

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

**June 21, 2024**

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The Arkansas Legislative Council met at 9:00 a.m., Friday, May 31, 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 Bart Hester 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 March 15, 2024 (Exhibit C), and asked if there were any questions. There were no questions.

**Senator Jane English moved that the minutes of the March 15, 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 April 2024 General Revenue Report (Exhibit D). Dr. Silva reported, the collections of Gross General Revenues year-to-date are approximately \$7,213.99 million, a decrease of \$99.1 million, or 1.4% below the \$7,313.05 million collected last fiscal year-to-date. Dr. Silva further reported, the Net General Revenue Available for distribution of \$5,690.2 million, decreased \$332.4 million, or 5.5% from the \$6,022.52 million available for distribution in April 2023. The Cumulative Deviation of the forecast is at \$250.8 million. This concluded the April 2024 General Revenue report. Co-Chair Rice recognized members for questions and requested Mr. Jim Hudson, Secretary, and Mr. Robert Brech, Director, State Budget, both of DF&A, to respond.

**Point of Personal Privilege**

Co-Chair Rice recognized Senator Linda Chesterfield for a point of personal privilege. Senator Chesterfield expressed great appreciation to the staff of Department of Finance & Administration (DF&A), and stated how important it is that staff knows how greatly they are needed and appreciated.

**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 the following dates: March 27, April 4, April 23, and May 2, 2024. The subcommittee reviewed and approved emergency rules from the Arkansas Department of Commerce, the Department of Education, and the State Board of Election Commissioners. All actions of each request were

reported to ALC members and alternates in accordance with the rules. The subcommittee received a final report and recommendations from Meadors, Adams & Lee Insurance, Inc. related to the School Property Insurance Study. The subcommittee also authorized BLR to enter into an agreement with Perr & Knight to provide actuary and consulting services related to the School Property Insurance Study and authorized the co-chairs to approve the contract by emergency action. Perr & Knight delivered their first report at the May 30, 2024 meeting. Continuing on, the subcommittee reviewed proposals submitted in response to the A/V Services and Equipment RFP and awarded the contract to CTI. Due to the timing restraints to begin the work on the A/V system, the subcommittee authorized a contract to be approved by emergency action by the co-chairs of the Policy-Making Subcommittee and the ALC co-chairs. 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 Senator Kim Hammer to present the report of the Administrative Rules Subcommittee (Exhibit F.1). Senator Hammer reported the Administrative Rules Subcommittee met on Thursday, May 30, 2024. The Subcommittee filed three (3) reports from the Executive Subcommittee concerning the review and approval of emergency rules, and two (2) reports from other ALC subcommittees concerning the review of rules. The subcommittee also received and filed quarterly reports by the Department of Corrections and the Post-Prison Transfer Board. The department requested to return to the next meeting to further discuss Administrative Directive 2024-10. Pursuant to Act 595 of 2021, the Subcommittee received an agency update on outstanding rulemaking from the 2021 Regular Session and filed monthly updates related to the 2023 Regular Session. One rule was held by the subcommittee for consideration at its June meeting, and the DHS rule concerning continuous glucose monitors and diabetic supplies as a pharmacy benefit was reviewed and approved with objections noted, including that of Senator Missy Irvin. 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. 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, May 29, 2024. The subcommittee discussed and reviewed EBD rules on governing voluntary products. The Subcommittee reviewed and approved the following actions of the State Board of Finance: EBD Drug Formulary Reports for February, March, April and May 2024; Mainstream Technologies Contract amendment; EBRx UAMS Professional Consulting Services Contract amendment; Foster and Foster Consulting Actuaries, Inc. contract; medical recommendations for February 2024 and May 2024; the 2025 rates recommendations. The EBD Director gave an update on the United Healthcare Network and the Retiree First – Medicare Age-in and Medicare Advantage

Prescription Drug Enrollment Support Pilot. 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 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, May 28, 2024. The subcommittee received reports, reviewed requests, and approved the following: Various Temporary Appropriations; American Rescue Plan Act Appropriations; and a Restricted Reserve Fund Transfer. 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, May 28, 2024, and reviewed an Office of State Procurement (OSP) rule, a vehicle lease, methods of finance, alternative construction projects, discretionary grants, and services contracts. No items were held. Since the Review meeting, a memo had been received from Secretary Jacob Oliva, Department of Education, to withdraw from legislative review, the Solution Tree contract (#10, pg.16).

Co-Chair Rice then requested for a representative of Department of Parks, Heritage, and Tourism to come forward to address further questions members had from the Review meeting regarding four (4) Professional Consultant Services (PCS) contracts and the procurement law/process. Mr. Shea Lewis, Secretary, Ms. Jami Fisher, Chief Financial Officer, Ms. Suzanne Grobmyer, Chief of Staff, Department of Parks, Heritage, and Tourism came forward to respond. Co-Chair Wardlaw requested for Ms. Jessica Patterson, Director of Transformation and Shared Services Office of State Procurement to come forward to address questions. After questions, Co-Chair Rice recognized Representative Stetson Painter for a motion.

**Representative Painter moved to not review Contract Items 112 - 115 (pg. 74-75) so the agency can re-procure the contract. The motion was seconded.**

**After discussion on the motion and members' requests for further questions, Representative Painter withdrew his motion.**

**Representative Painter moved (*again*) to not review Contract Items 112, 113, 114, & 115 (pg. 74-75) so the agency can re-procure the contract. The motion was seconded.**

Senator Bart Hester was recognized to make a substitute motion.

**Senator Hester made a substitute motion to hold Contract Items 112, 113, 114, & 115 (pg. 74-75) until June 2024 and refer them back to the Review Subcommittee. Then in subcommittee, have the contractors come back to present the contracts. The motion was seconded and passed by voice vote.**

Co-Chair Rice recognized Senator Flippo to continue with the report.

**Senator Flippo moved for adoption of the Review Subcommittee report, with the exception of the Solution Tree Contract (#10, pg.16) and the Department of Parks, Heritage, and Tourism contracts (112-115, pgs.74-75), and to pull Item G.09 - Department of Education (pg. 16) out for a separate discussion and vote. The motion was seconded and passed by voice vote.**

Co-Chair recognized members to ask questions on the item and Ms. Jessica Patterson, Director of Transformation and Shared Services Office of State Procurement came forward to address the questions. Mr. Greg Rogers and Mr. Darryl Smith, both of the Department of Education also came forward to respond to questions. After questions, Co-Chair Rice recognized Senator Flippo for a motion.

**Senator Flippo moved to adopt Item 9 - Department of Education on page 16 of the Review report. The motion was seconded and passed by voice vote.**

#### **Point of Personal Privilege**

Co-Chair Rice recognized Senator Kim Hammer for a point of personal privilege. Senator Hammer referred members to the audience to welcome three (3) young men, one each from Harding, AR, Benton, AR, and Mountain Home, AR, who were in attendance after participating in Boys State.

#### **Review of Communications**

Co-Chair Rice referred members to the communications listed on the agenda as Items H.01- H.17 and noted that action by Legislative Council was needed for Items H.07(c) and H.12(b) and a report will be given on Item H.10. A motion was then requested for each action item.

**H.07(c) - Department of Commerce, Arkansas Economic Development Commission, Division of Rural Services, Request to approve the FY24, Cycle 2 Grant Funding recommendations for the Rural Community Grant (RCGP).**

**Senator Linda Chesterfield moved to file the request from the Department of Commerce, Arkansas Economic Development Commission, Division of Rural Services, as approved. The motion was seconded and passed by voice vote.**

**H.12(b) - Department of Parks, Heritage, and Tourism, Division of State Parks, Request for approval for the special maintenance program funding appropriation, submitted pursuant to Section 18 of Act 25 of 2024.**

**Senator Linda Chesterfield moved to file the request from the Department of Parks, Heritage, and Tourism, Division of State Parks, as approved. The motion was seconded and passed by voice vote.**

**H.06(a) - 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.

Continuing on, Co-Chair Rice requested for Mr. Jeffrey Wood, Chief of Staff, Department of the Military, to come forward and present his report (*Item H.03*) regarding the needs of the Military Department and the progress on high school campus recruiting efforts, and to respond to questions. After the presentation, Co-Chair Rice recognized members for questions.

Co-Chair Rice then recognized Ms. Karen Perry, Chief Fiscal Officer, Department of Public Safety, to present a report on the DPS Right to Worship Safely Grant Program (RTWSGP) (*Item H.13.c*), submitted for the first quarter of 2024. After the presentation, Co-Chair Rice recognized members for questions.

**Interim Study Proposals**

Co-Chair Rice referred members to Interim Study Proposal 2023-109, by Representative Frances Cavanaugh, requesting the Arkansas Legislative Council refer to the House Committee on Agriculture, Forestry, and Economic Development, a Study concerning the benefits of county fairs, district fairs, and youth livestock shows.

Co-Chair Rice then recognized Representative DeAnn Vaught to present the ISP on behalf of Representative Frances Cavanaugh.

**Representative Stephen Meeks moved to refer ISP 2023-109 to the House Committee on Agriculture, Forestry, and Economic Development. The motion was seconded and passed by voice vote.**

Co-Chair Wardlaw was recognized to inform members the expectations of the June 2024 ALC meetings, stating ALC meetings will still go on with a revised schedule, if a Special Session is called by the Governor.

Representative Howard Beatty, Jr. ended the meeting by showing appreciation for a productive meeting and wished everyone well.

**Adjournment**

At 11:33 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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Senator Terry Rice  
Co-Chair, Senate

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Marty Garrity  
Executive Secretary