

**MINUTES OF THE MEETING**  
**OF THE**  
**ARKANSAS LEGISLATIVE COUNCIL (ALC)**

**September 20, 2024**

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The Arkansas Legislative Council met at 9:00 a.m., Friday, August 23, 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 June 21, 2024 (Exhibit C), and asked if there were any questions. There were no questions.

**Senator Scott Flippo moved that the minutes of the June 21, 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 July 2024 General Revenue Report (Exhibit D). Dr. Silva reported, the collections of Gross General Revenues year-to-date are approximately \$615.8 million, a decrease of \$27.5 million, or 4.3% below the \$643.30 million collected last fiscal year-to-date. Dr. Silva further reported, the Net General Revenue Available for distribution of \$527.7million, decreased \$25.6 million, or 4.6% from the \$553.3 million available for distribution in July 2023. The Cumulative Deviation of the forecast is at \$2.8 million. This concluded the July 2024 General Revenue report, and there were no questions.

**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, July 30, 2024, and approved a waiver request from the White Hall School District to exceed the cooperative purchasing for contract construction services aggregate amount. The Subcommittee also heard a presentation from *Perr & Knight* related to the Educational Facilities Property Insurance Study.

The Subcommittee met again on Thursday, August 22, 2024, and reviewed and approved an emergency rule for Department of Human Services (DHS)-Division of County Operations, for Compacts of Free Association (COFA), SNAP, and TEA Eligibility. 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 that the Administrative Rules Subcommittee met on Tuesday, July 30, 2024. Pursuant to the motion passed by the Legislative Council on June 21, 2024, the actions of this subcommittee meeting are final. Two (2) rules were pulled from consideration at the agency's request, all other rules were reviewed and approved as noted in the report.

The Subcommittee met again on Thursday, August 22, 2024, and considered and accepted the recommendations by Group II agencies concerning the extension or appeal of rules, pursuant to Act 781 of 2017 of the Regular Session and Act 65 of the 2021 Regular Session. Pursuant to Act 595 of 2021, the Subcommittee received agency updates on outstanding rulemaking from the 2023 Regular Session, approved one (1) agency request for exclusion from the reporting requirements of the Act, due to ongoing litigation, and filed one (1) written update related to the 2024 Fiscal Session. The Subcommittee also received and filed quarterly reports by the Department of Corrections and Post-Prison Transfer Board. Two (2) rules were pulled from consideration prior to the meeting and all other rules were reviewed and approved as noted in the report. This concluded the report of the Administrative Rules Subcommittee.

Co-Chair Rice recognized Representative Andrew Collins, who requested to pull the Department of Finance & Administration (DF&A), Office of Driver Services rule for separate consideration, and Senator Clarke Tucker who requested to pull the State Board of Election Commissioners rule for separate consideration. Co-Chair Rice stated, without objection, beginning on page 3 of the report, the DF&A, Office of Driver Services rule for Gender Information Required to be Displayed on an Arkansas Driver's License or State Identification Card, and the State Board of Election Commissioners rule regarding Voter Registration will be pulled and considered separately.

**Representative Brian Evans moved that the report of the Administrative Rules Subcommittee be adopted, with the exception of the items that were pulled from the report. The motion was seconded and passed by voice vote.**

Co-Chair Rice recognized Representative Collins for statements on the DF&A rule. **After statements, the rule was adopted and passed by voice vote.**

Co-Chair Rice then recognized Senator Tucker for discussion on the State Board of Election Commissioners rule. **After statements, Co-Chair Rice stated, without objection, the rule is approved.**

### 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 Monday, August 19, 2024. The Subcommittee reviewed five (5) litigation cases and two (2) settlement cases. The Subcommittee also filed a report from DF&A, submitted pursuant to Act 557 of 2023.

The Subcommittee affirmed the ruling of the Arkansas State Claims Commission on six (6) reissuances of warrants, one (1) salary adjustment, four (4) awarded claims, and two (2) denied and dismissed claims. The Subcommittee amended the amount awarded by the Arkansas State Claims Commission on one awarded claim; reversed the decision of the Arkansas State Claims Commission concerning one (1) awarded claim; and one (1) awarded claim was held by the subcommittee pending receipt of further information. 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 Sheridan 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 Tuesday, August 20, 2024. The Subcommittee heard a presentation from of *The Segal Group, Inc.* on the Arkansas Wellness Program, which included recommendations for Arkansas. 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.**

#### Game & Fish/State Police Subcommittee

Co-Chair Wardlaw recognized Representative Jack Fortner to present the report of the Game & Fish/State Police Subcommittee (Exhibit F.5). Representative Fortner reported that the Game & Fish/State Police Subcommittee met on Wednesday, July 31, 2024, and heard a presentation regarding the Summary of Local Government, Business, Commerce Offenses and Sentencing, Transfer and Disposition of Firearms, Criminal Law, and Schools. The Subcommittee also heard testimony from the Attorney General's Office.

The Subcommittee met again on Wednesday, August 21, 2024, and discussed and adopted the recommendations to be included in the final report for the Arkansas Firearms and Concealed Carry Study. This concluded the report of the Game & Fish/State Police Subcommittee, and there were no questions.

**Representative Jack Fortner moved that the report of the Game & Fish/State Police Subcommittee be adopted. The motion was seconded and passed by voice vote.**

#### Occupational Licensing Review Subcommittee

Co-Chair Rice recognized Representative Stephen Meeks to present the report of the Occupational Licensing Review Subcommittee (Exhibit F.11). Representative Meeks reported that the Occupational Licensing Review Subcommittee met on Thursday, August 22, 2024, and received reports on occupational authorizations from the following entities: Arkansas State Plant Board,

Pesticide Division; the Office of the Secretary of State; Arkansas Insurance Department – License Division; Arkansas Dietetics Licensing Board; Arkansas Department of Labor and Licensing – Boiler Inspector Division; Arkansas Department of Health – Center for Local Health; Arkansas State Board of Registration for Foresters; and the Arkansas State Police – Regulatory Services Division. This concluded the report of the Occupational Licensing Review Subcommittee, and there were no questions.

**Representative Stephen Meeks 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 that the PEER Subcommittee met on Monday, August 19, 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. Item A.10, for the Public Defenders Commission was held. This concluded the report of the PEER Subcommittee.

Co-Chair Rice recognized members for questions. Mr. Gregg Parrish, Executive Director, Arkansas Public Defender Commission was recognized to respond.

*After discussion, Co-Chair Wardlaw requested a monthly report from the Arkansas Public Defender Commission, to include the total number of employees, the case load for each attorney, and the monthly payroll.*

**Senator Jonathan Dismang moved to adopt the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee and the request for the monthly reporting that will be due a week before each Legislative Council meeting. The motion was seconded and passed by voice vote.**

#### Review Subcommittee

Co-Chair Rice recognized Representative Les. D Eaves to present the report of the Review Subcommittee (Exhibit F.14). Representative Eaves reported that the Review Subcommittee met on Monday, August 19, 2024, and reviewed methods of finance, discretionary grants, and services contracts. Two (2) grants were held (Pg. 2): the Department of Health - (Grantee) Urban League of the State of Arkansas, and the Department of Human Services (DHS) - (Grantee) East Arkansas Area Agency on Aging. The Department of Health requested to withdraw their request from legislative review. The hold on the grant for the Department of Human Services - (Grantee) East Arkansas Area Agency on Aging has now been released. The Department of Corrections contract with *WELLPATH, LLC* will be held until the September meeting (pg. 13, #8). No other items were held. This concluded the report of the Review Subcommittee.

Co-Chair Rice recognized members for questions. Mr. Don Adams and Mr. Matt Gilmore, both of the Department of Health were recognized to respond.

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

**Representative Les D. Eaves moved to suspend the ALC rules to take up a Supplemental Agenda item. The motion was seconded and passed by voice vote.**

**Supplemental Agenda Item:** Request for review of a Service Contract RFQ from Office of State Procurement for the Arkansas Department of Education.

Co-Chair Rice recognized Ms. Courtney Salas-Ford, Chief of Staff, Mr. Greg Rogers, Assistant Commissioner of Fiscal & Administrative Services, and Mr. David Branscum (former state legislator), all of the Department of Education, to give an overview of the request and respond to questions.

**Senator Bart Hester moved for immediate consideration of the supplemental agenda item. The motion was seconded and passed by voice vote.**

**Representative Les D. Eaves moved to accept a vote on the RFQ request. The motion was seconded and passed by voice vote.**

**Representative Les D. Eaves moved to approve the review of the request from Office of State Procurement for the Arkansas Department of Education service contract RFQ. 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, August 21, 2024. The subcommittee reviewed and/or approved the requests on the report listed as Items 1-12, and referred Item 13, the Public Defenders Commission's request for positions to ALC for discussion. This concluded the report of the Uniform Personnel Classification and Compensation Plan Subcommittee, and there were no questions.

**Representative Mark Berry moved that the report of the Uniform Personnel Classification and Compensation Plan Subcommittee be adopted, including the request for positions from the Public Defenders Commission (*following the discussion from the PEER report*). 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.15 and noted that action by Legislative Council was needed for Item H.05(a) and a report will be given on Item H.08. With no questions, Co-Chair Rice requested a motion.

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

- a. **Arkansas Development Finance Authority**, Request for the Legislative Council's review of the following Program Fact Sheets, submitted pursuant to A.C.A. § 15-5-212(b).
  - i. Single Family Mortgage Revenue Bonds, (Mortgage-Backed Securities/Mortgage Loan Program)
    - \$40,000,000 2024 Series A (Non-AMT)
    - \$10,000,000 2024 Series B (Federally Taxable)

**Senator Mark Johnson moved to file H.05(a) from the Arkansas Development Finance Authority, as reviewed. The motion was seconded and passed by voice vote.**

**H.08 - DHS** - Co-Chair Rice recognized Ms. Janet Mann, Deputy Secretary for Programs, Department of Human Services (DHS), for the verbal report on assisted living facility reimbursements, pursuant to Section 15 of Act 213 of 2022.

**Adjournment**

At 10:13 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