

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

**March 15, 2024**

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The Arkansas Legislative Council met at 9:00 a.m., Friday, February 16, 2024, in Committee Room A of the Big MAC Building, Little Rock, Arkansas. Co-Chair Terry Rice called the meeting to order and recognized a quorum of members present. Senator Steve Crowell was recognized to give the morning prayer.

**Minutes of the Previous Meeting**

Co-Chair Rice referred members to the minutes of the last Legislative Council meeting held on January 26, 2024 (Exhibit C), and asked if there were any questions. There were no questions.

**Senator Missy Irvin moved that the minutes of the January 26, 2024, meeting of the Legislative Council be adopted. The motion was seconded and passed by voice vote.**

**Revenue Report**

Co-Chair Rice recognized Dr. Carlos Silva, Legislative Economist, Bureau of Legislative Research (BLR), to present the January 2024 General Revenue Report (Exhibit D). Dr. Silva reported, the collections of Gross General Revenues year-to-date are approximately \$4,860.69 million, a decrease of \$91.5 million, or 1.8% below the \$4,952.21 million collected last fiscal year-to-date. Dr. Silva further reported, the Net General Revenue Available for distribution of \$4,096.6 million, decreased \$243.9 million, or 5.6% from the \$4,340.48 million available for distribution in January 2023. The Cumulative Deviation is above the forecast at \$231 million. This concluded the January 2024 General Revenue report. Co-Chair Rice recognized members for questions.

Senator Missy Irvin requested to receive information on the Adjusted General Revenues for Water Waste Pollution Abatement Bonds (*pg. 1 of the report*) and whether the \$8.8 million for 2023-2024 is an annual or monthly amount, and additionally, the balance and history of the spend.

**Report of the Executive Subcommittee**

Co-Chair Rice recognized Co-Chair Jeff Wardlaw to present the report of the Executive Subcommittee (Exhibit E). Co-Chair Wardlaw reported that the Executive Subcommittee met on Thursday, February 15, 2024, and approved the release of an RFP by BLR for an audio-visual system and services for the fifth (5th) floor of the Big MAC building. The subcommittee heard presentations from the Department of Education, the Division of Higher Education, and from representatives of Meadors, Adams & Lee concerning its study on Education Facilities Property Insurance. The Subcommittee will meet again on March 14, 2024, to continue its study on school property insurance. All ALC members and alternates are encouraged to attend the meetings.

Ms. Marty Garrity, Director, BLR, informed members of a proposal to construct two (2) new conference rooms in the lobby of the fifth (5th) floor, across from Committee Room B. The Subcommittee voted to approve BLR to move forward with the process. The Subcommittee was also introduced to Ms. Tiffany Wright, the new Director for the Division of Children and Family Services at DHS. Lastly, approval was given by the Co-Chairs to authorize BLR to move forward with negotiations for a new contract via special procurement with The Segal Group for consulting services related to health insurance benefits for entities of the state. The resulting contract will be brought back to the Executive Subcommittee and the Legislative Council for approval. This concluded the report of the Executive Subcommittee, and there were no questions.

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

### Standing Committee Presentations

#### Administrative Rules Subcommittee

Co-Chair Rice recognized Representative Brian Evans to present the report of the Administrative Rules Subcommittee (Exhibit F.1). Representative Evans reported the Administrative Rules Subcommittee met on Thursday, February 15, 2024. The Subcommittee filed a report from the Executive Subcommittee concerning its review and approval of an emergency rule. Pursuant to Act 595 of 2021, the Subcommittee received agency updates on outstanding rulemaking from the 2021 General Session, and filed monthly written updates from the 2023 General Session. The subcommittee also considered the recommendation by Group 2 agencies concerning the extension or appeal of rules, pursuant to Act 781 of 2017 and Act 65 of 2021. All rules were reviewed and approved, including one rule that was held from the January 2024 meeting, as noted in the report. This concluded the report of the Administrative Rules Subcommittee, and there were no questions.

**Representative Brian Evans moved that the report of the Administrative Rules Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### Claims Review & Litigation Reports Oversight Subcommittee

Co-Chair Rice recognized Senator Jim Dotson to present the report of the Claims Review & Litigation Reports Oversight Subcommittee (Exhibit F.3). Senator Dotson reported that the Claims Review & Litigation Reports Oversight Subcommittee met on Wednesday, February 14, 2024. The subcommittee reviewed two (2) litigation cases. The subcommittee affirmed the ruling of the Claims Commission on four (4) reissuances of warrants, two (2) awarded claims, fifteen (15) denied and dismissed claims, and one (1) negotiated settlement. Finally, pursuant to Ark. Code Ann. § 19-5-601(e), the State Treasurer submitted a claim for additional general and special revenues that the city of Conway should have received based upon the Census count. The Subcommittee approved inclusion of these amounts in the Claims appropriation bill. This concluded the report for the Claims Review & Litigation Reports Oversight Subcommittee, and there were no questions.

**Senator Jim Dotson moved that the report of the Claims Review & Litigation Reports Oversight Subcommittee be adopted. The motion was seconded and passed by voice vote.**

Employee Benefits Division (EBD) Oversight Subcommittee

Co-Chair Rice recognized Senator Jimmy Hickey, Jr. to present the report of the Employee Benefits Division Oversight Subcommittee (Exhibit F.4). Senator Hickey reported that the Employee Benefits Division Oversight Subcommittee met on Wednesday, February 14, 2024. The subcommittee approved the EBD drug formulary reports for January 2024, and was provided an update on the United Healthcare Network from the Employee Benefits Division. 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.**

Hospital and Medicaid Study Subcommittee

Co-Chair Rice recognized Senator Missy Irvin to present the report of the Hospital and Medicaid Study Subcommittee (Exhibit F.8). Senator Irvin reported that the Hospital and Medicaid Study Subcommittee met on Wednesday, February 7, 2024. The Subcommittee heard testimony regarding the Assisted Living Facility Reimbursement Rates under the Living Choices Assisted Living Waiver from the Arkansas Department of Human Services and representatives of assisted living facilities, as well as the Arkansas Residential Assisted Living Association. This concluded the report of the Hospital and Medicaid Study Subcommittee, and there were no questions.

**Senator Missy Irvin moved that the report of the Hospital and Medicaid Study Subcommittee be adopted. The motion was seconded and passed by voice vote.**

Occupational Licensing Review Subcommittee

Co-Chair Rice recognized Representative Charlene Fite to present the report of the Occupational Licensing Review Subcommittee (Exhibit F.11). Representative Fite reported that the Occupational Licensing Review Subcommittee met on Thursday, February 15, 2024, and reviewed reports on occupational authorizations from the following entities: Arkansas Department of Health Center for Health Advancement; Arkansas Board of Hearing Instrument Dispensers; Arkansas Appraiser Licensing and Certification Board; Arkansas Liquefied Petroleum Gas Board; and the Arkansas State Plant Board – Plant Industry Division. This concluded the report of the Occupational Licensing Review Subcommittee, and there were no questions.

**Representative Charlene Fite moved that the report of the Occupational Licensing Review Subcommittee be adopted. The motion was seconded and passed by voice vote.**

Performance Evaluation and Expenditure Review (PEER) Subcommittee

Co-Chair Rice recognized Senator Jonathan Dismang to present the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee (Exhibit F.12). Senator Dismang reported the PEER Subcommittee met on Tuesday, February 13, 2024. The subcommittee 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. Review Item E.1, an appropriation transfer request by the Arkansas Game and Fish Commission, totaling \$3.25 million was

contingent on a new request being made by the Commission based on discussion during the meeting. The new request is found attached to the PEER report. This concluded the report of the PEER Subcommittee, and there were no questions.

**Senator Jonathan Dismang moved to adopt the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee. The motion was seconded and passed by voice vote.**

#### Review Subcommittee

Co-Chair Rice recognized Senator Scott Flippo to present the report of the Review Subcommittee (Exhibit F.14). Senator Flippo reported that the Review Subcommittee met on Tuesday, February 13, 2024, and reviewed methods of finance, alternative delivery construction contracts, grants, contracts, and two (2) RFQ requests. A contract was held for additional information, which has been received. This concluded the report of the Review Subcommittee, and there were no questions.

**Senator Scott Flippo moved to adopt the report of the Review Subcommittee, including the contract that was held (*contract number 8 on page 4 of the report*). The motion was seconded and passed by voice vote.**

#### Uniform Personnel Classification and Compensation Plan Subcommittee

Co-Chair Rice recognized Representative Mark Berry to present the report of the Uniform Personnel Classification and Compensation Plan Subcommittee (Exhibit F.15). Representative Berry reported the Uniform Personnel Classification and Compensation Plan Subcommittee met on Wednesday, February 14, 2024. The subcommittee reviewed and/or approved Items 1-7 on the report. The review included the revised performance evaluations system policy and procedures that were presented by the Office of Personnel Management (OPM). The Subcommittee then approved a request by the University of Arkansas Community College at Batesville to hire Ms. Tammy Pearce, the spouse of Arkansas State Representative Shad Pearce. This concluded the report of the Uniform Personnel Classification and Compensation Plan Subcommittee. Co-Chair Rice recognized members for questions or comments. Representative Julie Mayberry expressed concern of the performance evaluation policy changes on behalf of a constituent who will be adversely affected by the changes.

Due to not being a member on the ALC committee, Representative Mayberry asked whether any ALC member would like to make a substitute motion to the forthcoming motion from Representative Berry, to adopt the Uniform Personnel Classification and Compensation Plan Subcommittee report with the exception of Item 1-Department of Transformation and Shared Services: Proposed policies and procedures for the Performance Pay System, and request a separate vote for the item.

**Representative Mark 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 Rice referred members to the communications listed on the agenda as Items H.01- H.09 and noted that action by Legislative Council was needed for Items H.04(a) and H.09(b) and a report will be given on Item H.06. A motion was then requested for each action item.

**H.04(a) - Department of Energy and Environment, Division of Environmental Quality**, Request to review new business plans of the four (4) new Used Tire Programs, submitted pursuant to Act 713 of 2023 and A.C.A. § 8-9-408(f).

**Co-Chair Rice stated, without objection, the report will be assigned to the House and Senate - Public Health, Welfare and Labor committees to take public comments and report back to the Legislative Council.**

**H.06 - DHS** - Co-Chair Rice recognized Ms. Kristi Putnam, Secretary, Department of Human Services (DHS), for the verbal report on assisted living facility reimbursements, pursuant to Section 15 of Act 213 of 2022. Upon conclusion of the report, Co-Chair Rice recognized members for questions.

**H.09(b) - Department of Public Safety, Division of Building Authority**, Request to review a real property sales transaction for surplus property owned by the Military Department in Jonesboro, submitted pursuant to A.C.A. § 22-6-601(h)(2);

**Senator Missy Irvin moved to file the request from the Division of Building Authority as reviewed. The motion was seconded and passed by voice vote.**

**Adjournment**

At 9:34 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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Senator Terry Rice  
Co-Chair, Senate

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Marty Garrity  
Executive Secretary