

MINUTES OF THE MEETING
OF THE
ARKANSAS LEGISLATIVE COUNCIL

Friday, October 15, 2010

The Arkansas Legislative Council met at 9:00 a.m., Friday, October 15, 2010 in Committee Room A of the Big Mac Building, Little Rock, Arkansas. Co-Chair Wilkins called the meeting to order and dispensed with the calling of the roll. The members who attended are listed on the sign-in sheets.

Seat Selection

The first order of business was the selection of a seat in Committee Room A for each member of the Legislative Council. The staff called the roll and each member's selection was recorded (see Exhibit C)

Minutes of the Last Meeting

Co-Chair Wilkins referred members to the minutes of the September 17, 2010 meeting of the Legislative Council and the minutes were approved without objection.

Revenue Report

September 2010 Revenue Report

Co-Chair Wilkins recognized Richard Wilson, Assistant Director of the Bureau of Legislative Research, to present the monthly revenue report for September 2010. Mr. Wilson reported that the September 2010 revenue report reflects that the gross collections were \$ 77.2 million greater than the same period last year for a growth rate of six point one percent (6.1%). The adjusted net available for distribution is \$28.2 million dollars more than the previous year for a growth rate of six point nine percent (6.9%).

The graph page indicates that revenue was \$24.6 million dollars ahead of the forecast. The spreadsheet indicates that gross receipts grew at eight point one percent (8.1%) and income tax collections grew at six point eight percent (6.8%). There were no questions concerning the September 2010 revenue report.

Reports of Standing Subcommittees

Administrative Rules and Regulations Subcommittee

Co-Chair Wilkins recognized Representative Overbey to present the report of the Administrative Rules and Regulations Subcommittee. Representative Overbey reported that the subcommittee met on October 11, 2010 and reviewed all items with the exception of the following: (1) a rule from the Department of Human Services (see page 2, item 2.a of the report) deferred until the next meeting for additional information on insurance coverage; and (2) a rule from Arkansas Tobacco Control (see page 3, item 3.a of the report) deferred to the next meeting for clarification of how a firearm could be seized. There were no questions regarding the report.

Representative Overbey moved the adoption of the report of the Administrative Rules and Regulations Subcommittee and the motion passed by voice vote.

Claims Review Subcommittee

Co-Chair Wilkins recognized Representative Flowers to present the report of the Claims Review Subcommittee. Representative Flowers reported that the Claims Review Subcommittee met on October 11, 2010 and affirmed the decisions of the Claims Commission and also passed a motion to recommend that claim amounts exceeding \$10,000.00 approved or awarded by the Claims Commission be raised to \$12,500.00. There were no questions regarding this report.

Representative Flowers moved the adoption of the report of the Claims Review Subcommittee and the motion passed by voice vote.

Game & Fish/State Police Subcommittee

Co-Chair Wilkins recognized Representative Davenport who informed members that the subcommittee did not have a report for consideration this month, but wished to invite the members to attend the next subcommittee meeting when the subcommittee will tour the Arkansas State Police headquarters. The meeting is scheduled for 12:30 p.m. on Monday, October 18, 2010 at the Arkansas State Police Headquarters. Representative Davenport asked that members contact Tammy Williams, the subcommittee staff person, if they wished to attend.

Higher Education Subcommittee

Co-Chair Wilkins recognized Representative Roebuck to present the report of the Higher Education Subcommittee. Representative Roebuck reported that the Higher Education Subcommittee met jointly with the City, County, and Local Affairs Committee on September 24 and September 25, 2010 and discussed higher education textbook pricing and availability, and heard an overview of Complete College America and Arkansas' participation. The subcommittee also toured the David and Barbara Pryor Center for Arkansas Oral and Visual History and the Fayetteville Public Library.

The Higher Education Subcommittee met jointly with the Education Committee on October 11, 2010 and on October 14, 2010. During the October 11 meeting, the subcommittee discussed the SREB report, *No Time To Waste* and heard presentations on several programs from the Department of Higher Education during the October 14 meeting. There were no questions regarding the report.

Representative Roebuck moved that the report of the Higher Education Subcommittee be adopted and the motion passed by voice vote.

Performance Evaluation and Expenditure Review (PEER) Subcommittee

Co-Chair Wilkins recognized Senator Bryles to present the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee. Senator Bryles reported that the PEER Subcommittee met October 7, 2010 and reviewed all items on the agenda with the exception of a request from the Pulaski Technical College that was held for further review at the next subcommittee meeting scheduled for November 4, 2010. There were no questions concerning this report.

Senator Bryles moved the adoption of the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee and the motion passed by voice vote.

Review Subcommittee

Co-Chair Wilkins recognized Senator Horn to present the Review Subcommittee report. Senator Horn reported that the Review Subcommittee met October 4, 2010 and reviewed all items on the agenda with the exception of the contract between the University of Arkansas at Fayetteville bookstore and Cranford Johnson Robinson Woods, which was held for further review. There were no questions regarding this report.

Senator Horn moved the adoption of the report of the Review Subcommittee and the motion passed by voice vote.

Uniform Personnel Classification and Compensation Plan Subcommittee

Co-Chair Wilkins recognized Senator Faris to present the Uniform Personnel Classification and Compensation Plan Subcommittee report. Senator Faris reported that the subcommittee met on October 14, 2010. The subcommittee heard routine reports from the Department of Education; a report of provisional positions from institutions of higher education; a request from the Arkansas Minority Health Department for a special entry rate of compensation for an exceptionally well-qualified applicant; a request for hazardous duty compensation for nineteen (19) positions from the Department of Human Services, Division of Developmental Disabilities Services, Alexander Human Development Center; requests for salary adjustments for circuit court staff; requests from the Arkansas Insurance Department and Arkansas Tobacco Control Board for miscellaneous grant program positions; a request from the Arkansas State Board of Nursing for supplemental personal services position, and a special entry rate report for exceptionally well qualified applicants. There were no questions regarding this report.

Senator Faris moved the adoption of the Uniform Personnel Classification and Compensation Plan Subcommittee report and the motion passed by voice vote.

Review of Communications

Co-Chair Wilkins referred members to the communications in their packets and asked if there were any questions. There were no questions regarding the communications and all communications were filed without objection.

New Business

Co-Chair Wilkins recognized Richard Weiss, Director of the Department of Finance and Administration, to explain the department's request for approval of a transfer from set-aside funds. Mr. Weiss explained that the Department of Finance and Administration is requesting approval of the transfer of set-aside funds in the amount of \$1,100,000.00 from the 87th Session Projects Account of the General Improvement Fund to the Department of Correction Inmate Care and Custody Fund, which has been authorized by Governor Beebe as required by Act 1443 of 2009.

Senator Whitaker moved that the Legislative Council approve the transfer of set-aside funds in the amount of \$1,100,000.00 from the 87th Session Projects Account of the General Improvement Fund to the Department of Correction Inmate Care and Custody Fund. The motion was seconded by Senator Terry Smith and passed by voice vote.

Adjournment

Co-Chair Wilkins asked that the staff be advised if any member had concerns or issues regarding the new facilities. There being no further business to come before the committee, the meeting was adjourned at 9:30 a.m.

Respectfully submitted,

ATTEST:

Senator Henry "Hank" Wilkins, IV
Co-Chair, Senate

David Ferguson
Executive Secretary