

DRAFT MINUTES**HOUSE & SENATE INTERIM COMMITTEES ON
STATE AGENCIES AND GOVERNMENTAL AFFAIRS****Meeting Jointly****January 6, 2014**

The Senate and House State Agencies and Governmental Affairs Interim Committees met jointly on Thursday, January 6, 2014, at 1:30 p.m., in Room A of the Multi-Agency Complex.

Members in Attendance

The following committee members attended: Senators Eddie Joe Williams, Chair; Jane English, Vice Chair; Jimmy Hickey, Bobby Pierce, and Robert Thompson. Representatives Andrea Lea, Chair; Butch Wilkins, Vice Chair; Denny Altes, Nate Bell, John Catlett, Ann Clemmer, Jim Dotson, Charlene Fite, Fonda Hawthorne, John Hutchison, Allen Kerr, Josh Miller, Jim Nickels, Betty Overbey, John Walker, Wes Wagner, and Richard Womack.

Other legislators attending were: Senators Eddie Cheatham, Jonathan Dismang, and Uvalde Lindsey. Representatives David Branscum, John Burris, Andy Davis, Gary Deffenbaugh, Charlotte Vining-Douglas, Kim Hammer, Shelia Lampkin, Homer Lenderman, Kelley Linck, Stephanie Malone, Walls McCrary, James McLean, James Ratliff, Sue Scott, Mary Slinkard, Nate Steel, John Vines, Jeff Wardlaw, Tommy Wren, and Marshall Wright.

The House and Senate Interim Committees on State Agencies and Governmental Affairs were called to order by Senator Williams.

Consideration to Adopt Minutes**[EXHIBITS B1, B2, B3, B4, & B5]**

Senator Pierce made a motion to approve the August 27, 2013; September 4, 2013; October 11, 2013; October 12, 2013; and October 24, 2013 meeting minutes. Representative Overbey seconded the motion, and the motion passed.

Discussion of Act 1413 of 2013 regarding preparing a popular name and ballot title for referred constitutional amendments

Dustin McDaniel, Attorney General, State of Arkansas, apologized for confusion surrounding Act 1413 of 2013; and explained, the bill removed responsibility for naming amendments away from his office. He suggested ways to rectify the situation, so amendments could reach voters this year; and recommended the Secretary of State's Office provide popular names for this year.

Martha Adcock, General Counsel, Secretary of State's Office, stated statute does not require the Secretary of State's Office to create names for proposed amendments. She explained, officials in her office will consider what level they should be involved with the situation; and operate accordingly.

Rob Shafer, Attorney, Friday, Eldredge & Clark explained, he helped write the bill that became Act 1413. A 2011 Arkansas Supreme Court decision deeming Arkansas's naming process for proposed constitutional amendments unconstitutional led Friday, Eldredge, and Clark to change the section dealing with popular names and ballot titles. The firm eliminated language addressing the attorney general's responsibility in the ballot title naming process. Arkansas law requires proposed constitutional amendments to be distinguishable by voters and clearly named to relay an idea of what the measures would do.

Matthew Miller, Attorney, Bureau of Legislative Research, stated the problems with this year's ballot titles happened because joint resolutions approving three proposed constitutional amendments were passed a few days before the law that changed the process. The Secretary of State's Office has until May to advertise ballot measures in order for them to appear on the November ballot.

With no further business, the Committees adjourned at 2:45 p.m.