

**MINUTES OF THE MEETING**  
**OF THE**  
**ARKANSAS LEGISLATIVE COUNCIL**

**June 16, 2023**

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The Arkansas Legislative Council met at 9:00 a.m., Friday, May 19, 2023, in Committee Room A of the Big Mac Building, Little Rock, Arkansas. Co-Chair Jeff Wardlaw called the meeting to order and recognized a quorum of members present. Senator Tyler Dees was recognized to give the morning prayer.

**Minutes of the Previous Meeting**

After seat selections of ALC members, Co-Chair Wardlaw referred members to the minutes of the last Legislative Council meeting held on December 16, 2022 (Exhibit C), and asked if there were any questions. There were no questions.

**Senator Bart Hester moved that the minutes of the December 16, 2022, meeting of the Legislative Council be adopted. The motion was seconded and passed by voice vote.**

**Act 413 Reports**

Co-Chair Wardlaw recognized Mr. Daryl Bassett, Secretary, Department of Labor and Licensing, to give the agency report, pursuant to Act 413 of the 2021 Regular Session. Upon conclusion of the report, Co-Chair Wardlaw recognized members for questions.

Co-Chair Wardlaw then recognized Mr. Shane Khoury, Secretary, Department of Energy and Environment, to give the agency report, pursuant to Act 413 of the 2021 Regular Session. Upon conclusion of the report, Co-Chair Wardlaw recognized members for questions. Senator Linda Chesterfield requested the agency to send to Legislative Council, a report of demographic data of those employed by the agency.

**Revenue Report**

Co-Chair Wardlaw recognized Dr. Carlos Silva, Legislative Economist, to present the April 2023 General Revenue Report (Exhibit E). The December 2023 and the January-March 2023 revenue reports are retained in the file. Dr. Silva began the report stating, the collections of Gross General Revenues year-to-date are approximately \$7,313 million, an increase of \$88.6 million, or 1.2% above the \$7,224 million collected last fiscal year-to-date. Dr. Silva further reported, the Net General Revenue Available for Distribution this month of \$6,022 million, increased \$163 million, or 2.6% from the \$6,185 million available for distribution in April 2022. The cumulative deviation of collections from the forecast for November 2022 reflects \$430 million above the forecast. This concluded the April 2023 General Revenue report. Co-Chair Wardlaw recognized members for questions. Dr. John Shelnett, Economic Analysis and Tax Research, and Mr. Alan McVey, Chief of Staff, Department of Finance & Administration, were recognized to respond to questions.

### Report of the Executive Subcommittee

Co-Chair Wardlaw recognized Co-Chair Terry Rice to present the report of the Executive Subcommittee (Exhibit F). Co-Chair Rice reported that the Executive Subcommittee met on March 7, 2023, to authorize BLR to begin a Request for Qualifications (RFQ) process for architectural engineering services related to a secure walkway between the Capitol and the Big MAC building. The subcommittee met again on May 8, 2023, in an Executive Session to hear two (2) personnel matters concerning BLR. The subcommittee then met on May 18, 2023, to review and approve an emergency rule for the Department of Health. During this meeting, the subcommittee voted to approve an amendment to a BLR contract with the Segal Group, Inc. The subcommittee also voted to reschedule the August 2023 ALC meetings to the week of August 21st -25th. The subcommittee then voted to approve BLR to enter into a contract with WER Architects, related to the secure walkway. Additionally, the subcommittee voted to recommend changes to the ALC Rules, to the full ALC. Co-Chair Wardlaw stated, most of the deletion to the rules are due to expired legislation and the additions to the rules are due to new legislation that was recently passed. This concluded the report of the Executive Subcommittee. Co-Chair Rice recognized members for questions. Ms. Jill Thayer, BLR Chief Legal Counsel, was recognized to respond to questions regarding the rules. Co-Chair Wardlaw stated the rules will be voted on separately by chamber.

**Co-Chair Terry Rice moved to adopt the ALC rules as presented. The motion was seconded by Senator Missy Irvin and passed by voice vote of the Senate. The motion was seconded by Representative Kenneth Ferguson and passed by voice vote of the House of Representatives.**

**Co-Chair Terry Rice moved that the report of the Executive Subcommittee be adopted. The motion was seconded and passed by voice vote.**

### Reports of the Standing Subcommittees

#### Administrative Rules Subcommittee

Co-Chair Wardlaw recognized Senator Kim Hammer to present the report of the Administrative Rules Subcommittee (Exhibit G.1). Senator Hammer reported the Administrative Rules Subcommittee met on Thursday, May 18, 2023. The subcommittee adopted its subcommittee rules and filed a report from the Executive Subcommittee concerning its December 2022 approval of an emergency rule. The subcommittee reviewed and filed quarterly reports from the Department of Corrections and the Parole Board for the quarters ending December 31, 2022 and March 31, 2023. Pursuant to Act 517 of 2019 and Act 595 of 2021, the subcommittee received agency updates on outstanding rulemaking and approved two (2) agency exclusions from further reporting. The subcommittee also filed January through May monthly written updates pursuant to Act 595 of 2021. The subcommittee referred the Arkansas State Library rules governing distribution of scholarship assistance to the Legislative Council for consideration at this meeting. The subcommittee voted to not approve one of the rules from the Northeast Arkansas Regional Solid Waste Management District. All other rules were reviewed and approved as noted in the report. This concluded the report of the Administrative Rules Subcommittee, and there were no questions.

**Senator Kim Hammer moved that the report of the Administrative Rules Subcommittee be adopted, excluding the Department of Education - Arkansas State Library rules governing distribution of scholarship assistance, which will be considered separately from the report. The motion was seconded and passed by voice vote.**

Co-Chair Wardlaw recognized Senator Dan Sullivan to present the Department of Education - Arkansas State Library rule. Senator Sullivan stated he met with ADE and ASL and the issues will take a while to resolve, which will be done in ALC- Higher Education Subcommittee.

**Senator Dan Sullivan moved to adopt the rule of the Department of Education - Arkansas State Library. The motion was seconded and passed by voice vote.**

#### Employee Benefits Division Oversight Subcommittee

Co-Chair Wardlaw recognized Senator Jimmy Hickey, Jr. to present the report of the Employee Benefits Division Oversight Subcommittee (Exhibit G.4). Senator Hickey reported that the Employee Benefits Division Oversight Subcommittee met on Wednesday, May 17, 2023. The subcommittee approved the subcommittee rules, reviewed the Employee Benefits Division (EBD) contract with Navitus Health Solutions, LLC, approved the EBD Formulary Recommendations Reports of February - May 2023, as well as the Ground Ambulance Trips Benefit Update Proposal. This concluded the report of the Employee Benefits Division Oversight Subcommittee, and there were no questions.

**Senator Jimmy Hickey, Jr. moved that the report of the Employee Benefits Division Oversight Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### Performance Evaluation and Expenditure Review (PEER) Subcommittee

Co-Chair Wardlaw recognized Representative Frances Cavanaugh to present the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee (Exhibit G.12). Representative Cavanaugh reported that the Performance Evaluation and Expenditure Review (PEER) Subcommittee met on Tuesday, May 16, 2023. The subcommittee adopted its subcommittee rules, received reports, reviewed requests, and approved the following: various temporary appropriations; American Rescue Plan Act appropriations; Infrastructure Investment and Jobs Act appropriations; and Restricted Reserve Fund transfers. This concluded the report of the PEER Subcommittee, and there were no questions.

**Representative Frances Cavanaugh moved that the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### Policy-Making Subcommittee

Co-Chair Wardlaw recognized Senator Linda Chesterfield to present the report of the Policy-Making Subcommittee (Exhibit G.13). Senator Chesterfield reported that the Policy-Making Subcommittee met on Monday, May 15, 2023, and heard from Representative Les Warren, requesting to approve the actuarial consulting services contract between BLR and Osborn, Carreiro & Associates, Inc., for the benefit of the Joint Retirement Committee. The subcommittee recommended approval of the contract. The subcommittee also reviewed the standing committees

fund allocations for mileage and per diem for Fiscal Year 2024 (FY24). The subcommittee recommended maintaining the allocations at the current levels. The balances will be effective July 1, 2023. This concluded the report of the Policy-Making Subcommittee, and there were no questions.

**Senator Linda Chesterfield moved that the report of the Policy-Making Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### Review Subcommittee

Co-Chair Wardlaw recognized Representative Les D. Eaves to present the report of the Review Subcommittee (Exhibit G.14). Representative Eaves reported that the Review Subcommittee met on Tuesday, May 16, 2023, and adopted its subcommittee rules, reviewed methods of finance, discretionary grants, and service contracts. A contract for Pulaski Technical College (#76, pg. 48) was held. Since the meeting, the agency has requested the contract be pulled from legislative review. This concluded the report of the Review Subcommittee, and there were no questions.

**Representative Les D. Eaves moved that the report of the Review Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### Uniform Personnel Classification and Compensation Plan Subcommittee

Co-Chair Wardlaw recognized Representative Mark H. Berry to present the report of the Uniform Personnel Classification and Compensation Plan Subcommittee (Exhibit G.15). Representative Berry reported the Uniform Personnel Classification and Compensation Plan Subcommittee met on Wednesday, May 17, 2023, and adopted its subcommittee rules. The subcommittee also reviewed reports and requests listed as Items 1-13 on the report, with the exception of Item 8, which was held for review by the full ALC at Senator Rice's request to receive additional information. Senator Rice made statements in regard. This concluded the report of the Uniform Personnel Classification and Compensation Plan Subcommittee, and there were no questions.

**Representative Mark H. Berry moved that the report of the Uniform Personnel Classification and Compensation Plan Subcommittee be adopted. The motion was seconded and passed by voice vote.**

### **Review of Communications**

Co-Chair Wardlaw referred members to the communications listed on the agenda as Items I.01- I.15 and noted that action by Legislative Council was needed for Items I.3(a)(b), I.5(a), and I.11(a). There were no questions from members.

#### **I.03 - Arkansas Teacher Retirement System:**

- a. **February 2023**
  - i. LLR Equity Partners VII, L.P.;
  - ii. GCG Investors VI, L.P.;
  - iii. Franklin Park Co-Investment Fund VI, L.P.; and

b. **April 2023**

- iv. Chatham Asset Private Debt and Strategic Capital Fund IV, L.P.;
- v. Prophet MSR Opportunities Fund (Class A, Onshore), L.P.;
- vi. Lone Star Real Estate Fund VII, L.P.

**Representative DeAnn Vaught moved to file the requests (I.3(a)(b)) from the Arkansas Teachers Retirement System, as reviewed. The motion was seconded and passed by voice vote.**

Co-Chair Wardlaw referred members to Item I.5(a) and requested a motion.

**I.05 - Department of Commerce:**

- a. Arkansas Economic Development Commission, Division of Rural Services, proposed approval of funding for Rural Community Grants for Cycle 2 of Fiscal Year 2023, submitted pursuant to Act 218 of 2022.

**Representative DeAnn Vaught moved to approve the request from the Department of Commerce. The motion was seconded and passed by voice vote.**

Co-Chair Wardlaw referred members to Item I.11(a) and requested a motion.

**I.11 - Department of Parks, Heritage, and Tourism:**

- a. **Division of Arkansas State Parks**, Report of special maintenance projects for FY2024, submitted pursuant to Section 19 of Act 344 of 2023.

**Representative DeAnn Vaught moved to approve the request from the Division of State Parks. The motion was seconded and passed by voice vote.**

**Interim Study Proposals and Interim Resolutions**

Co-Chair Wardlaw requested a motion to batch all ISP's on the agenda, unless members had questions.

**With no questions, Senator Linda Chesterfield made a motion to batch all ISP's and refer them to their respective committees. The motion was seconded and passed by voice vote.**

**New Business**

Co-Chair Wardlaw recognized Ms. Cassie Cochran, Mr. Joe Martin, and Dr. Austin Porter, Department of Health, to present information on the Arkansas Department of Health - Trauma Program, created by Act 393 of 2009. After the presentation, members were recognized for questions. Senator Missy Irvin requested to receive a complete and specific breakdown of the funds received by the Trauma Center/Program, as well as a list of national recommendations, reflecting how they changed from Arkansas's recommendation to National recommendations. Co-Chair Wardlaw requested to receive a list of the numbers backdated from 2008 to current year.

**Adjournment**

At 10:33 a.m., the meeting was adjourned as there was no further business to come before the Legislative Council.

Respectfully submitted,

ATTEST:

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Representative Jeff Wardlaw  
Co-Chair, House

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Marty Garrity  
Executive Secretary