted by the committee in past budget hearings. You will be asked to vote on this as well. (Attachment 1)

SEATING:

Due to the budget hearings being held in a committee room that will afford each committee member a seat with a microphone, seat selections will be made during the morning meeting at 10:00 a.m. on October 11.

ATTENDANCE, PER DIEM AND MILEAGE:

The chairmen of the Legislative Council have adopted the following policies regarding attendance, per diem and mileage for the budget hearings:

- (A) You will need to sign the attendance roster each day for that day.
- (B) It is important that you clearly understand that:
 - no one can be authorized to sign your name on the roster,
 - no member will receive per diem or mileage that is not on the signed roster, and
 - you may sign the roster only on the day you attend.

IMPORTANT DATES AND DEADLINES - 2017 REGULAR SESSION

Pre-filing Bills and Resolutions: November 15, 2016

Arkansas Code § 10-2-112(a) establishes November 15 of each year preceding a regular session of the General Assembly as the earliest date that legislation may be filed for introduction.

Executive Balanced Budget: Prior to November 10, 2016

The Director of DFA is required to present the Official General Revenue Forecast and balanced budget no later than 60 days prior to the beginning of the regular session.

Feasibility Study for Certain Health Care Legislation introduced by a member of the House of Representatives - December 9, 2016

House Rule 72.(a) provides that except as provided in subsection (b), no action may be taken in the House Committee on Public Health, Welfare and Labor or on the Floor of the House of Representatives on any bill that provides for licensure of any profession, occupation or class of health care providers not currently licensed or expands the scope of practice of any profession, occupation, or class of health care providers unless the House Committee on Public Health, Welfare and Labor has initiated a study of the feasibility of such legislation at least thirty (30) days prior to convening the next legislative session.

House Rule 72.(b) provides that bill providing for the licensure of any profession, occupation, or class of health care providers not currently licensed or expanding the scope of any practice of any profession, occupation, or class of health care providers may be acted upon without the initiation of a feasibility study required in subsection (a) upon a two-thirds (2/3) vote of the House Public Health, Welfare and Labor Committee membership.

Convening regular session: January 9, 2017

Arkansas Code § 10-2-101(a) sets 12:00 noon on the second Monday in January of each odd-numbered year for the convening of the General Assembly in regular session. This rule is derived from Arkansas Constitution, Article 5, § 5, which permits the General Assembly to establish the date.

Deadline to file retirement legislation and certain health care legislation: January 23, 2017*

Joint Rules and Arkansas Code § 10-2-115 require that legislation affecting any publicly supported retirement system or pension plan be introduced during the first fifteen days of the regular session. (*) After the fifteenth day of the regular session, retirement legislation must be approved for introduction by a three-fourths vote of the full membership of each house. Joint Rules require that proposed legislation affecting the licensure of any profession, occupation, or class of health care providers not currently licensed or expanding the scope of practice of any profession, occupation, or class of health care providers to be considered by the General Assembly at a regular biennial session be introduced in the General Assembly during the first fifteen calendar days of a regular biennial session. (*) After the fifteenth day of the regular session, any proposed legislation affecting the licensure of any profession, occupation, or class of health care providers not currently licensed or expanding the scope of practice of any profession, occupation, or class of health care providers must be approved for introduction by a three-fourths vote of the full membership of each house.

Deadline to file constitutional amendments: February 8, 2017

Joint Rules state: "No resolution proposing a constitutional amendment shall be filed in either the House of Representatives or the Senate after the thirty-first (31st) day of each regular session of the General Assembly."

Deadline to file appropriation bills: February 27, 2017*

Joint Rules state: "No appropriation bill shall be filed for introduction in either the House of Representatives or the Senate later than the fiftieth (50th) day of each regular session (*) except upon consent of two-thirds of the members elected to each house; ..."

Final deadline to file any legislation: March 6, 2017*

Joint Rules state: "...and, no bill shall be filed for introduction in either the House of Representatives or the Senate later than the fifty-fifth (55th) day of each regular session (*) except upon consent of two-thirds of the members elected to each house; ..." The deadline is extended past the 55th day because the rule provides that if the deadline falls on a Saturday or Sunday, the deadline will be the following Monday. This rule is derived from Arkansas Constitution, Art. 5, § 34, which prohibits bills from being filed during the last three days of a session.

(*) This deadline may be extended.

LEGISLATIVE COUNCIL PRESESSION BUDGET HEARINGS

RULES AND POLICY POSITION October 2016

1. Purpose. The purpose of these rules is to form a basis for the conduct of the pre-session budget hearings conducted by the Legislative Council beginning in October preceding a regular session of the General Assembly.

2. Parliamentary Procedure. Except as otherwise specified by these rules, the proceedings of the Pre-session Budget Hearings shall be governed by the Rules of the Arkansas Legislative Council as adopted and currently in effect for that body.

3. Meeting Participation. In addition to the members of the Legislative Council, members of the Joint Budget Committee, who are not primary members of the Legislative Council, shall be privileged to attend the pre-session budget hearings and to vote on budget recommendations the same as regular members of the Legislative Council. (Arkansas Code § 10-3-507). The gathering of these members for purposes of budget hearings shall hereinafter be referred to as "ALC/JBC".

4. Budget Recommendations.

(a) The ALC/JBC shall prepare a recommended budget for submission to the General Assembly for each agency, department, constitutional office, and branch of State Government that received an appropriation in the preceding session of the General Assembly.

(b) If the members determine that an agency, department, or program should cease to exist, be reorganized, or be consolidated, a recommendation reflecting that determination shall be submitted to the General Assembly.

(c) Budget requests submitted to the ALC/JBC shall be prepared and submitted by the agency, department, constitutional office, or branch of State Government in the manner provided by law.

(d) The Governor-Elect shall be given an opportunity to review all budget requests, except those of constitutional officers and their departments, and to provide his or her recommendation on the budget request, if any. The ALC/JBC may proceed to consider and act upon budget requests prior to submission of the request to the Governor-Elect, but shall reopen action on any budget requests for which the Governor-Elect submits a recommendation.

(e) Consideration of a budget request shall be reopened for consideration automatically upon submission of a revised recommendation by the Governor for that budget request.

(f) Whenever the Governor wishes to present a budget request or an amendment to an action by the ALC/JBC the Governor shall submit a letter to the ALC/JBC setting forth the details of the request. These letters from the Governor shall be placed on the Agenda under the heading "Governors Letters" for consideration by the ALC/JBC.

5. Action on Budget Requests.

(a) **Presence of Agency Employees.** During discussion of a budget request or any item of a budget request by the ALC/JBC, any individuals employed by the entity whose budget is the subject of the budget request shall not be present in the committee room.

(b) Form of Motion for Approval.

(1) For budget requests containing specific recommendations by the Governor or Governor-Elect, the chair shall state that the issue before the ALC/JBC is that the budget request be approved as recommended by the Governor or Governor-Elect.

(2) For budget requests that have not received a recommendation from the Governor or Governor-Elect, the chair shall state that the issue before the ALC/JBC is that the budget request be approved as requested by the department or agency.

(c) Motion to Amend the Budget Request.

(1) A motion to amend a budget request shall be in order after the chair has stated the issue before the ALC/JBC, unless the committee has voted to limit the consideration of such motions.

(2) If the Motion to Amend the Budget Request is not adopted the ALC/JBC shall then vote upon the budget as recommended by the Governor or Governor-Elect, or as requested by the department or agency if there is no recommendation for the Governor or Governor-Elect, as the case may be.

6. Reconsideration of Budget Requests. A motion to reconsider an action taken on a budget request by the ALC/JBC shall only be made by a member who voted in the majority of the vote on the budget request, and the motion to reconsider may be made at any time after the vote that is the subject of reconsideration, whether in the same or a later meeting. A motion to reconsider requires an affirmative vote of the greater of either twenty-eight (28) members or two-thirds (2/3) of the quorum present.

7. Subcommittees.

(a) By a majority vote of the members present when a quorum is present, the ALC/JBC may create subcommittees to perform duties specific to the budget hearing process. Any subcommittee created for budget hearing purposes will report to the ALC/JBC during budget hearing meetings.

(b) A subcommittee may meet as needed, upon either the call of the subcommittee chairs or a majority of the members of the subcommittee.

(c) The Senate Co-Chair and Vice-Chair and the House Co-Chair and Vice-Chair of the Legislative Council and the Senate Co-Chair and House Co-Chair of the Joint Budget Committee shall serve as ex officio members of all subcommittees created under this rule. However, the ex officio members shall only be counted towards the membership number necessary for a quorum of the subcommittee when present at the meeting at which a vote is taking place.

(d) Each subcommittee created under this rule shall consist of twenty (20) members, to include the six (6) ex officio members, as set forth in section (c) of this rule, and an additional seven (7) House members, appointed by the House Co-Chair of Legislative Council, and seven (7) Senate members, appointed by the Senate Co-Chair of Legislative Council.

(e) Unless otherwise stated in the motion, no salary recommendation of the ALC/JBC for an employee or group of employees is to be considered final action by the

ALC/JBC until a report on the salary level is submitted by the subcommittee created to review salary level requests.

(f) Unless otherwise stated in the motion, no recommendation of the ALC/JBC regarding special language shall be considered final until a report regarding the special language being considered is submitted by the subcommittee created to review special language.

Policy Position: No recommendation of the Arkansas Legislative Council and Joint Budget Committee members regarding operating budgets is to be considered as approving or disapproving any fee or tax increase proposed unless the motion adopted by the committee expressly specifies otherwise.

Arkansas Legislative Council (ALC)/Joint Budget Committee (JBC)

Attachment 2

| | Pos Descript. | Seniority | ALC / JBC Committee Member | | | 1st Alternate | 2nd Alternate |
|----|---------------------------------------|-----------|----------------------------|---------------|----------------|-------------------|-----------------|
| 1 | ALC HR 3RD DISTRICT | 42 | Representative | Bob | Ballinger | Eads | --- |
| 2 | ALC HR 1ST DISTRICT | 26 | Representative | Scott | Baltz | --- | --- |
| 3 | ALC HR 4TH DISTRICT | 23 | Representative | Nate | Bell | Baine | Hickerson |
| 4 | ALC CO-CHAIR - HR 1ST DISTRICT | 15 | Representative | David | Branscum | Lemons | --- |
| 5 | ALC LJAC CHAIR - HOUSE | 52 | Representative | Mary | Broadaway | --- | --- |
| 6 | JBC HR 3RD DISTRICT | 7 | Representative | Charlie | Collins | Petty | Lundstrum |
| 7 | ALC PAST SPEAKER OR APPNTMENT | 44 | Representative | Andy | Davis | --- | --- |
| 8 | ALC HR 3RD DISTRICT | 10 | Representative | Gary | Deffenbaugh | --- | --- |
| 9 | JBC HR 3RD DISTRICT | 33 | Representative | Jim | Dotson | Petty | Lundstrum |
| 10 | JBC HR 3RD DISTRICT | 27 | Representative | Charlotte | Douglas | Petty | Lundstrum |
| 11 | JBC HR 3RD DISTRICT | 57 | Representative | Dan | Douglas | Petty | Lundstrum |
| 12 | ALC IMMEDIATE PAST ALC CHAIR | 14 | Representative | Jon | Eubanks | --- | --- |
| 13 | ALC HR 2ND DISTRICT | 50 | Representative | Joe | Farrer | Copeland | --- |
| 14 | JBC HR 1ST DISTRICT | 51 | Representative | Deborah | Ferguson | Sullivan | Speaks |
| 15 | ALC HR 4TH DISTRICT | 22 | Representative | David | Fielding | Talley | Cozart |
| 16 | ALC HR 2ND DISTRICT | 80 | Representative | Lanny | Fite | Bob Johnson | --- |
| 17 | ALC HR SPEAKER | 18 | Representative | Jeremy | Gillam | --- | Speaks |
| 18 | JBC HR 4TH DISTRICT | 72 | Representative | Justin | Gonzales | Bragg | Holcomb |
| 19 | ALC MINORITY LEADER DESIGNEE | 96 | Representative | Michael John | Gray | --- | --- |
| 20 | ALC LJAC IMMEDIATE PAST CHAIR | 13 | Representative | Kim | Hammer | --- | --- |
| 21 | JBC HR 3RD DISTRICT | 11 | Representative | Justin | Harris | Petty | Lundstrum |
| 22 | ALC HR 3RD DISTRICT | 78 | Representative | Ken | Henderson | Petty | Della Rosa |
| 23 | JBC HR 1ST DISTRICT | 55 | Representative | Monte | Hodges | Sullivan | Speaks |
| 24 | JBC HR 2ND DISTRICT | 25 | Representative | Doug | House | Charles Armstrong | Eddie Armstrong |
| 25 | ALC HOUSE JBC CHAIR | 5 | Representative | Lane | Jean | | |
| 26 | ALC HR SPEAKER DESIGNATE | 37 | Representative | Joe | Jett | --- | --- |
| 27 | ALC <i>HR 4TH DISTRICT</i> | <i>75</i> | <i>Representative</i> | <i>Sheila</i> | <i>Lampkin</i> | Kenneth Ferguson | --- |
| 28 | ALC HR 3RD DISTRICT | 4 | Representative | Greg | Leding | Charlene Fite | --- |
| 29 | JBC HR 2ND DISTRICT | 6 | Representative | Fredrick | Love | Charles Armstrong | Eddie Armstrong |

| | Pos Descript. | Seniority | ALC / JBC Committee Member | | | 1st Alternate | 2nd Alternate |
|----|--------------------------------|-----------|----------------------------|----------|----------|-------------------|-------------------|
| 30 | ALC VICE-CHAIR HR 2ND DISTRICT | 28 | Representative | Mark | Lowery | Tucker | Charles Armstrong |
| 31 | JBC HR 2ND DISTRICT | 32 | Representative | Steven | Magie | Charles Armstrong | Eddie Armstrong |
| 32 | JBC HR 1ST DISTRICT | 31 | Representative | Mark | McElroy | Sullivan | Speaks |
| 33 | ALC HR 3RD DISTRICT | 43 | Representative | George | McGill | Grant Hodges | --- |
| 34 | ALC HR 2ND DISTRICT | 17 | Representative | David | Meeks | Blake | --- |
| 35 | JBC HR 2ND DISTRICT | 1 | Representative | Steven | Meeks | Charles Armstrong | Eddie Armstrong |
| 36 | ALC HR 2ND DISTRICT | 36 | Representative | Josh | Miller | Eaves | Sabin |
| 37 | JBC HR 1ST DISTRICT | 8 | Representative | Reginald | Murdock | Sullivan | Speaks |
| 38 | JBC HR 3RD DISTRICT | 49 | Representative | Micah | Neal | Petty | Lundstrum |
| 39 | ALC HR 4TH DISTRICT | 20 | Representative | Betty | Overbey | Flowers | Holcomb |
| 40 | ALC HOUSE MAJORITY WHIP | 53 | Representative | John | Payton | --- | --- |
| 41 | ALC H. MAJ LEADER /DESIGNEE | 92 | Representative | Matthew | Pitsch | --- | --- |
| 42 | ALC HR 1ST DISTRICT | 16 | Representative | James | Ratliff | Sturch | --- |
| 43 | ALC HR 1ST DISTRICT | 30 | Representative | Chris | Richey | Wallace | Hillman |
| 44 | ALC LJAC VICE CHAIR- HOUSE | 29 | Representative | Sue | Scott | --- | --- |
| 45 | JBC HR 4TH DISTRICT | 9 | Representative | Matthew | Shepherd | Bragg | Holcomb |
| 46 | JBC HR 4TH DISTRICT | 3 | Representative | John | Vines | Bragg | Holcomb |
| 47 | JBC HR 2ND DISTRICT | 21 | Representative | John | Walker | Charles Armstrong | Eddie Armstrong |
| 48 | ALC HR 4TH DISTRICT | 12 | Representative | Jeff | Wardlaw | Gossage | --- |
| 49 | ALC HOUSE MINORITY WHIP | 46 | Representative | David | Whitaker | --- | --- |
| 50 | JBC HR 4TH DISTRICT | 38 | Representative | Richard | Womack | Bragg | Holcomb |
| 51 | ALC HR 1ST DISTRICT | 2 | Representative | Marshall | Wright | Bennett | --- |

| | | Pos Descript. | Seniority | ALC/JBC Committee Member | | | 1st Alternate | 2nd Alternate |
|----|-----|--|------------------|---------------------------------|-----------|--------------|----------------------|----------------------|
| 52 | ALC | SEN 3RD DISTRICT | 2 | Senator | Cecile | Bledsoe | --- | --- |
| 53 | JBC | SEN 1ST DISTRICT | 8 | Senator | David | Burnett | --- | --- |
| 54 | ALC | SEN 1ST DISTRICT | 15 | Senator | Ronald | Caldwell | --- | --- |
| 55 | ALC | LJAC VICE CHAIR - SENATE | 5 | Senator | Linda | Chesterfield | --- | --- |
| 56 | ALC | SEN 4TH DISTRICT | 18 | Senator | Alan | Clark | Cheatham | --- |
| 57 | ALC | SEN 1ST DISTRICT | 30 | Senator | John | Cooper | --- | --- |
| 58 | ALC | SEN PRES PRO TEM | 11 | Senator | Jonathan | Dismang | Standridge | --- |
| 59 | ALC | SEN 2ND DISTRICT | 3 | Senator | Joyce | Elliott | --- | --- |
| 60 | ALC | SEN PRES PRO TEM DESIGNATE | 16 | Senator | Jane | English | --- | --- |
| 61 | JBC | SEN 3RD DISTRICT | 10 | Senator | Jake | Files | Standridge | --- |
| 62 | ALC | SEN 1ST DISTRICT | 31 | Senator | Scott | Flippo | Blake Johnson | --- |
| 63 | ALC | SEN 4TH DISTRICT | 7 | Senator | Stephanie | Flowers | Cheatham | --- |
| 64 | ALC | MAJ LEADER DESIGNEE | 22 | Senator | Jim | Hendren | --- | --- |
| 65 | ALC | SEN 3RD DISTRICT | 27 | Senator | Bart | Hester | --- | --- |
| 66 | ALC | LJAC CHAIR - SENATE | 25 | Senator | Jimmy | Hickey | --- | --- |
| 67 | ALC | SEN 2ND DISTRICT | 13 | Senator | Jeremy | Hutchinson | --- | --- |
| 68 | ALC | MIN LEADER DESIGNEE | 20 | Senator | Keith | Ingram | --- | --- |
| 69 | ALC | SEN 1ST DISTRICT | 9 | Senator | Missy | Irvin | --- | --- |
| 70 | ALC | SEN 2ND DISTRICT | 1 | Senator | David | Johnson | --- | --- |
| 71 | ALC | LJAC IMMEDIATE PAST CHAIR | 29 | Senator | Bryan | King | --- | --- |
| 72 | ALC | SEN 3RD DISTRICT | 17 | Senator | Uvalde | Lindsey | --- | --- |
| 73 | ALC | SEN 4TH DISTRICT | 19 | Senator | Bruce | Maloch | Cheatham | --- |
| 74 | ALC | SENATE MINORITY WHIP | 21 | Senator | Bobby | Pierce | --- | --- |
| 75 | ALC | SEN 2ND DISTRICT | 6 | Senator | Jason | Rapert | --- | --- |
| 76 | ALC | VICE-CHAIR PAST PROTEM / APPT. | 32 | Senator | Terry | Rice | --- | --- |
| 77 | ALC | CO-CHAIR CHAIRMAN IMMEDIATE PAST ALC CHAIR | 12 | Senator | Bill | Sample | --- | --- |

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|----|--------------------------------|------------------|-----------------------------------|--------------|--------------|----------------------|----------------------|
| 78 | ALC SENATE MAJORITY WHIP | 26 | Senator | David | Sanders | --- | --- |
| 79 | ALC SEN 4TH DISTRICT | 23 | Senator | Gary | Stubblefield | Cheatham | --- |
| 80 | ALC SENATE JBC CHAIR | 4 | Senator | Larry | Teague | --- | --- |
| 81 | JBC SEN 1ST DISTRICT | 14 | Senator | Eddie Joe | Williams | --- | --- |
| 82 | ALC SEN 3RD DISTRICT | 24 | Senator | Jon | Woods | --- | --- |