

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

**October 20, 2023**

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The Arkansas Legislative Council met at 9:00 a.m., Friday, September 15, 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 Dan Sullivan was recognized to give the morning prayer.

**Minutes of the Previous Meeting**

Co-Chair Wardlaw referred members to the minutes of the last Legislative Council meeting held on August 25, 2023 (Exhibit C), and asked if there were any questions. There were no questions.

**Senator Missy Irvin moved that the minutes of the August 25, 2023, meeting of the Legislative Council be adopted. The motion was seconded and passed by voice vote.**

**Revenue Report**

Co-Chair Wardlaw recognized Dr. Carlos Silva, Legislative Economist, BLR, to present the August 2023 General Revenue Report (Exhibit E). Dr. Silva reported, the collections of Gross General Revenues year-to-date are approximately \$1.256 million, an increase of \$26 million, or 2.1% above the \$1.2 million collected last fiscal year-to-date. Dr. Silva further reported, the Net General Revenue Available for distribution of \$1.070 million, decreased \$13.1 million, or 1.2% from the \$1.084 million available for distribution in August 2022. The Cumulative Deviation is above the forecast at \$33 million. Dr. Silva reported there were no major changes for the month. This concluded the August 2023 General Revenue report. Co-Chair Wardlaw recognized members for questions. Dr. John Shelnett, Economic Analysis and Tax Research, and Mr. Jim Hudson, Secretary, Department of Finance & Administration (DF&A), were recognized to respond.

**Point of Personal Privilege**

Co-Chair Wardlaw recognized Senator Bart Hester for a point of personal privilege. Senator Hester asked Ms. Mischa Martin, Director, Arkansas Department of Human Services (DHS), Division of Children and Family Services (DCFS), to come forward. After 15 years, Ms. Martin will soon be leaving the department, moving on to new endeavors. She is the longest tenured director of all Children and Family Services departments, country-wide. With all the great deeds and efforts she has provided to the children and families of this state, appreciation was greatly expressed by members, staff, and attendees in the audience. Ms. Martin in return, expressed her honor and gratitude in serving DHS.

### **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 Wednesday, September 6, 2023, and heard presentations from two (2) vendors regarding their proposals submitted in response to an RFP for consulting services related to an Executive Subcommittee study on Education Facilities Property Insurance. The subcommittee voted to award the contract to Meadors, Adams & Lee Insurance, Inc., and authorize BLR to begin negotiations with the firm for the contract, incorporating the terms and requirements of the RFP. This concluded the report of the Executive Subcommittee.

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

### **Standing Committee Presentations**

#### Policy-Making Subcommittee

Co-Chair Wardlaw recognized Ms. Jill Thayer, Chief Legal Counsel, Bureau of Legislative Research (BLR), to present the consideration of the Meadors, Adams & Lee Insurance, Inc. Education Facilities Property Insurance Consulting Services Contract with the Bureau of Legislative Research (Exhibit G.01). After the presentation, Co-Chair Wardlaw recognized members for questions.

**Representative Jack Ladyman moved for approval of the consultant agreement between Meadors, Adams & Lee Insurance, Inc. and the Bureau of Legislative Research. The motion was seconded and passed by voice vote.**

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

Co-Chair Wardlaw recognized Mr. Billy Parrish, Legislative Analyst, Bureau of Legislative Research, to present items of the Performance Evaluation and Expenditure Review (PEER) Subcommittee (Exhibit G.02). Mr. Parrish presented for approval the following items: Various Temporary Appropriation requests (A); CARES Act Appropriation requests (B); American Rescue Plan Act Appropriation requests (C); Infrastructure Investment and Jobs Appropriation requests (D); Appropriation and/or Fund Transfers (E); and Restricted Reserve Fund transfer requests (F). Mr. Parrish continued by presenting the following items for review: Cash Fund Appropriation requests (G); Budget Classification transfer requests (H); Miscellaneous Federal Grant Appropriations requests (I); and Performance Fund/Pay Plan Appropriation Holding Account transfer requests (J).

Throughout the presentation, Co-Chair Wardlaw recognized members for questions. Mr. Alan McVey, Chief of Staff, Department of Finance & Administration (DF&A), Mr. Andy Babbit, Deputy Director, DF&A, Ms. Susan Grobmyer, Chief of Staff, Department of Parks, Heritage, and Tourism (DPHT), Ms. Katherine Andrews, Director, Office of Outdoor Recreation, DPHT, Mr. Mike Hagar, Secretary, Department of Public Safety (DPS), Lt. Dennis Overton and Corporal Doug Cash, Arkansas State Police, Mr. Mitch Rouse, Chief of Staff, Department of Human Services (DHS), and Ms. Lauren Webb, Director of Finance, Child Care and Early Childhood Education, DHS, were all recognized to respond to questions.

**Representative Frances Cavanaugh moved that Item A.01 be approved. The motion was seconded and passed by voice vote.**

**Representative Frances Cavanaugh moved that Item B.01 be approved. The motion was seconded and passed by voice vote.**

**Senator Jonathan Dismang moved that Items C.01 - C.07 be approved. The motion was seconded.**

**As a substitute motion to the motion made by Senator Dismang, Senator Linda Chesterfield moved to approve Items C.01 - C.05 and C.07, omitting C.06 to vote on separately. The motion was seconded and passed by voice vote.**

**Senator Terry Rice moved that Item C.06 be approved. The motion was seconded and passed by voice vote.**

*A request was made by ALC Co-Chairs to require a letter from the Department of Public Safety - Arkansas State Police, to the Governor and Legislative Council, stating DPS's agreement to adopt and honor a "checks and balance" system or the disciplinary policy that mirrors the Arkansas Crime Information Center (ACIC) policy in regard to the misuse of license plate readers.*

*Senators Kim Hammer and Linda Chesterfield requested to receive a copy of the Arkansas statute regarding license plate readers.*

**Representative Frances Cavanaugh moved to approve all of Item D. The motion was seconded and passed by voice vote.**

**Representative Frances Cavanaugh moved to approve Item E. The motion was seconded and passed by voice vote.**

**Representative Frances Cavanaugh moved to approve all of Item F, including a correction on F.01, to require quarterly reporting on the status of repairs and insurance reimbursements and to submit the report to the PEER Subcommittee. The motion was seconded and passed by voice vote.**

**In regard to Item C.06, Representative Frances Cavanaugh moved that the Arkansas State Police provide a quarterly report to Legislative Council including the number of arrests made as a result of the use of the license plate readers. The motion was seconded and passed by voice vote.**

**Co-Chair Jeff Wardlaw moved, without objection, that Item G, Item H, Item I, and Item J are reviewed.**

Review Subcommittee

Co-Chair Wardlaw recognized Ms. Kathy Schmidt, Legislative Analyst, Bureau of Legislative Research, to present items of the Review Subcommittee (Exhibit G.03). He stated, without objection, for Ms. Schmidt to begin by presenting Item D - Lease Agreement Disclosure for UAMS East Regional Program.

**Senator Scott Flippo moved that the Lease Agreement Disclosure for UAMS East Regional Program be approved. The motion was seconded and approved by voice vote.**

Ms. Schmidt continued, presenting for legislative review, the General Contractors Construction Projects exceeding five million dollars (A); Discretionary Grants (B); and Services Contracts (C). After the presentation, Co-Chair Wardlaw recognized members for questions. Mr. Andy Babbitt, Deputy Director, DF&A, and Mr. Jim Hudson, Secretary, DF&A, were recognized to respond.

**Co-Chair Wardlaw moved, without objection, to hold Item C.03 - 3, a DF&A contract with Fast Enterprises, and refer it back to the Review Subcommittee for further discussion and review.**

*Senator Kim Hammer requested to receive further information on Item C.03 - 3, a DF&A contract with Fast Enterprises, regarding responses from each company that chose to/not to bid.*

**Senator Dismang moved to allow the chairs of ALC - Review Subcommittee, in consultation with ALC Co-Chairs to take action on Item C.03 - 3 on a future date, considering all information is provided and questions answered, with a report to be submitted to ALC. The motion was seconded and passed by voice vote.**

**Co-Chair Wardlaw moved without objection, Item A, Item B, and Item C, not including items in which exceptions were made or separate action was taken, are reviewed.**

### **Review of Communications**

Co-Chair Wardlaw referred members to the communications listed on the agenda as Items I.01- I.10 and noted that action by Legislative Council was needed for Item I.02 and a verbal report will be given for Item I.07(a)-DHS. There were no questions from members.

Co-Chair Wardlaw requested a motion for Item I.02.

**2. Arkansas Public Employees Retirement System (APERS), Request to review an investment summary for HarbourVest Partners, LLC, submitted pursuant to Act 1211 of 2009.**

**Senator Linda Chesterfield moved to file the request from the Arkansas Public Employees Retirement System (APERS), as reviewed. The motion was seconded and passed by voice vote.**

**I.07(a)-DHS** - Co-Chair Wardlaw then recognized Ms. Kristi Putnam, Secretary, Department of Human Services (DHS), for a verbal report on assisted living facility reimbursements, pursuant to Section 15 of Act 213 of 2022. Mr. Jay Hill, Director, Division of Aging, Adult, and Behavioral Health Services, DHS, was also recognized to respond to questions.

**Adjournment**

At 11:45 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