

## DRAFT MINUTES

### SENATE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS HOUSE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS

#### Meeting Jointly

Thursday, December 18, 2014

The Senate and House Committees on State Agencies and Governmental Affairs met jointly on Thursday, December 18, 2014, 9:00 a.m., in Room A of the MAC Building.

#### **Members in Attendance**

Committee members in attendance: Senators Eddie Joe Williams, Chair; Jane English, Vice-Chair; and Bobby Pierce. Representatives Andrea Lea, Chair; Nate Bell, Ann Clemmer, Jim Dotson, Kim Hammer, Mary Hickerson, John Hutchison, Allen Kerr, Jim Nickels, Betty Overbey, and Richard Womack.

Other legislators in attendance: Senators Jonathan Dismang, Stephanie Flowers, Jeremy Hutchinson, and Jon Woods. Representatives Scott Baltz, David Branscum, Harold Copenhaver, Jeremy Gillam, Monte Hodges, Douglas House, Sheila Lampkin, Homer Lenderman, Micah Neal, James Ratliff, Sue Scott, Mary Slinkard, Nate Steel, and Tommy Wren. Members-Elect Representatives James Sturch, Charles Blake, and Camille Bennett.

Representative Lea called the meeting to order.

**Without objection, the November 10, 2014 and November 24, 2014, meeting minutes were approved. [Exhibit B.1 and B.2]**

**Review of the Alcoholic Beverage Control Division Regulations referred by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council [Exhibit D]**

Mr. Michael Langley, Director, DFA – Alcoholic Beverage Control Division, presented five proposed revisions to the Alcoholic Beverage Control Rules as follows: (1) Amendment to 4.6-Definition of a Restaurant; (2) New Regulation Section 5.14.2-Definition of a Restaurant for Private Clubs; (3) Repeal of Section 5.5-Guest Books in Private Clubs; (4) Repeal of Section 5.10-Membership Books in Private Clubs; and (5) Amendment to 5.30-Service of Alcoholic Beverages at Private Clubs to Members and Guests.

Representative Lea stated, without objection, items one (1), two (2), and five (5) of the proposed revisions to the Alcoholic Beverage Control Rules stands reviewed.

**Discussion of Interim Study Proposal 2013-094 by Representative Dotson – “To Amend Arkansas Law Concerning the Fee Associated with an Application for a License to Carry a Concealed Handgun” [Exhibit C]**

Representative Dotson presented the Interim Study Proposal for informational purpose to look over the concealed carry permit fees and to determine if the fees need to be adjusted in the upcoming term.

**Ms. Tammy Williams, Legislative Analyst, Bureau of Legislative Research,** presented the Arkansas State Police Concealed Carry License Analysis Summary from 2008 to 2014. For FY 2015, the program generated a total of \$1,144,135.00 gross revenue. FY 2013 shows revenue greater than the budget, this is attributed to the increase of handgun license applications. Ms. Williams also presented the operating expenses of the Concealed Handguns Carry License program, the fee schedule by license type, and the license statistics providing the actual number of license issued by type for FY 2013 and 2014.

Representative Dotson discussed the Fiscal Impact Analysis if fees are reduced. The actual revenue for FY 2014 is \$2,622,104.00. A 25% reduction in the fees would result to \$1,966,578.00 revenue and a 50% reduction would result to \$1,311,052.00 revenue. He stated the Concealed Carry program will continue to generate considerable revenue even if the fees are reduced.

**Ms. Emma French, Fiscal Officer, Arkansas State Police,** stated the special revenue generated by the Concealed Handgun Carry License program was created by the legislature in 1995 and the fee of \$100 for a five-year license has not been increased since. The revenue from the program is used for the general operations of the Arkansas State Police. The Arkansas Police Agency does not receive enough general revenue to cover maintenance and operating expenses including salaries and they rely on special revenues to cover these costs.

**Captain Lindsey Williams, Commander, Arkansas State Police Regulatory & Building Operations Services,** stated the special revenues are used to fund the needs of the agency.

There being no further business, the meeting was adjourned at 9:45 a.m.

## DRAFT MINUTES

### SENATE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS HOUSE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS

#### Meeting Jointly

Monday, June 15, 2015

The Senate and House Committees on State Agencies and Governmental Affairs met jointly on Monday, June 15, 2015, 1:30 p.m., at the Queen Wilhelmina State Park Lodge, Mena, Arkansas.

#### **Members in Attendance**

Committee members in attendance: Senators Eddie Joe Williams, Chair; and Jon Woods. Representatives Nate Bell, Chair; Richard Womack, Vice-chair; Charlotte Douglas, Mike Holcomb, Jack Ladyman, Dwight Tosh, Lanny Fite, and Camille Bennett.

Other legislators in attendance: Senator Larry Teague. Representatives Sue Scott and Rebecca Petty.

Representative Bell called the meeting to order.

#### **Arkansas Department of Parks and Tourism Overview**

**Mr. Richard Davies, Director, Arkansas Department of Parks and Tourism**, gave a brief overview of the Arkansas Department of Parks and Tourism (ADPT). He explained the mission statement and the history of the organization. Mr. Davies stated the department has a total of 1,640 employees with a combination of part-time and full-time employees. Mr. Davies also gave an overview of the smaller divisions of ADPT and their programs.

#### **Presentation of ADPT State Parks and Tourism Divisions**

**Mr. Greg Butts, State Parks Division Director, Arkansas Department of Parks and Tourism**, presented an overview of the State Parks Division. He reported on the Queen Wilhelmina State Park Lodge's renovation project which began March 16, 2012, and completed June 2015. The Lodge will be opened to the public on July 1, 2015.

**Mr. Joe David Rice, Director, ADPT Tourism Division**, presented an overview of the Tourism Division and its programs to promote tourism in Arkansas.

There being no further business, the meeting was adjourned at 3:45 p.m.

## **DRAFT MINUTES**

### **SENATE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS HOUSE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS Meeting Jointly**

**Monday, June 16, 2015**

The Senate and House Committees on State Agencies and Governmental Affairs met jointly on Tuesday, June 16, 2015, 8:30 a.m., in the Queen Wilhelmina State Park Lodge, Mena and Cossatot River State Park Visitors Center, Wickes, Arkansas

#### **Members in Attendance**

Committee members in attendance: Senator Eddie Joe Williams, Chair. Representatives Nate Bell, Chair; Richard Womack, Vice-Chair; Charlotte Douglas, Jack Ladyman, Dwight Tosh, and Lanny Fite.

Other legislators in attendance: Representative Sue Scott.

Representative Bell called the meeting to order.

#### **Discussion of Act 1202 of 2015**

Senator Eddie Joe Williams and Representative Nate Bell presented and discussed Act 1202 of 2015, to study the restructuring of various state agencies into principal departments and the efficiency and cost savings of consolidation of these agencies. Senator Williams presented a list of existing boards and commissions grouped according to related scope of work. In terms of funding, only a few of the existing agencies generate revenue and some get federal grants. Senator Williams stated the committee should figure out how to consolidate some of the boards, commissions, and state agencies. Pursuant to Act 1202 of 2015, the General Assembly is to study transferring the authorities, duties, and functions of various state agencies to 11 principal departments.

Representative Douglas suggested starting with the directors of the boards and commissions to see which ones are ready to retire or which ones are over 60 years of age. Senator Williams stated that normally about 15 percent of state employees will retire each year. Douglas also suggested placing some responsibility on the directors of boards, commissions, and agencies to limit spending, to rationalize their existence, and prove they are achieving their mission statement. Every agency has already done the research on information such as number of employees, annual budget, their mission statement, source of funds, and more.

Representative Bell encouraged each legislator to visit state agencies in their area. He stated the goal of the study is not make changes that disturb the mission of each agency. He also suggested members of the committee to attend the Arkansas Workforce Retention Task Force meetings as they are already collecting data related to this study. The Task Force will review state employees salary and compare it to other states. He suggested reviewing things to improve efficiency without reducing personnel such as, reviewing travel policies; reviewing insurance premiums of the 12,000 to 14,000 vacant positions; and combining smaller boards and commissions in the same building to limit office space, utility bills, and equipment cost.

**Presentation of the History and Mission of Cossatot River Park**

Mr. Mike Farringer, Superintendent, Cossatot River State Park, welcomed everyone and presented an overview of the Cossatot River State Park.

***Tour of the Visitor Exhibit gallery and Cossatot Falls***

There being no further business, the meeting was adjourned at 1:00 p.m.

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## DRAFT MINUTES

### HOUSE & SENATE INTERIM COMMITTEES ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS Meeting Jointly Monday, September 28, 2015

The Senate and House Interim Committees on State Agencies and Governmental Affairs met jointly on Monday, September 28, 2015, 9:00 a.m., at the Executive Hotel at City Center, Fort Smith, Arkansas.

#### **Members in Attendance**

Committee members in attendance: Representatives Nate Bell, Chair; Richard Womack, Vice Chair; and Charlotte V. Douglas; Senators Linda Chesterfield and Joyce Elliott.

Other Legislators in attendance: Representatives Charles Armstrong, Charles Blake, Kenneth Ferguson, David Fielding, Charlene Fite, Vivian Flowers, Fredrick Love, George McGill, Reginald Murdock, Milton Nicks, and Matthew Pitsch.

Representative Bell called the meeting to order.

**Representative Womack made a motion to authorize chairs to approve special expense incurred by the House and Senate State Agencies and Governmental Affairs Committees. Representative Bell and Senator Chesterfield seconded the motion, and the motion passed.**

#### **Creating Opportunities for Education and Success for Incarcerated Youth**

**Mr. James Washington, Education Director, Division of Youth, Department of Human Services,** explained how neglecting transitional services for incarcerated youth has hurt them from becoming successful. He suggested initiating the transitional process soon as the youth enters the system, not when they are about to leave, to provide the resources and tools they will need to become successful.

**Mr. Jerry Walsh, Executive Director, South Arkansas Youth Services,** stated at their facility they get students at the bottom of the public school system; either the school system has failed them or they do not care about school. Most of the time the students are far behind and they have to spend time getting them up to speed. They are working to increase the involvement of the youth in their educational program and to expand on the efforts of the students who excel in other trades. South Arkansas Youth Services has nine treatment centers across the state, which offers a number of trade-based opportunities, such as agricultural, woodworking and carpentry. All of these trade-based opportunities could provide the student with a wage-earning position after completion of the program.

**Mr. Rusty Cranford, Executive Vice President, Dayspring Services of Arkansas,** gave an overview of the ALEX (Alternative Learning Experience) program, which is a substitute learning opportunity offered by Dayspring Services of Arkansas. It is an educational and sobriety support service for high school students. The program uses the same curriculum as the students' school, but provides more individual attention to the student. Mr. Cranford asked legislators to consider more mechanisms for on-the-job-training and to consider supporting Medicaid expansion to cover substance abuse treatment for juveniles.

**Mr. Todd Speight, Transitional Services, G4S Youth Services,** briefly discussed the need for improvement of the students quality-of-life and the availability of more opportunities. He stated nearly 66% of the youth are convicted of non-violent crimes to lower that percentage the students' need educational and vocational training, counseling, social skills training, and employment assistance.

**Mr. Jerome Green, President, Shorter College**, stated the mission of Shorter College is to serve those who may otherwise be left behind by providing a pathway to opportunities for academic degrees, including those persons who have made mistakes in the past, whether it be criminal involvement or not. Mr. Green stated they received approval for two off-campus instructional programs with the North Little Rock High School and the Arkansas Juvenile Assessment and Treatment Center Alexander Unit. The “Early Start” dual-enrollment program is with North Little Rock High School where students will have the opportunity to enroll in classes at Shorter College. The “Right Start” program is a partnership between Shorter College and the Arkansas Department of Youth Services which allows youth under the care of the state juvenile justice system to enroll in classes with Shorter College. Title IV funding will not cover these new programs. Mr. Green asked the legislators to consider the issues with Title IV funding, as it relates to parental involvement when a student is less than 25 years old.

### **The States’ and Communities Role in Creating Second Chances**

**Dr. Trenia Miles, Associate Director, Adult Education, Arkansas Department of Career Education**, provided information on how students can participate in reentry education. She informed the committee of institutional programs, GED testing centers, wage/employability training, and alternative sentencing.

**Mr. Arnell Willis, Director, Workforce Investment, Arkansas Department of Workforce Services**, gave an overview on Workforce Innovation and Opportunity Act 2014 (WIOA). The WIOA reform requires the state to strategically align workforce development program to ensure that employment and training services are provided. This includes employment and training services for adults, dislocated workers, and youth.

**Mr. Marcus Divine, Director, Division of Youth Services, Department of Human Services**, stated there are 14 juvenile detention centers in the state of Arkansas and Division of Youth Services should have monitoring authority at all the centers. Additionally, each center should have the same programs and services to offer to the youth. Mr. Divine suggested limiting the number of youth that are sent to the juvenile detention centers. For example, first time, non-violent offenders or youth with a minor misdemeanor should not be sentenced to juvenile detention.

**Ms. Keesa Smith, Deputy Director, Department of Human Services**, stated there are currently 4,540 children in state care, which is 400 more than anticipated. Since most of the children are still in state custody throughout their teen years, through the transitional programs they are taught basic learning skills. Therefore, when they are adults, they are familiar with proper etiquette, handling finances, and are knowledgeable in basic household/laundry care.

There being no further business, the meeting was adjourned at 3:35 p.m.

## DRAFT MINUTES

### SENATE INTERIM COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS LEGISLATIVE ARKANSAS BLUE RIBBON COMMITTEE ON LOCAL 911 SYSTEMS

#### Meeting Jointly

Tuesday, September 29, 2015

The Senate Interim Committee on State Agencies and Governmental Affairs and Legislative Arkansas Blue Ribbon Committee on Local 911 Systems met jointly on Tuesday, September 29, 2015, 10:00 a.m., at the Executive Hotel at City Center, Fort Smith, Arkansas.

#### Members in Attendance

Committee members in attendance: Senator Linda Chesterfield, Co-Chair and Senator Joyce Elliott.

Other Legislators in attendance: Representatives Charles Armstrong, Eddie Armstrong, Charles Blake, Trevor Drown, Kenneth Ferguson, David Fielding, Vivian Flowers, Fredrick Love, George McGill, Reginald Murdock, Milton Nicks, and Matthew Pitsch.

Non-Legislative committee members in attendance: Ms. Brianna Fields, Mr. Chris Gaines, Mr. Joel Hoggard, Mr. Seth LeMaster (for Mr. Shelby Johnson), Judge Michael Lincoln, and Mr. Chris Villines.

Senator Chesterfield called the meeting to order.

#### Overview of Emergency Services

**Jeff Turner, Coordinator, Sebastian County 911 System**, gave a brief overview of the Sebastian County 911 system. Sebastian County has two primary Public Safety Answering Points (PSAPS) and one secondary PSAP locations. The Sebastian County Sheriff's Office and Fort Smith Police Department are primary locations; Fort Smith Emergency Medical Services is the secondary location. Mr. Turner stated the 911 operating budget is \$971,812 and total for Sebastian County was \$2.6 million which includes Fort Smith Police Department, Sheriff's Office Communications, Sheriff's Office Facility Fund, and Fort Smith EMS. The software for the 911 system was updated in May 2014 to cassidian vesta offered by AT&T by lease agreement.

#### University of AR- Fort Smith Campus Safety Procedures & Interfacing with local 911 Services

**Ray Ottman, Chief of Police, University of Arkansas-Fort Smith**, gave an overview of the safety procedures at the University of Arkansas-Fort Smith. The Campus Police Department has 10 full-time officers and two dispatchers and maintains 65 buildings and facilities. There are 550 full-time staff and faculty and fall enrollment of 6700 students. For emergency preparedness at the university, the campus police department works closely with the safety coordinator. Mr. Ottman stated they utilize the RAVE alert system for mass notification on campus. Staff and students can receive the notification by text, email or voice mail and currently have over 6700 cell phones registered to receive the alert.

**Renee Hoover, Administrator, Arkansas Emergency Telephone Services Board**, stated the total expenditures by counties for 911 funding was \$48.9 million for 2014, with all but five counties reporting. Fees from mobile devices for 2014 were \$16.9 million and \$6.9 million from land lines.

## **Arkansas Department of Emergency Management 911 Coordinator Responsibilities**

**Randie Jones, 911 Coordinator, Arkansas Department of Emergency Management**, stated her responsibility as the 911 coordinator is to assist the Blue Ribbon Committee and local 911 systems get the information needed to make recommendations to improve and update current 911 systems in the state.

## **Overview and Update on the Status of the Address Point File**

**Seth LeMaster, GIS Lead, Arkansas Geographic Information Systems Office**, gave a brief overview of the Arkansas address point data. The address point data contains very specific information including aggregate local data information. Mr. LeMaster stated their approach is to collect and aggregate local data into a single, standardized statewide database. There are almost 1.4 million points loaded in the Arkansas master address project as of September 2014. Some of the challenges of collecting the data are lack of mandated uniform addressing practices and state address data standards.

## **Update on RAVE Panic Button**

**Ted Mullenix, Mullenix and Associates**, gave an update of the Smart911 implemented four years ago. With Smart911 citizens can create a online safety profile with information about their household they want 911 dispatchers to have during an emergency call. A safety profile can include data about an individual, family, pets and medical conditions. Legislation passed during the last session for the RAVE Panic Button and is being implemented in all K12 schools across the state. About 96% of schools have already submitted an online profile. The RAVE team is currently working with school districts and local 911 centers to ensure successful implementation.

Committee and Legislative members attended a demonstration of the RAVE Panic button at Northside High School and a tour of Fort Smith PSAP Center in Fort Smith, Arkansas.

There being no further business, the meeting adjourned at 12:05 p.m.

## DRAFT MINUTES

### SENATE INTERIM COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS Meeting

Wednesday, September 30, 2015

The Senate Interim Committee on State Agencies and Governmental Affairs met on Wednesday, September 30, 2015, 9:00 a.m., at the University of Arkansas-Fort Smith, Fort Smith, Arkansas.

#### **Members in Attendance**

Committee members in attendance: Senator Linda Chesterfield

Other Legislators in attendance: Representatives Charles Armstrong, Charles Blake, Jim Dotson, Charlotte V. Douglas, Kenneth Ferguson, Vivian Flowers, Fredrick Love, George McGill, Reginald Murdock, and Milton Nicks.

Senator Chesterfield called the meeting to order.

#### **Overview of State of Healthcare**

**Mr. John Selig, Director, Arkansas Department of Human Services**, gave a brief overview of the healthcare system and the Arkansas Health Care Payment Improvement Initiative. The health care status of Arkansas is poor and the state is ranked near the bottom on national health indicators, in areas such as heart disease and diabetes. The initiative seeks to reward providers for cost-effective and high-quality care; increase the quality of health care by improving coordination of care; and lower health care cost. This is a collaborative partnership with physicians, health professionals, providers, and families to transition from the health care payment system to model based episodes of care and patient-centered medical homes. It aims to support the providers who consistently deliver high-quality, coordinated, cost-effective care to all patients.

**Mr. Michael Knox, Director, Arkansas Minority Health Commission**, explained the mission of the Arkansas Minority Health Commission is to ensure that all minority Arkansans have access to health care that is equal to the care provided to other citizens of the state, to seek ways to provide education, and to prevent diseases that are prevalent among the minority population. Some of the 2014 Arkansas health rankings indicators for the state are: 48<sup>th</sup> in smoking; 48<sup>th</sup> in physical activity; 44<sup>th</sup> in diabetes; and 1<sup>st</sup> in obesity. In 2014, the Arkansas Minority Health Commission worked with UAMS to study economic cost of health inequalities in Arkansas. According to the study eliminating health disparities for Arkansas minorities would reduce the direct medical care expenditures by \$518.6 million. About 80 percent of the expenditures were attributable to African Americans who have the worst health profile among racial groups in the state. A potential direct medical cost savings for Hispanics was \$105.7 million; this is direct medical costs of health inequalities. Additionally, premature death was significant for African Americans and accounted for \$1.7 billion in indirect costs. The study suggests reducing the health disparities for minorities in the state have the potential to reduce the direct medical care and indirect health cost significantly.

**Ms. Ann Purvis, Deputy Director, Arkansas Health Department**, stated the scope of the Arkansas Health Department is to provide clinical services through local health care units. Some of the clinical services provided are women's health services, in-home services, environmental services and community services. In addition, the clinics offer the Women, Infants, and Children (WIC) program provided by a grant by the Food and Nutrition Services.

**Dr. Keneshia Bryant, Assistant Professor, University of Arkansas for Medical Sciences,** presented a PowerPoint on Nursing Workforce Diversity. A diverse nursing workforce is essential to meeting the health care needs of the nation and reducing the health disparities that exist among minority populations. Comparing national data racial/ethnic nurses only comprise of 19 percent of the registered nurse (RN) population as compared with 35 percent of the U.S. population. Hispanics comprise only three percent of the RN population as compared with 15.4 percent of the U.S. population. Furthermore, African Americans comprise of only six percent of the RN population compared with 12.2 percent of the U.S. population. For gender diversity in nursing, men comprise nine percent of the nation's nursing workforce according to 2013 U.S. Census Bureau data. For a perspective in Arkansas, African Americans comprise of seven percent of the RN population compared with 82.4 percent of the White/Caucasian RN population. Additionally, only nine percent of the RN's in Arkansas are males, and 5.7 percent of advanced practices are males. Strategies to enhance diversity in the nursing workforce aim to increase nursing education opportunities for individuals from disadvantaged and underrepresented backgrounds.

### **The State's Role in Economic Development in the Black Community**

**Ms. Stacy Hurst, Director, Department of Heritage,** stated the Department of Heritage works with many diverse organizations including the Arkansas Arts Council, Arkansas Historic Preservation Program, and Arkansas Natural Heritage Commission. Each of these agencies help support the heritage and culture of the African American community. Ms. Hurst stated the agency is working to develop a tourism initiative to provide state grants to create jobs and other economic opportunities in the Arkansas Delta region.

**Ms. Kristine Puckett, Tourism Development Manager, Arkansas Department of Parks and Tourism,** stated for 2014 Arkansas hosted nearly 26 million visitors, with two-thirds of the visitors spending \$6.7 billion. Ms. Puckett stated tax credits and state grants were available to rural communities and the agency would provide resources for publicity and advertising. She suggested for the legislators to inform the communities about these programs.

**Mr. Chris Racey, Chief of Fisheries, Arkansas Game and Fish Commission,** stated the agency has many direct and indirect solutions to rejuvenate or create economy in rural and black communities. Millions of dollars annually are contributed to hunting and fishing in the state, this includes the demand for bait and supply stores and restaurant sales. There are 50 Arkansas Game and Fish commissioned lakes, 400,000 acres of state-owned wildlife management areas, 400 boat ramps, four nature centers, four education centers, 10 regional offices, and four fishery division offices across the state. These resources create many economic development opportunities for the state.

**Mr. Brad Henry, Vice President of Development Finance, Arkansas Development Finance Authority (ADFA),** stated the primary mission of the ADFA is to provide and support affordable financing for the housing, economical, agricultural, and governmental needs of Arkansas. This mission is accomplished through a network of partners dedicated to promoting greater economic opportunities and improving the health, safety, and welfare of the state and the citizens. Additionally, the agency has built relationships with state agencies, non-profit organizations, hospitals, and educational entities by its ability to access financial markets in an efficient and cost-effective manner. Mr. Henry stated minorities represent about 37 percent of single family home ownership, with 31 percent being African American.

There being no further business, the meeting adjourned at 11:59 p.m.

## DRAFT MINUTES

### SENATE AND HOUSE INTERIM COMMITTEES ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS AND SENATE AND HOUSE INTERIM COMMITTEES ON JUDICIARY MEETING JOINTLY

**Monday, November 9, 2015**

The Senate and House Interim Committees on State Agencies and Governmental Affairs met jointly with the Senate and House Interim Committees on Judiciary on Monday, November 9, 2015, 10:00 a.m., at the Department of Corrections, Cummins/Varner Unit Training Center in Varner, Arkansas.

#### **Members in Attendance**

Committee members in attendance: Senator Eddie Joe Williams, Chair; Representatives Nate Bell, Chair; Rick Beck, Camille Bennett, Mary Broadaway, Lanny Fite, Mike Holcomb, Douglas House, Rebecca Petty, Sue Scott, Dwight Tosh, and Jeff Wardlaw.

Non-Committee members in attendance: Representatives Jana Della Rosa and Mark McElroy.

Senator Williams called the meeting to order.

#### **Varner Supermax and the Execution Chamber at Cummins**

Wendy Kelley, Director, Arkansas Department of Correction (ADC), stated the current Arkansas Department of Correction population/jurisdiction is 18,321 and there are 1,826 inmates in county jail backup. The tour started at the Varner Super Maximum Security (SuperMax) Unit. The facility currently has 454 inmates and 34 death row inmates. Of the 34 inmates on death row, there are 16 white males and 18 black males. The committee also toured the execution chamber at the Cummins Unit. Dr. Mary Parker-Reed, Vice-Chair, Board of Corrections and Wendy Kelley reviewed ADC's policies and procedures of carrying out an execution and reviewed the process of implementing "Andie's Law." Members toured the location where additional relatives of the victim are able to view the execution through a closed-circuit audiovisual monitor.

#### **Cummins/Varner Farm Operations**

Davey Farabough, Farm Administrator, Arkansas Department of Correction, the Committee toured the milk processing plant where the inmates process raw milk into individual eight ounce serving packets. Currently, at the milk processing plant they process 1,150 to 1,200 gallons of milk every other day, which is enough to meet ADC needs. Members toured the cold storage facility where pork and ground beef are processed. Additionally, the committee toured the vegetable processing facility where inmates were processing green beans. There are about 25 different kinds of vegetables planted and harvested at the prison facility annually.

There being no further business, the meeting adjourned at 3:05 p.m.

## DRAFT MINUTES

### SENATE AND HOUSE INTERIM COMMITTEES ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS

AND

### SENATE AND HOUSE INTERIM COMMITTEES ON JUDICIARY MEETING JOINTLY

Tuesday, November 10, 2015

The Senate and House Interim Committees on State Agencies and Governmental Affairs met jointly with the Senate and House Interim Committees on Judiciary on Tuesday, November 10, 2015, 9:00 a.m., at the Department of Corrections, Cummins/Varner Unit Training Center in Varner, Arkansas.

#### **Members in Attendance**

Committee members in attendance: Senator Eddie Joe Williams, Chair; Representatives Rick Beck, Camille Bennett, Douglas House, Rebecca Petty, Sue Scott, Brent Talley, and Dwight Tosh.

Non-Committee members in attendance: Representative Mark McElroy.

Senator Williams called the meeting to order.

#### **Continuation of Tour of Cummins/Varner Farm Operations**

Davey Farabough, Farm Administrator, Arkansas Department of Correction, resumed the farm tour at the processing facilities. The committee toured the poultry farm where there are three layer houses and one pullet house. Department of Corrections packages an average of 100,000 eggs per day and the eggs are processed and packaged into 30 dozen cases for shipment. Davey Farabough gave an overview of the row crops. He stated row crops follow a strict crop rotation and fertilization program and are chosen based on market and rotational needs. There are about 785 acres of vegetables produced throughout the prison system. Mr. Farabough stated at the dairy farm there are 369 head in the dairy herd at this time, in which 130 cows are on the milking line each day. The dairy count is on track to produce 1,600 gallons of milk every other day by the end of December and 2,400 gallons every other day by the end of next spring with plans on milking 200-250 cows daily.

In addition, Senator Eddie Joe Williams discussed the advantages utilize abandoned school buildings in the state for Department of Correction facilitating needs. Mike Caraway, Assistant Director stated as of November 2015 there are a total of 551 Department of Correction vacancies statewide and there would not be an adequate amount of qualified people in the workforce to staff any new facility. The committee further discussed farming duties and needs of the Department of Corrections. Senator Williams requested a performance audit report to summarized ADC's farm operations.

#### **Discussion and Review of Policies and Procedures Regarding Act 99 of 2015-An Act Concerning Victims' Rights in Capital Punishment Cases; To Be known as "Andie's Law"**

Dr. Mary Parker-Reed, Vice-Chair, Board of Corrections and Wendy Kelley reviewed and discussed the department's execution policies and procedures and the process of implementing "Andie's Law."

There being no further business, the meeting adjourned at 1:05 p.m.

## DRAFT MINUTES

### SENATE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS HOUSE SELECT COMMITTEE ON RULES

#### Meeting Jointly

Monday, February 1, 2016

The Senate Committee on State Agencies and Governmental Affairs and the House Select Committee on Rules met jointly on Monday, February 1, 2016, at 10:00 a.m., at the Big Mac Building, Room A, in Little Rock, Arkansas.

#### **Members in Attendance**

Committee members in attendance: Senators Eddie Joe Williams, Co-Chair; Cecile Bledsoe, Linda Chesterfield, Joyce Elliott, and Jon Woods. Representatives John T. Vines, Co-Chair; Andy Davis, Vice-Chair; Mary Broadaway, Les Eaves, Deborah Ferguson, Bill Gossage, Kelley Linck, Mark Lowery, James Ratliff, and Laurie Rushing; Mr. Finos "Buddy" Johnson, ex officio.

Other Legislators in attendance: Senators Jimmy Hickey, Bill Sample, and Gary Stubblefield. Representatives Gary Deffenbaugh, Charlotte Vining Douglas, Kim Hammer, Joe Jett, Julie Mayberry, George McGill, Micah S. Neal, Matthew Pitsch, and Marshall Wright.

Representative Vines called the meeting to order.

#### **Review of the Alcoholic Beverage Control Rule, Section 1.33(6), Concerning the Distance Between Retail Liquor Stores and Churches or School Buildings (EXHIBIT B)**

**Ms. Mary Robin-Casteel, Attorney, Department of Finance & Administration, Alcoholic Beverage Control**, explained the changes to section 1.33(6) are to reflect the changes made by Act 1172 of 2015, which amended Arkansas Code §3-4-206. Section 1.33(6) is a proximity rule for retail liquor stores to not be located within one thousand feet of a church or school house. This section also clarifies "church" means a church and all immediately adjacent property owned or leased by the church that is used for church purposes. Furthermore, it clarifies that one thousand feet is measured from the nearest property line point of the church or school building to the nearest property line point of the building sought to be permitted.

**Mr. Milton Lueken, Attorney, Department of Finance & Administration, Alcoholic Beverage Control**, stated the changes to section 1.33(6) regarding the proximity rule applies to applications for retail liquor or packaged liquor stores filed after August 1, 2015.

**Senator Bledsoe made a motion that the Alcoholic Beverage Control Rule, Section 1.33(6), concerning the distance between retail liquor stores, churches and school buildings was recommended for review and approval by the ALC-Administrative Rules and Regulations Subcommittee. Senator Williams seconded the motion, and the motion passed.**

There being no further business, the meeting was adjourned at 10:58 a.m.

## DRAFT MINUTES

### HOUSE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS

Meeting  
Friday, April 22, 2016

The House Committee on State Agencies and Governmental Affairs met on Friday, April 22, 2016, 9:00 a.m., at the State Capitol, Room 151, in Little Rock, Arkansas.

#### **Members in Attendance**

Committee members in attendance: Representatives Nate Bell, Chair; Camille Bennett, Jim Dotson, Charlotte Douglas, Lanny Fite, Michelle Gray, Jack Ladyman, and Dwight Tosh.

Non-Committee members in attendance: Representatives David Fielding and Betty Overbey.

Representative Bell called the meeting to order.

#### **Discussion of Petition Circulation for Municipal Candidates**

**Mr. Scott Perkins, Legislative and Communications Director, Association Arkansas Counties**, discussed issues with petition circulation for municipal candidates. Mr. Perkins stated that A.C.A. § 14-42-206 does not define the start date a candidate can start circulating nominating petition. Furthermore, any person desiring to become an independent candidate for municipal office shall file with the county clerk the petition of nomination not more than one hundred two (102) days nor less than eighty-one (81) days before the general election.

#### **Discussion of Election and Removal Processes of Election Commissioners**

**Mr. Justin Clay, Director, Arkansas State Board of Election Commissioners**, gave an overview on how election commissioners are elected. Every county has three election commissioners, being elected in January of odd number years by the county political party committee. Mr. Clay stated the elected commissioners are subject to removal at any time by a majority vote of their county committees. The State Board of Election Commissioners does not have the authority to remove an election commissioner.

Representative Nate Bell discussed implicating a clear process for removing election officials who have violated election policies, rules, and regulations. He explained how the prosecuting attorney has a dual role as county attorney; therefore, there is an imbedded conflict of interest in the law when it comes to the attorney being tasked with representing county officials and fulfilling the role of removing county officials. Mr. Tim Humphries, Legal Counsel, Arkansas State Board of Election Commissioners, stated the prosecuting attorney office has a system in place for special prosecutors in the case of conflicts. He suggests placing the responsibility of prosecution with the Attorney General's office.

There being no further business, the meeting adjourned at 10:13 a.m.

## DRAFT MINUTES

### SENATE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS

#### Meeting

Monday, May 2, 2016

The Senate Committee on State Agencies and Governmental Affairs met on Monday, May 2, 2016, 10:00 a.m., at the State Capitol, Room 171, in Little Rock, Arkansas.

#### **Members in Attendance**

Committee members in attendance: Senators Eddie Joe Williams, Chair; David Burnett, Vice Chair; Cecile Bledsoe, Linda Chesterfield, and Joyce Elliott.

Non-Committee members in attendance: Representatives David Hillman, Mike Holcomb, Mathew Pitsch, and James Ratliff.

Senator Williams called the meeting to order.

#### **Discussion of Permits for Oversize and Overweight Vehicles**

**Ms. Tina Harris, Co-Owner, Harris & Harris Concrete Pumping**, discussed her concern with oversized and overweight vehicle permits. She explained complying with Arkansas law, as it pertains to permits, would require her company to purchase a permit every time their pumping trucks travel from one place to another. Harris & Harris Concrete Pumping pays approximately \$200 per week for permits and about \$2,000 a year in fines. Most surrounding states, such as Tennessee, Texas, Louisiana, Kansas, and Missouri issue annual permits.

**Mr. Andy Braugh, Regional Manager, Brundage-Bone Concrete Pumping Company**, stated Brundage-Bone Concrete Pumping is nationwide company, and they have the same concerns when it comes to traveling within the state of Arkansas. He expressed aside from paying the fines they may receive, this issue also affects the company's insurance record.

**Mr. Scott Bennett, Director, Arkansas Highway and Transportation Department**, gave a brief overview on permit rules. A six day county permit, costing \$27.00 per permit, is issued for one vehicle to travel two or more operations within a six day period and is limited to only two contiguous counties within the state of Arkansas. If a vehicle is traveling under authority of a self-issue permit, the original permit must be in the cab or the truck or in possession of the driver. The term "permit" shall include electronic media displayed on a mobile device provided that device shall have a screen size of at least seven inches (7"). A photocopy (copy), electronic facsimile (fax), or other reproduction of a self-issue permit is not valid for movement. The permittee is responsible for checking the designated route of the permit prior to starting travel to ensure the permitted vehicle/load can safely negotiate the designated route. Mr. Bennett further explained the state can issue an annual permit; however, it will be very lengthy in pages to show the company/driver every place they could not travel.

Senator Williams suggested for Ms. Tina Harris and Mr. Andy Braugh to meet with Mr. Scott Bennett, Director, Arkansas Highway and Transportation Department, and Major Jay Thompson, Arkansas Highway Patrol, to further discuss their concerns and to possibly agree on some solutions to the permit issue.

There being no further business, the meeting adjourned at 11:12 a.m.