

EXHIBIT C

DRAFT MINUTES

STATE AGENCIES AND GOVERNMENTAL AFFAIRS – HOUSE ELECTIONS SUBCOMMITTEE SENATE AND HOUSE INTERIM COMMITTEE ON CITY, COUNTY, & LOCAL AFFAIRS MEETING JOINTLY

Wednesday July 12, 2017

2:30 PM

Basin Park Hotel, 12 Spring Street
Eureka Springs, Arkansas

Committee Members Present: Senators Lance Eads, Stephanie Flowers, and Jim Hendren.
Representatives Trevor Drown, Chair; Timothy Lemons, Chair; Bob Ballinger, Sarah Capp, Carol Dalby, Jana Della Rosa, Roger D. Lynch, Andy Mayberry, Aaron Pilkington, Johnny Rye, Nelda Speaks, and Jeff Williams.

Other Legislators Present: Representatives David Branscum, Jim Dotson, Charlotte Douglas, Justin Gonzales, Grant Hodges, Douglas House, Ron McNair, Brandt Smith, Dwight Tosh, and Richard Womack

Representative Drown called the meeting to order.

Discussion of Implementation and Funding of New Voting Equipment

Contributors to the Discussion:

Mr. Kelly Boyd, Chief Deputy Secretary of State, Secretary of State's Office

Issues included in the discussion:

- During the last legislative session Senator Bart Hester met with Governor Hutchinson to discuss funding for the new voting equipment. It was agreed that the Governor's Office would contribute five million dollars and the Secretary of State's Office would contribute one million to help counties purchase the new voting equipment. This will be done on a 50/50 split where the counties would contribute half of the cost of the new equipment.
- The Secretary of State's Office disbursed approximately \$1.2 million on a first come, first serve basis to Faulkner, Miller, Pike, Polk and Sevier Counties to help purchase new voting equipment.
- Approximately \$24-\$25 million is still needed to purchase new equipment for the rest of the State. Sebastian, Columbia, Boone and Garland were funded 100% through a pilot program costing \$2.3 million. Seven more additional counties were also funded.
- Secretary of State's office has agreed to pay all of maintenance fees on all voting equipment.

Benefits of Using the New Voting Equipment

Contributors to the Discussion:

Bill Akerman, Election Commissioner, Washington County
Sharon Brooks, County Clerk, Sebastian County

Issues Included in the Discussion:

- Having the ability to print the exact number of absentee ballots needed has saved the counties money.
- During early voting the electronic tablets provide accurate precinct and candidate information on each ballot. The tablets also communicate with other precincts to ensure voting fraud does not occur.
- The new software provides font and others adjustment for handicap voters.
- Faster and more efficient check-in process on Election Day.

Discussion of Possible Issues if the New Voting Equipment is not Implemented and Funded Statewide

Contributors to the Discussion:

Doug Curtis, County Clerk, Saline County

Issues Included in the Discussion:

- Problems with current machines becoming inoperable without notice.
- Repair parts for current machines are unavailable.
- The logistics of current system, including use of paper ballots is tedious and expensive.
- Approximately 80% of current equipment across the state is in disrepair.

There being no further business, the meeting was adjourned at 4:00 P.M.

DRAFT MINUTES

HOUSE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS
SENATE AND HOUSE INTERIM COMMITTEE ON CITY, COUNTY, & LOCAL AFFAIRS
MEETING JOINTLY

Thursday, July 13, 2017

9:00 AM

Basin Park Hotel, 12 Spring Street
Eureka Springs, Arkansas

Committee Members Present: Representatives Bob Ballinger, Chair; Timothy Lemons, Chair; Carol Dalby, Jim Dotson, Trevor Drown, Lanny Fite, Justin Gonazles, Kim Hammer, Douglas House, Timothy Lemons, Roger Lynch, Andy Mayberry, Johnny Rye, Brandt Smith, James Sturch, Dwight Tosh, Jeff Williams, and Richard Womack

Other Legislators Present: Representatives David Branscum and Ron McNair.

Representative Ballinger called the meeting to order

Representative Lynch made a motion to authorize the chair to approve special expenses incurred by the House Interim Committee on City, County, and Local Affairs. Representative Dalby seconded the motion, and the motion was passed. [EXHIBIT C]

Representative Drown made a motion to authorize chair to approve special expenses incurred by the House Interim Committee on State Agencies and Governmental Affairs. Representative Hammer seconded the motion, and the motion was passed.

Consideration to Adopt Interim Study Proposals (ISPs) [EXHIBITS E1 – E6]

ISP 2017-082 “To study the rights and protections guaranteed by Arkansas Constitution, Article 2, to ensure that those rights are effectively and actively secured to the benefit of the citizens of the state of Arkansas” [EXHIBIT E1] Representative Bob Ballinger introduced ISP 2017-082. This study will review the rights and protections guaranteed by Arkansas Constitution, Article 2. A motion to adopt ISP 2017-082 was made by Representative Bob Ballinger, without objection, the motion carried.

ISP 2017-083 “To study the impact of providing a partial property tax exemption for Veterans who have less than a one hundred percent total and permanent disability” [EXHIBIT E2] Representative Bob Ballinger introduced ISP 2017-083. This study will review the impact of providing a partial property tax exemption for veterans who have less than a one hundred percent total and permanent disability. A motion to adopt ISP 2017-083 was made by Representative Bob Ballinger, without objection, the motion carried.

ISP 2017-084 “An amendment to the Arkansas Constitution concerning proposed measures and Constitutional amendment considered by voters at an election” [EXHIBIT E3] Representative Bob Ballinger introduced ISP 2017-084. This study will review an amendment to the Constitutional concerning proposed measures and constitutional amendments considered by voters at an election. A

motion to adopt ISP 2017-084 was made by Representative Bob Ballinger, without objection, the motion carried.

ISP 2017-085 “An act to amend provisions providing death benefits to designated beneficiaries or survivors of police officers” [EXHIBIT E4] Representative Bob Ballinger introduced ISP 2017-085. This study will look into changing death benefits to family members of a police officer that dies in the course of employment. A motion to adopt ISP 2017-085 was made by Representative Bob Ballinger, without objection, the motion carried.

ISP 2017-013 “To require a voter to declare his or her political party affiliation before the voter may cast a vote in a preferential primary election or a general primary election” [EXHIBIT E5] Representative Jim Dotson introduced ISP 2017-013. This study will review options of closed primaries. A motion to adopt ISP 2017-013 was made by Representative Richard Womack, without objection, the motion carried.

ISP 2017-036 “Concerning County jail reimbursement for housing state inmates” [EXHIBIT E6] Representative Bob Ballinger introduced ISP 2017-036 for Representative Lundstrum. A motion to adopt ISP 2017-036 was made by Representative Bob Ballinger, without objection, the motion carried.

Consideration to Adopt Interim Study Proposals (ISPs) [EXHIBITS F1 – F3]

ISP 2017-001 “Requesting that the House Committee on City, County, & Local Affairs Conduct an Interim Study of the various municipal retirement systems to evaluate the performance, benefits, and level of participation in each retirement system” [EXHIBIT F1] Representative Jeff Williams introduced ISP 2017-001. This study will review all municipal retirement systems across the state to include system performance, member participation, ease of accessibility, governing board demographics, comparative benefits, costs of administration, and financial health. A motion to adopt ISP 2017-001 was made by Representative Jeff Williams, without objection, the motion carried.

A motion was made by Representative Jeff Williams to authorize the chair of the House Interim Committee on City, County, and Local Affairs to request approval by the ALC-Policy Making Subcommittee to authorize the use of the current contract with Osborn, Carreiro, and Associates, Inc. to perform the study as requested in ISP 2017-001. The motion carried, without objection. [EXHIBIT F2]

ISP 2017-008 “Requesting that the House Committee on City, County, & Local Affairs conduct an Interim Study of Improvement Districts to evaluate performance, benefits, and efficacy” [EXHIBIT F3] Representative Lanny Fite introduced ISP 2017-008. This study will review all improvement districts across the state to include district performance, operations, property owner participation, ease of accessibility to financial data, governing board or commission demographics, benefits, costs of administration, and financial health. A motion to adopt ISP 2017-008 was made by Representative Roger Lynch, without objection, the motion carried.

There being no further business, the meeting adjourned at 9:38 A.M.

MINUTES

SENATE INTERIM COMMITTEE ON
CITY, COUNTY, AND LOCAL AFFAIRS

AUGUST 9, 2017

The Senate Interim Committee on City, County, and Local Affairs met Wednesday, August 9, 2017 at 3:30 p.m. in the Fulton Room, Statehouse Convention Center, Little Rock, Arkansas. The meeting was held during the 49th Annual Conference of the Association of Arkansas Counties (AAC).

Committee members present: Senators Alan Clark, Senate Chair, Lance Eads, and Will Bond. Representatives Tim Lemons, House Chair, Carol Dalby, Jana Della Rosa, Lanny Fite, Fredrick Love, Bob Johnson, Roger Lynch, and Aaron Pilkington.

Other members present: Senator Eddie Joe Williams. Representatives Fred Allen, Charles Blake, Jim Dotson, Trevor Drown, Charlene Fite, Grant Hodges, Monte Hodges, Douglas House, Jack Ladyman, Mark McElroy, Reginald Murdock, Marcus Richmond, and David Whitaker.

Call to Order

Representative Lemons called the meeting to order. He asked the legislators to introduce themselves.

Consideration of Approval of Minutes – May 23, 2017 and June 14, 2017 [Exhibit C, C-1]

A motion to approve the minutes of the May 23, 2017 and June 14, 2017 committee meetings was made by Representative Bob Johnson and seconded by Representative Love. The motion carried unanimously.

Welcome by Chris Villines, Executive Director, Association of Arkansas Counties

Mr. Villines welcomed legislators to the Association of Arkansas Counties (AAC) Annual Conference. He encouraged legislators to attend conference workshops and highlighted topics and speakers:

- Attorney General Leslie Rutledge, guest speaker, 9:30 a.m., Thursday, August 10
- The Senate and House Legislative Committees on State Agencies and Governmental Affairs meeting, 11:00 a.m., Thursday, August 10
- Workshop topics included.
 - Medical Marijuana
 - Human Resources Best Practices
 - The AAC Risk Management Fund
- The Honorable Asa Hutchinson, Governor of Arkansas, guest speaker, 8:30 a.m., Friday, August 11

Update on the Status of the Water Provider Legislative Task Force (Act 1056 of 2017)

Senator Clark told legislators the appointments for members of the Water Provider Task Force have been made with six legislators including himself, along with twelve non-legislative members. The legislative members are Representatives Justin Boyd, Tim Lemons, Fredrick Love, and Senators Alan Clark, Ronald Caldwell, and Scott Flippo. Non-legislative members include representatives from water providers, the AAC, the Arkansas Economic Development Commission, and the Arkansas

Natural Resources Commission. Senator Clark invited committee members to participate in the work the Task Force will undertake as it studies water resource issues. Senator Clark believes the findings of the Task Force will provide positive input and information for all cities and counties in the state.

Discussion of State Coroners – Update on Scope of Training and the Need to Enhance Participation, Review of Numbers Provided By the Arkansas Law Enforcement Training Academy (ALETA) Regarding Progress to Date under Recent Legislation, Coroner Leadership, and the Issue of Unclaimed Bodies [Exhibit F]

Representative Lemons recognized Kevin Cleghorn, President, Arkansas Coroners Association and also Saline County Coroner, Gerome Hobbs, Pulaski County Coroner, Dr. William Mason, MD, MPH, Associate Director for Preparedness and Science, Center for Health Protection, Arkansas Department of Health, and Mark Whitmore, Chief Counsel, Association of Arkansas.

Dr. Mason provided historical background on coroner issues and discussed legislation that created the Coroner's Education Training and Certification Fund. On June 11, 2010, an overnight flash flood at the Albert Pike Campground caused mass fatalities, with the deaths of 20 individuals. The Arkansas State Crime Lab and State Medical Examiner's Office assisted local coroner and funeral homes with victim identification and the management of death certificates. The tragedy emphasized the need for improvements in the education and training of coroners statewide. The General Assembly responded to the need and passed legislation creating the Coroner's Education Training and Certification Fund. Coroners may take educational training classes, which include death scene investigations, body recovery, and how to accurately fill out a death certificate.

Dr. Mason told legislators that accurate listing of the cause of death on death certificates is vital. He reviewed the various circumstances where death certificates are used and the data the certificates provide to Departments of Health throughout the U.S. as they work to address disease and medical conditions:

- The death certificate is the only legal proof that exists that shows a person has died
- The data collected from death certificates is used by health departments to measure the health status of the populations on local, state, national, and international levels
- The U.S. Department of Health uses the data to determine which medical conditions receive funding for research and development
- Death certificates are used to determine mortality studies and health risks to specific populations

Dr. Mason discussed the opioid crisis in the U.S. and how the study of data from death certificates can help fight the epidemic. Data reports include:

- 52,404 deaths involving drug overdoses were reported nationwide in 2015
- 84% of the reported overdose deaths were unintentional
- 10% of the reported overdose deaths were the result of suicide
- 6% of the reported overdose deaths were undetermined
- 17% of the reported overdose deaths lacked information on the death certificates indicating the specific drugs involved

Dr. Mason told legislators the Arkansas Department of Health is studying every detail recorded on death certificates as they work to identify the type of drugs involved in reported overdose deaths. The accurate listing of cause of death on death certificates is essential in learning what part of the population is affected and how to fight the opioid crisis in the state. Dr. Mason described a

prescription drug monitoring program which is available through the Arkansas Department of Health. The software program allows physicians to check whether or not their patient has received opioids from another physician before prescribing a drug. The program also tracks where drugs are being prescribed and who is prescribing the drugs.

Representative Lemons recognized Kevin Cleghorn, President, Arkansas Coroners Association and the Saline County Coroner. Mr. Cleghorn gave an update on coroners training and referenced data found in Exhibit F. The training classes are provided through a partnership between the Arkansas Coroners Association and the Arkansas Law Enforcement Training Academy (ALETA). Certification requires completion of 40 hours of classes. Weeklong classes are available annually at the ALETA offices in Camden, Arkansas. Two other options are available for coroners who cannot leave their offices for a full week. The classes are divided into two consecutive weekends held on Friday, Saturday, and Sunday. Upon completion of the training, coroners begin a testing process for being certified as an Arkansas Medical Legal Death Investigator. Mr. Cleghorn reviewed the total number of courses county coroners have attended from November, 2014 to the present:

- 72 coroners and deputy coroners have participated in training
- 56 coroners have completed training
- 16 coroners are scheduled to complete training
- 53 coroners have received certification as a Medical Legal Death Investigator
- 50 coroners and deputy coroners have been certified as Aquatic Death and Homicide Investigators

Additional courses provided include:

- The study of Sudden Infant Death Syndrome (SIDS)
- Crime Scene Photography

Mr. Cleghorn told legislators the Coroners Association Education Development Team met recently to begin planning its first multiple-day Coroners Symposium. Plans include speakers who will address the gap between fulltime coroners, part-time coroners, funeral directors, plus the development of a fire death investigation training course. Addressing the opioid crisis, the Association has scheduled a class to be led by a chemist from Colorado who specializes in drug trends in the U.S.

Representative Lemons recognized Gerone Hobbs, County Coroner, Pulaski County. Mr. Hobbs discussed the increase in the number of unclaimed bodies that the Pulaski County Coroner's Office is experiencing. The number of families choosing not to claim the bodies of their loved ones has caused the increase. Mr. Hobbs believes the statutes governing the cost associated with the burial or cremation of a pauper is vague and needs clarification. Families of paupers have no legal obligation to claim their loved ones. County coroners are required to notify all known next of kin in the event of the death of an individual. The next of kin of the deceased can refuse to claim their loved one and can choose to release their rights. When this occurs, county coroners must provide for burial or cremation of the deceased person. Legislators discussed the costs to the counties for the burial or cremation of an unclaimed body, the legal timeframe that unclaimed bodies must be stored and the need for legal clarification in statutes governing pauper's deaths.

Representative Lemons recognized Mark Whitmore, Chief Counsel, Association of Arkansas Counties (AAC). Mr. Whitmore told legislators the AAC worked with the Department of Human Services (DHS) to encourage individuals under the Adult Protective Services Division to obtain burial insurance. From 2016 to date, approximately half of the population in DHS care has

purchased burial insurance. Mr. Whitmore told legislators that the AAC and the Coroners Association will continue to look for solutions, including seeking information from other states, and guidance from the legislature.

Update Regarding a New Video Arraignment Bridge Project Coordinated by the AAC with the Arkansas Prison System, Circuit Judges, Jails, and Risk Management Member Counties

Representative Lemons recognized Josh Curtis, Governmental Relations Director, Association of Arkansas Counties. Mr. Curtis described an AAC program titled the Risk Management Fund Program. Participating counties use the program to manage risk through loss control practices and liability protection. Fifty-one counties participate in the program. One of the biggest liabilities to counties is the housing of inmates and the operation of county jails. In an effort to limit risk, the AAC provides all member counties with a tracking system, the Guardian Tracking System, that tracks the location of inmates. Mr. Curtis referenced a handout (Handout 1) titled Arraignment Bridge, which is a summary of information on the use of video arraignment equipment. He gave the following example of the process currently used when inmates appear in court:

- Baxter County Sheriff John Montgomery drives five hours to Malvern to pick up an inmate to appear in the Baxter County Court
- After the inmate's appearance in court, a Baxter County deputy drives five hours to return the inmate to Malvern

The video arraignment bridge program is a secure encrypted network for county jails, state prisons, and courtrooms through sheriff's offices and can be used in court hearings. Seven prisons under the Arkansas Department of Correction (ADC) have placed video phones within the prisons. The ADC is considering placing the video equipment in all of its facilities. The equipment allows communication to occur live between a prison and a courtroom. Judges have video phones on their desks. Attorneys for the inmates also have video equipment to conduct private conversations with the inmate and/or a judge. Baxter, Jackson, and Sebastian Counties are currently participating in a pilot program using the video program. The Arkansas Department of Community Correction has four video phones being used to conduct parole hearings. The program is free for member counties.

There being no further business, the meeting adjourned at 5:00 p.m.