

MINUTES

SENATE COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS HOUSE COMMITTEE ON AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS MEETING JOINTLY

Tuesday, June 8, 2021

10:00 AM

Room A, MAC

Little Rock, Arkansas

Committee members present: Senators Jason Rapert, Chair; Trent Garner, Vice Chair; Bob Ballinger, Cecile Bledsoe, Breanne Davis, Jane English, and Clarke Tucker; Representatives Mary Bentley, Mark H. Berry, Keith Brooks, Craig Christiansen, Tony Furman, Denise Garner, Julie Mayberry, Rick McClure, Mark D. McElroy, and Stu Smith

Other members present: Senators Ronald Caldwell, Alan Clark, Mark Johnson, Larry Teague, and Dave Wallace; Representatives Fred Allen, Stan Berry, Cameron Cooper, Jim Dotson, Denise Ennett, Kenneth Ferguson, Jimmy Gazaway, Steve Hollowell, Jack Ladyman, Frederick J. Love, Tippi McCullough, Aaron Pilkington, David Ray, Johnny Rye, and Keith Slape

Senator Rapert called the meeting to order.

Redistricting Update

Ms. Michelle Davenport, Legislative Attorney, Legal Division, Bureau of Legislative Research (BLR), provided an update from the United States Census Bureau that the Arkansas data is predicted to be released by September 30, 2021. Arkansas will keep its four congressional seats for the U.S. House of Representatives. BLR has been using 2019 census data from the American Community Survey for practice and training with CityGate, the software provider used by the Board of Apportionment. Ms. Davenport stated that the maps will come before the State Agencies and Governmental Affairs Committee in the form of a bill, and any legislator can request a map without being a member of the Committee.

Report on Arkansas Department of Health Food Expenditures during COVID-19 Pandemic [Exhibit D]

Mr. Greg Brown, Director, Office of Preparedness and Emergency Response Systems, Arkansas Department of Health (ADH), explained the work hours of ADH emergency response staff beginning in March 2020. With daily operations and hotline management, many employees were working nearly 24 hours a day, seven days a week. To avoid an outbreak, the approximated 200 employees remaining on staff were encouraged not to return home. ADH covered their necessities, which included meal deliveries. ADH is in the process of seeking reimbursement for all CARES Act money spent to be reallocated by the Arkansas CARES Act Steering Committee. The food expenditures ended in May 2021 when all state employees were required to return to the office.

Discussion of Recommendations Regarding Removal of Statue and Names from University of Arkansas Campus [Exhibit E]

Dr. Donald Bobbitt, President, University of Arkansas System, and Dr. Joseph Steinmetz, Chancellor, University of Arkansas, discussed the committee created to investigate the legacy of J. William Fulbright and to consider if any action would be taken regarding attachments to him on campus, including his namesake on Fulbright College and his statue on Old Main. Senator Mark Johnson cited Act 1003 of 2021 to explain the criteria required in order to remove a historical monument and to indicate that a waiver application would not be approved in this instance. Dr. Bobbitt stated that the next step in the process is to choose whether or not he will make recommendations to the Board of Trustees. The Board will have the final decision. Dr. Steinmetz explained that it was because of the connection to legacy of the Fulbright Scholars program and its participants' responses that he did not take the committee's recommendation to remove the Fulbright name from Fulbright College. Dr. Steinmetz touched on a few of the discussions surrounding Fulbright's legacy that led to a sudden push for action.

Discussion of University of Arkansas Land Agreement [Exhibit F]

Dr. Mark Cochran, Vice President, Division of Agriculture, University of Arkansas, provided information regarding the preexisting contract to sell a portion of land that was subject to congressional waiver. He announced that the draft proposed agreement is being negotiated to address concerns from Arkansas Game and Fish Commission regarding their arrangement of allowing hunting permits to continue on the land. Lobo Farms, LLC, had been recently added as the buyer in the current contract but had not been mentioned in earlier working papers. It was also stated that based on the deed restrictions on the land and the original terms of the U.S. Forest Service, the University's contract is illegitimate. Ms. Joann Maxey, General Counsel, University of Arkansas System, asserted the goal of the University is to avoid breaching the contract that they believe is currently valid and to continue the obligation that they committed to before the legislation was passed. The University's goal is to work on the contract with a deadline of June 30 so that no legal action needs to be taken by any party.

Discussion of VA Hospital Cases [Exhibits G1, G2]

Mr. Alan Lane, Attorney, Odom Law Firm, shared a video presentation containing news footage that covered the investigation into numerous mistreatment cases at the Fayetteville VA Hospital, including the loss of Ms. Judith Velosky's father, and the arrest of Dr. Robert Levy. Mr. Lane asserted that state-run facilities that handle veterans' affairs currently lack oversight to prevent events like this in the future. Eight families with similar cases are involved in a federal tort claim process, none have yet been resolved. Mr. Lane confirmed that the Arkansas State Medical Board provides oversight for state licensed physicians.

Property Tax Exemptions for Veterans [Exhibit H]

Mr. Mikel Brooks, Founder and President of We Are The 22, provided testimony as a veteran who is considered totally and permanently disabled. His status makes him unemployable by the federal government, and he stated many employers will not insure him. Though exempted, he paid property tax this past year after being unable to prove his disability status to the collector. Mr. Brooks suggested the annual renewal process be removed as recovery is rare and the status of the veteran is unlikely to change. Mr. Harry Komprood, State Commander for Disabled

American Veterans (DAV), also provided testimony as a 100% total and permanent disabled veteran.

Mr. Josh Curtis, Governmental Affairs Director, Association of Arkansas Counties, informed the committee that the Arkansas County Tax Collectors Association developed a DAV Board after working on legislation that involved the annual assessment for disabled veterans. A letter of benefit proving eligibility for these benefits and allowing the collectors to waive taxes for one year is sent every January. Ms. Debra Buckner, County Treasurer and Collector, Pulaski County, mentioned that they are not always informed of disability status changes or deaths until they contact the veteran. Ms. Buckner stated some individuals with 100% total disability status have recovered. Members discussed standardizing the letter and adding clarity and direction for surviving spouses and children.

Ms. Gina Chandler, Assistant Director, Veterans Service Division, Arkansas Department of Veterans Affairs (ADVA), stated the only way a disability rating becomes permanent is once the veteran has held the disability status for 20 years. Arkansas has provided 100% permanent and total benefits to disabled veterans who are assessed to be at 80% service-connected status and are unable to work. It would not be possible for ADVA to notify the collectors of status changes for all of the veterans in the state as not all of the veterans are represented by ADVA. Mr. Paul Gehring, Assistant Commissioner of Revenue, Department of Finance and Administration (DFA), and Ms. Sandra Cawyer, Administrator, Assessment Coordination Division, DFA, provided a presentation outlining the details of special license plates, tax exemptions, and retirement benefits available for veterans, disabled veterans, and their families. Ms. Cawyer explained that the interpretation of the law is that the veteran is to provide the letter of benefit to the County Collector.

With no further business, the meeting adjourned at 1:04 PM.