

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

**AUGUST 8, 2012
MINUTES**

Senate and House Interim Committees on City, County, and Local Affairs met Wednesday, August 8, 2012, at 3:30 p.m., at the Northwest Arkansas Holiday Inn and Convention Center in Springdale, Arkansas. This meeting was held in conjunction with the 2012 Annual Conference of the Association of Arkansas Counties.

Committee members present were Senator Jerry Taylor, Senate Chair; Representatives Charlotte Wagner, House Chair, Tommy Baker, Toni Bradford, David Branscum, David Fielding, Betty Overbey, and Tommy Thompson.

Other members present were Senator Cecile Bledsoe; Representatives John Burris, Les Carnine, Robert Dale, Lane Jean, Frederick Love, Mike Patterson, Tracy Pennartz, Terry Rice, Garry Smith, Jon Woods, and Tommy Wren.

APPROVAL OF MINUTES – [Exhibit B, B-1]

Minutes of the June 20 and 21, 2012 meetings were approved by acclamation.

OPENING REMARKS BY SENATOR JERRY TAYLOR AND REPRESENTATIVE CHAROLETTE WAGNER

Senator Taylor welcomed the legislators to the meeting. Representative Wagner asked legislators to introduce themselves.

WELCOME BY CHRIS VILLINES, EXECUTIVE DIRECTOR, ASSOCIATION OF ARKANSAS COUNTIES

Mr. Chris Villines thanked the legislators for attending the conference. He said the Association of Arkansas Counties (AAC) appreciated the consideration legislators gave to legislation impacting county governments during the 2011 legislative session. He discussed the financial difficulties smaller counties in Arkansas are experiencing and gave the following examples:

- one county with a population of 11,000 expects to lay off three to four employees in 2012
- one county with a population of 25,000 can no longer provide healthcare coverage to its employees
- one county with a population of 10,000 has \$500,000 less in its a general fund balance in 2012, than it had during same period in 2011
- one county with a population of 50,000 has only \$1,200 in general revenues for the remainder of 2012. A drop in sales tax revenue will likely produce a \$300,000 to \$400,000 shortfall in its next budget

Mr. Villines said the AAC is working with all 75 counties on the legislative packet for the 2013 legislative session.

911/SMART911 DISPATCHERS TRAINING UPDATE

Mr. Ken Jones, Director, Arkansas Law Enforcement Training Academy (ALETA), gave an update on 911 emergency dispatcher training. He said that prior to his appointment to the Arkansas Commission on Law Enforcement Standards, he served as the Union County Sheriff and as a board member on the Arkansas Board of Correction for three years. He explained that Act 640, passed during the 2011 legislative session, mandated development of training programs for 911 emergency dispatchers in Arkansas. The Act also directed the Commission to deliver the training to 911 centers throughout the state. The Commission had already developed standards and had training in place when Act 640 went into effect. Mr. Jones said training has been provided to 73% of representatives from cities and counties for a total of 166 emergency dispatchers. An additional 75 emergency dispatchers are scheduled to receive training in September 2012 at the Arkansas State Police Headquarters in Little Rock. This is not a large number, as there are a total of 1,200 emergency dispatchers in Arkansas. He described the program as a "train the trainer" model. Emergency dispatchers who receive the training are given the materials and products, enabling them to provide internal training at their local dispatch centers. Mr. Jones said one of the benefits of the training is fostering better communication with first responders. Before the training requirement was enacted, there was little or no understanding of how police officers, firemen, and paramedics deal with situations in the field. Mr. Jones said funding for the training is from cellular telephone fees totaling \$120,000 per year.

He then spoke about coroner training in Arkansas. The AAC and coroners throughout the state contacted the Commission and asked that a study be developed examining the feasibility of providing coroner training. Mr. Jones said the Commission has begun a review of the issue. He believes there is a disconnect between coroners, law enforcement, and the state Health Department, especially regarding death certificate issues. The Commission has discussed implementing a one-time pilot training program using existing funding. He was asked to give a cost projection for implementing coroner training and how the legislature could support the training without a tax increase. Mr. Jones estimated that costs would be between \$65,000 to \$70,000 annually to offer 40 hours of training. He said that ALETA, the Arkansas State Crime Laboratory, the Arkansas Department of Health, and experts in death investigations would partner to provide the training. Mr. Jones also said that discussions on funding have included the possibility of increasing fees on death certificates and cremations.

RECOGNITION OF RONNIE BALDWIN, NEW EXECUTIVE DIRECTOR, ARKANSAS SHERIFF'S ASSOCIATION

Senator Taylor introduced Mr. Ronnie Baldwin, the new Executive Director for the Arkansas Sheriff's Association. Mr. Baldwin described his 30-year law enforcement background. He served as Cross County Sheriff for ten years. He currently serves on

the board of the National Sheriff's Association and has served as President of the Arkansas Sheriff's Association. He plans to work closely with the AAC on legislative issues for the upcoming 2013 legislative session.

DEATH INVESTIGATIONS/CORONERS TRAINING UPDATE

Mr. Kermit Channell, Executive Director, Arkansas State Crime Laboratory, gave an update on medicolegal death investigations. He described a February 2009 study conducted by the National Academy of Science, which gave a negative report on forensic science, crime laboratories and disciplines, medical examiners, coroners, and law enforcement agencies who process crime scenes. The report provided 13 recommendations, one of which was eliminating the coroner systems, and replace it with a medical examiner system. Mr. Channell said this recommendation is not feasible in rural states such as Arkansas. He believes the focus should be on improving the current system, studying the medicolegal death investigation process and training coroners. Mr. Channell described the medicolegal death investigation training for coroners that was provided by the Crime Laboratory from 2009 through 2011. Even though it was paid for by the Crime Laboratory, only 50% of the 75 counties participated. Mr. Channell said the Crime Laboratory would like to offer a training program with ALETA's assistance.

Dr. Paul Halverson, State Health Officer, Arkansas Department of Health, discussed the interest the Department of Health has regarding coroner training. The department is responsible for recording births and birth certificates, deaths and death certificates. The death certificate is a critical piece of research information used to determine the needs of the state and to provide information on a national and an international basis. Information surrounding deaths helps the state determine training, identification of needs, and resource allocation.

Dr. Halverson said of the seven states surrounding Arkansas, three have a medical examiner system and three have both a medical examiner and a coroner system. The three states that have both systems require a training component. Arkansas and Texas have both a coroner and a medical examiner system with no requirements for training. Of the 75 state coroners, two coroners are appointed, the rest are elected. There are over 300 deputy coroners, but there is no requirement to register deputy coroners, so it is unknown who they are. The Health Department has to allow deputy coroners to sign death certificates. Dr. Halverson said the only requirements to serve as a coroner in Arkansas are that the person be 18 years age and a registered voter with no felony convictions. No experience, no education, and no sense of how the job is performed is required, but the coroners have the responsibility for pronouncing death.

Dr. Halverson spoke about the science involved in determining death. The coroner is responsible for determining how the death occurred and provide a detailed report. Coroners evaluate the circumstances of a death and determine whether a crime may have occurred. Coroners have the authority to sign a death certificate, and state the nature and manner of the death, which gives the death certificate legal

standing in a court case. Dr. Halverson said the American Board of Medicolegal Death Investigators issues two levels of national certification. Two people in Arkansas have the highest certification level, only 15 people are certified at the basic level. Both require extensive testing. Dr. Halverson advised that representatives from the Coroners Association agree that an increase in educational requirements is needed. The leadership of the Coroners Association feel strongly that coroners need training and should work towards obtaining national certification. Dr. Halverson said the Health Department is willing to support the efforts of the Coroners Association.

Mr. Leonard Krout, Pope County Coroner and President of the Arkansas Coroner's Association, was recognized. He said the Association has a total of 30 coroners who are members out of the 75 counties. The coroners who have not joined don't have enough funding to join. Mr. Krout introduced Mr. Patrick Moore, Faulkner County Coroner and Vice President of the Coroners Association. Mr. Moore highlighted areas the Association believes are important. (Handout 1)

- Training and education. Offer certified training courses. This is the most crucial issue for coroners in Arkansas.
- Cremation permit. In Arkansas a person can die and be cremated before the case can be reviewed by either a coroner or law enforcement, unless a family member or someone else contacts law enforcement first.
- Mutual Aid Agreement. The AAC, the counties, the Health Department, the Medical Examiner's office and the Coroners Association are working toward establishing a mutual aid process similar to the Sheriff's Association, which has an actual book on mutual aid. Each Sheriff keeps his mutual aid book updated. The book lists every sheriff and their available resources in the event of a mass disaster.
- Death Benefits. The Association believes that because coroners work alongside the Arkansas State Police, Highway Police, Sheriffs, EMTs and firefighters, death benefits should be awarded to coroners and deputy coroners who die while on duty.

Mr. Channell was asked about states who don't have a coroner system. He said those states without coroners generally have a state medical examiner system. In those circumstances, forensic pathologists and death investigators work statewide. Some states have county-based medical examiner systems with physicians trained in forensic pathology and death scene investigations, and laboratory personnel who all work together. The physicians are board certified physicians, forensic pathologists who determine cause of death, provide an examination and autopsy if necessary, and then make a pronouncement about the cause of death. They also direct the overall death scene investigation. Mr. Channell said there are many different methods used in states throughout the U.S. Half of the states surrounding Arkansas don't have a coroner system, but have physicians to determine manner and cause of death

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

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**AUGUST 9, 2012
MINUTES**

Senate and House Interim Committees on City, County, and Local Affairs met Thursday, August 9, 2012, at 11:00 a.m., at the Northwest Arkansas Holiday Inn and Convention Center in Springdale, Arkansas. This meeting was held in conjunction with the 2012 Annual Conference of the Association of Arkansas Counties.

Committee members present were Senator Jerry Taylor, Senate Chair; Representative Charlotte Wagner, House Chair, Representatives Toni Bradford, David Branscum, David Fielding, Josh Johnston, Betty Overbey, and Tommy Thompson.

Other members present were Representatives Duncan Baird, John Burris, Les Carnine, Robert Dale, Jon Hubbard, Lane Jean, Frederick Love, Tracy Pennartz, Terry Rice, Tommy Wren, and Jon Woods.

SWINGING ON THE VINES OF OUR ECONOMY

Mr. Chris Villines introduced Cataline Gorla, Economist, Nationwide Economics, who gave a presentation. She discussed the investment strategy Nationwide uses to manage their portfolio, which has assets totaling \$60 billion. She said Nationwide studies financial and economic cycles. They began charting cycles during the origination of the Federal Reserve System. Economic theory and econometrics are also strategies Nationwide uses to determine where the economy is within a cycle. Business cycles experience periods of expansion and recession, with periods of expansion indicating economic growth. It is natural for the economy to experience a decline following a period of growth in the Gross Domestic Product (GDP). Ms. Gorla said the average rate of growth for the U.S. is 2.5% annually. As long as the 2.5% rate continues, the U.S. will experience an expansionary period. When studying cycles, Nationwide looks at what will make the GDP increase and continue to grow. When the GDP is going up and the economy is doing well, the first thing that increases is payroll. Income is a great measure of consumer spending. When inflation rises, interest rates begin to increase. While inflation is a measure of how expensive it is to make purchases, interest rates measure how expensive it is to borrow. Ms. Gorla said historically, as interest rates increase, inflation has increased.

The U.S. Central Bank determines the amount of money that goes into the market. It also influences when the cycle turns and whether the economy goes from expansion into a recession. The U.S. Central Bank manages cycles by setting interest rates, which drives the economy. Ms. Gorla said the most recent recession ended December 2009. Jobs began to increase and the Federal Reserve lowered interest rates to spur the economy.

The biggest challenges for the U.S. are the issues in Europe, which is experiencing a cyclical downturn and a recessionary environment. Ms. Gorla said Arkansas is one of the least exposed states to the global issues. She said one of the reasons Europe can't solve its problems is due to the economic problems plaguing the Euro zone. She described the Euro zone as a contingency of countries that united under a common currency using the Euro. Ms. Gorla was asked if she believes the Euro will fail. Ms. Gorla said that Nationwide's view is the Euro was always doomed to fail and likely will come apart. The question remains of how and when it will fail. The effect it will have on the U.S. will be from the standpoint of exports. Ms. Gorla said what needs to happen is the Euro should devalue and allow these countries to go through an economic recession. There is a lot of incentive for the Eastern Central Bank (ECB) and government officials to do something about the crisis with the Euro.

Ms. Gorla was asked to state Nationwide's position on whether the Federal Reserve will keep its low interest rate policy through the end of 2014 as some financial journals have indicated. Ms. Gorla believes the policies of the Federal Reserve will be based on job growth in the next few months. The decision of the Federal Reserve and any additional lowering of interest rates will be determined by what jobs look like in upcoming months.

There being no further business, the meeting adjourned at 12:00 p.m.

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**AUGUST 10, 2012
MINUTES**

Senate and House Interim Committees on City, County, and Local Affairs met Friday, August 10, 2012, at 9:00 a.m., at the Northwest Arkansas Holiday Inn and Convention Center in Springdale, Arkansas. This meeting was held in conjunction with the 2012 Annual Conference of the Association of Arkansas Counties (AAC).

Committee members present were Senators Jerry Taylor, Senate Chair, Gene Jeffress, and Sue Madison; Representatives Charlotte Wagner, House Chair, Toni Bradford, David Fielding, Josh Johnston, Betty Overbey, Leslee Milam-Post, and Tommy Thompson.

Other members present were Representative Les Carnine.

Committee members heard remarks by Attorney General Dustin McDaniel. Attorney General McDaniel talked about the dedication and the importance of work done by elected county officials. He then discussed services the Attorney General's office provides for the state. One example was a recent lawsuit his office filed on behalf of the state against five telemarketing companies to prevent their presence in Arkansas. He said there has been an increase in unwanted consumer contacts and he asked county officials to encourage their citizens to call on the Attorney General's office for consumer advocacy assistance.

Debbie Wise, Randolph County Circuit Clerk, Legislative Chair, presented the AAC Annual Conference report and discussed the 2013 legislative session. She said most AAC affiliate Associations have already completed their legislative packets. Ms. Wise announced upcoming meetings for the AAC, where work will continue on the comprehensive AAC 2013 legislative packet:

- a two-day working retreat for county elected officials will be held in the fall of 2012
- the AAC Board and the AAC Legislative Committee will hold two workshops, September 2012 and November 2012
- a legislative reception will be held at the Governor's Mansion November 2012.

Ms. Wise thanked county officials for working together as a cohesive governmental body rather than as individual associations or individual officials, which has the added benefit of providing a united front. She also thanked AAC staff, the AAC Legislative Committee members, and the affiliate Associations for their efforts preparing for the upcoming 2013 legislative session.

Johnson County Judge Mike Jacobs, President, AAC, gave the Arkansas Public Employees Retirement System (APERS) report. He said the investment total for the system was \$5.9 billion dollars as of June 30, 2012. The investment total decreased by \$126 million dollars for the same period in 2011. Judge Jacobs reported that the APERS system receives \$12.2 million dollars per month on investments with a payout of \$29 million dollars per month. He provided the following data:

- 28,137 current number of retirees receiving benefits
- 45,145 current active employees paying into the system
- 70% current funding level

Judge Jacobs said the system is in the top ten in the U.S. for its return on investments.

Mr. Chris Villines, AAC Executive Director, presented the AAC Director's report. He introduced new AAC staff members:

- Mr. Scott Perkins, Communications Director
- Ms. Becky Comet, Membership Benefits Manager
- Ms. Denise Glenn, Workers Compensation Claims Examiner

Mr. Villines said the AAC recognizes the need for expanded services and improved technology to better assist each of the 1,300 district and county elected officials and 15,000 county employees across the state. Mr. Villines said the AAC Board of Directors and the AAC continues to expand its services to Arkansas counties. In 2011, the AAC improved the Arkansas Counties Continuing Education (ACE) program for their five affiliate Associations and offered an additional human resources training workshop in the fall of 2011. Currently, the AAC codification services have been completed in eleven counties. Mr. Villines expressed the AAC's appreciation to the Risk Management Trustees who provided project funding for the codification program. The AAC expects to complete codification services to 44 additional counties in 2013. Mr. Villines said the AAC Board is composed of 17 county and district elected officials who represent all of the 75 counties in Arkansas. All 75 counties are also current members of the National Association of Counties (NACO) for the fourth year in a row. Mr. Villines encouraged county officials to attend an annual NACO conference. He announced the locations of upcoming NACO conferences:

- the 2013 NACO Annual Conference will be held in Fort Worth, Texas
- the 2014 NACO Annual Conference will be held in New Orleans, Louisiana

Mr. Villines hopes more county officials will have the ability to attend one of the upcoming conferences, as both are within driving distance. He then discussed a program developed by the AAC concerning the history of counties and the roles they play. The program will disseminate educational materials across the state to classrooms, civic groups, even legislators, detailing the important roles county governments have played over the years.

Committee members heard remarks by U.S. Congressional Candidates--Senator Gene Jeffress, Mr. Scott Ellington, Mr. Herb Rule, and Mr. Chris Hayes.

There being no further business, the meeting adjourned at 10:25 a.m.