

**SENATE INTERIM COMMITTEE ON CITY, COUNTY, & LOCAL AFFAIRS  
HOUSE INTERIM COMMITTEE ON CITY, COUNTY, & LOCAL AFFAIRS**

**MEETING JOINTLY**

**OCTOBER 16, 2014  
MINUTES**

Senate and House Interim Committees on City, County, and Local Affairs met Thursday, October 16, 2014 in Room B, MAC Building, Little Rock, Arkansas.

Committee members present were Senators Missy Irvin, Senate Chair, and Bart Hester, and Representatives Kim Hammer, Mike Holcomb, Douglas House, Sheila Lampkin, Mark Lowery, Andy Mayberry, Mark McElroy, George McGill, Mary Lou Slinkard, and Richard Womack.

Other legislators attending were Senators Joyce Elliott and Jim Hendren, and Representatives Ann Clemmer, Frederick Love, Betty Overbey, Butch Wilkins, and Hank Wilkins.

**Call to Order**

Senator Irvin called the meeting to order.

**Approval of Minutes – September 26, 2014 [Exhibit B]**

A motion to approve the minutes of the September 26, 2014 meeting was made. Without objection the motion carried.

**Opening Comments – Senator Irvin**

Senator Irvin welcomed everyone to the meeting.

**Marketing Strategies and PSAs for Recruiting Volunteer Firefighters in Local Communities**

Representative House was recognized. He discussed the disturbing lack of volunteer firefighters and challenges recruiting volunteers. He described the resources available at the University of Central Arkansas (UCA), which can produce public service announcements (PSAs). He asked T.J. Johnston, Director of Special University Projects, and Christina Madsen, Associate Vice President of Communications, PR, and Marketing, UCA, to present suggestions for assisting with recruitment of volunteer firefighters.

Mr. Johnston told legislators that he and Ms. Madsen had developed recommendations for the committee's consideration. Mr. Johnston explained that he and Ms. Madsen discussed their ideas with Dr. Steven Runge, UCA Provost, and Michael Hargis, Dean, College of Business. Dr. Runge and Mr. Hargis suggested that the committee partner with Dr. Joseph Cangelosi, UCA Chair, Marketing and Business Department, to develop recruitment strategies.

Ms. Madsen was recognized. She explained how PSAs are created and produced for television. She said the biggest challenge a television station encounters is producing a PSA. Ms. Madsen said that her department has the personnel to create, produce, and edit a video for a PSA before it is presented to television stations. When a PSA is already developed, the television stations are much more receptive to providing air time. Ms. Madsen also discussed the use of social media, which is widely used by students at UCA. Students use Facebook, Twitter, Instagram, and Snap Chat. With the resources UCA has available, the committee has several options to consider in promoting the recruitment of volunteer firefighters.

**Continued Discussion of ISP 2013-201 "REQUESTING THAT THE HOUSE COMMITTEE ON CITY, COUNTY, AND LOCAL AFFAIRS CONDUCT A STUDY OF THE BEST PRACTICES OF FIRE DEPARTMENTS IN THE STATE AND IN THE NATION THAT MAYBE IMPLEMENTED IN A LOCAL COMMUNITY TO IMPROVE EFFICIENCY" and Proposed Draft Legislation [Exhibit E, E-a, E-1, E-2, E-3, E-4]**

Representative Hammer discussed a handout titled "Arkansas Volunteer Fire Departments" and provided the following information:

- ❖ the number of volunteer fire departments statewide is 1003
- ❖ the number of certified volunteer fire departments statewide is 911
- ❖ the number of fire departments with an ISO class rating of nine or above is 603

Representative Hammer said that a total of \$188 million annually could be saved if all volunteer fire departments in the state were able to lower their ISO rating from a class nine to a class four. He reviewed the following goals for a study of the volunteer fire departments:

- determine challenges facing volunteer fire departments when lowering ISO ratings
- study the decline in volunteers
- study procedures used by fire departments to collect dues
- study obstacles to improving collection of fire department dues
- develop a statewide plan to lower ISO ratings
- specify a funding stream that could be spent to help fire departments lower their ISO ratings

Senator Irvin recognized the following presenters: Mark Whitmore, Chief Legal Counsel, Association of Arkansas Counties, Joy Ballard, Tax Collector, Saline County, Jimmy Sullivent, President, Arkansas Rural and Volunteer Firefighters Association, Charles Gangluff, Program Manager, Rural Fire Protection Program, Dan Honey, Insurance Deputy Commissioner, Arkansas Insurance Department, and Kendall Snyder, Fire/EMD/CC Coordinator, Arkansas Department of Emergency Services.

Charles Gangluff reviewed his handout titled "Retention/Recruitment of Volunteer Firefighters". He said the decline in the number of volunteer firefighters is a problem throughout the U.S. He believes that focusing on new methods of recruiting young people is what is needed. Older members of volunteer fire departments don't use social media and they lack the knowledge of how to encourage younger people to

join using social media. Mr. Gangluff believes that public service announcements (PSAs) can illustrate the benefits and satisfaction of volunteering.

Joy Ballard gave a Power Point presentation and discussed the collection of fees for volunteer fire departments in Saline County. She told legislators that the Saline County Tax Collection office collects fees for ten volunteer fire departments in Saline County. The total fees collected during 2014 to date is \$1 million. Ms. Ballard believes the current statutes for the collection of delinquent dues for the volunteer fire departments are contradictory, confusing, and have no uniformity. She asked legislators to consider having the fire department dues placed on property tax statements to be paid before the collection of ad valorem taxes.

Mark Whitmore discussed proposed legislation that will be introduced during the 2015 legislative session [Exhibit E-1]. The proposed legislation will allow fire departments to circulate petitions requesting Quorum Courts place the fire department dues on property tax statements. This can be done when a majority of voters in the most recent gubernatorial election sign the petition. Mr. Whitmore told legislators that 90% of the state's county tax collectors reported a 98% collection rate when the fire department dues were placed on property tax statements. Mr. Whitmore said the proposed legislation is part of the Association of Arkansas Counties and the County Judge Association's legislative packet for the 2015 legislative session.

Joey Weaver, Board Member, Choctaw Volunteer Fire Department, was recognized. Mr. Weaver discussed work the Choctaw Volunteer Fire Department did to achieve a lower ISO rating. He said the department worked with their Quorum Court, who allowed an election to be held in their district to place their fire department dues on the property tax statements. Mr. Weaver said the measure was approved by voters. Following the passage of the measure, the collection of fire department dues increased to 90%. The department used the new funding to make several improvements. The fire department then applied for a review of its rating by the ISO. Following the ISO review, the department rating decreased from a class nine to a class five.

Kendall Snyder, Fire/EMD/CC Coordinator, Arkansas Department of Emergency Management was recognized. Mr. Snyder discussed the work he does with the Act 833 program and said the Act funnels \$12 million annually to all volunteer fire departments in the state. He said 833 funds are used by the volunteer fire departments for improvements and towards lowering their ISO ratings.

Dan Honey, Deputy Commissioner, Arkansas Insurance Department, was recognized. Mr. Honey said the Insurance Department became involved in the ISO rating schedule two years ago, focusing on the changes to the class rating criteria. He said the updated ISO rating schedule was filed and approved by the Arkansas Insurance Department.

Jimmy Sullivent, President, Arkansas Rural and Volunteer Firefighters Association, was recognized. Mr. Sullivent told legislators that the Association has 3,500 members throughout the state. The Association has adopted a resolution with their Board

approval in support of the proposed draft legislation allowing volunteer fire departments to petition for the placement of dues on property tax statements.

### **Review of Arkansas Statutes Regarding Voter Registration and the Legal Obligations of County Clerks**

Senator Irvin recognized the following presenters: Matthew Miller, Assistant Director for Legal Services, Bureau of Legislative Research; Terri Harrison, President, Arkansas County Clerks Association; Doug Curtis, County Clerk, Saline County; Crystal Graddy, County Clerk, Boone County; Rob Hammons, Director of Elections, Arkansas Secretary of State; and Justin Clay, Director of the State Board of Election Commissioners.

Mathew Miller discussed the statutes pertaining to poll watchers and who is allowed to be present when ballots are counted. He said that election law statutes allows candidates, authorized representatives of candidates, and representatives of political parties to have specified rights as to who is designated as a poll watcher. A poll watcher is allowed to be present during the counting of ballots. Poll watchers are deemed as authorized representatives of candidates, authorized representatives of groups sponsoring ballot measures, and authorized representatives of political parties. Mr. Miller said that in order for a person to be designated as a poll watcher, the following process occurs:

- an authorization form is completed and filed with the appropriate county clerk
- only one poll watcher per candidate may be present at a polling site during the counting of ballots
- poll watchers may observe election officials during election activities
- poll watchers for candidates or political parties may remain in a polling place after it closes. They may also be present during the counting of ballots

Mr. Miller also discussed entities who are responsible for denying a person the ability to vote and/or to be removed from voting rolls based on residency. Mr. Miller said that Amendment 51 to the Arkansas Constitution deals with the issues of voter registration. Section 11 of Amendment 51 details the cancellation of a voter registration as:

- a person has changed their residence to an address outside th county in which the ballot is cast
- a person has died
- a person has been convicted of a felony, the sentence has not been discharged, and there is no pardon
- a person is not lawfully qualified as a registered elector of the state or county
- a person has been judged mentally incompetent by a court
- a person has not taken action to comply with the voter registration process

Mr. Miller said that Amendment 51 establishes that county clerks are responsible for the cancellation of a person's registration within ten days of discovering that person is not properly registered. An exception to this exists when a person receives notification from a county clerk regarding their residency and a response is made within thirty days. In this instance, the county clerk does not remove the person from the voting rolls. Mr. Miller said this exception is known as the activity provision.

Terry Harrison, President, Arkansas County Clerks Association, was recognized. Ms. Harrison said that in Polk County where she serves as county clerk, people are allowed to be present during the counting of ballots. An inspection of ballots is also allowed upon request.

Crystal Graddy, County Clerk, Boone County, was recognized. Ms. Graddy told legislators that her office has always allowed people in the room when ballots are being counted.

Doug Curtis, County Clerk, Saline County, was recognized. Mr. Curtis said that Saline County has upwards of 50,000 ballots cast, which requires a large number of county employees to be present. Due to limited room capacity, Saline County allows the counting of ballots to only be observed by poll watchers. They do not allow for an examination of ballots.

Rob Hammons, Director of Elections, Arkansas Secretary of State, was recognized. Mr. Hammons said that every county uses a different system in the tabulation of ballots. Different election commissions operate in various manners based on the size of the room where the ballots are counted.

There being no further business, the meeting adjourned at 2:45 p.m.