

## Subchapter 9 — Joint Performance Review Committee

10-3-901. Creation — Members — Meetings — Expenses.

10-3-902. Duties.

10-3-903. [Repealed.]

### Effective Dates.

Acts 1983, No. 798, § 3: Mar. 24, 1983. Emergency clause provided: "It is hereby found and determined by the General Assembly that the membership of the Joint Performance Review Committee should be increased and such new members should assume duties upon adjournment of the General Assembly, and that unless this emergency clause is adopted the effective date of this act will be ninety (90) days subsequent to adjournment. Therefore, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1993, No. 517, § 10: Mar. 16, 1993. Emergency clause provided: "It is hereby found and determined by the General Assembly of the State of Arkansas that the laws concerning certain committees of the House of Representatives and the General Assembly are in need of clarification and revision for the efficient operation of the General Assembly and that this act is immediately necessary to assist the Seventy-Ninth General Assembly in carrying out its duties. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 1354, § 51: Apr. 14, 1997. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act affects the method of selection of alternate members of the Legislative Council and Legislative Joint Auditing Committee and that this act is immediately necessary for proper continuity and efficiency in State government. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2003, No. 24, § 4: Jan. 29, 2003. Emergency clause provided: "It is found and determined by the General Assembly that the membership of the interim committees addressed by this act should be modified to reflect a better representation of the House and Senate; that this act accomplishes that purpose; that the committees identified by this act may commence meeting immediately upon adjournment of this session, and that unless this emergency clause is adopted, the modification of the membership will not occur for three months after the date of adjournment resulting in either obsolete membership for the first three months of the interim or a three-month delay in the committees commencing their work. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Acts 2003, No. 380, § 3: Mar. 17, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Senate Rules adopted for the Eighty-fourth General Assembly provide for ten (10) Senate members on the Joint Committee on Energy and ten (10) Senate members on the Joint Performance Review Committee; that the statutes relating to those

committees indicate seven (7) Senate members on each committee; that the statutes further provide that the Senate members are selected according to Senate Rules; that until the statutes are amended, there will be a conflict between the Senate Rules and the statutes; and that it is imperative that the Senate Rules and the statutes not be in conflict. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

**10-3-901. Creation — Members — Meetings — Expenses.**

(a)(1) There is hereby created the "Joint Performance Review Committee", which shall consist of twenty (20) members of the House of Representatives to be selected as prescribed by the Rules of the House of Representatives and ten (10) members of the Senate to be appointed pursuant to the Rules of the Senate.

(2)(A) There shall be a Senate cochair and a House cochair and a Senate co-vice chair and a House co-vice chair of the committee.

(B)(i) The House cochair and House co-vice chair shall be selected according to the Rules of the House of Representatives.

(ii) The Senate cochair and Senate co-vice chair shall be selected according to the Rules of the Senate.

(b)(1) The House members of the committee and the Senate members of the committee may meet separately as separate committees of the House and Senate or may meet jointly as a joint committee at such times as to which the House and Senate membership agree to the holding of joint meetings.

(2) The committee may meet at such places within the state as it deems appropriate.

(c) At all joint meetings of the committee, a quorum shall consist of a majority of the Senate members of the committee and a majority of the House members of the committee.

(d) All votes taken at each joint meeting of the committee shall be by separate Senate vote and separate House vote, and no motion shall pass unless it receives a favorable vote of the majority of the members of the House committee and a favorable vote of the majority of the members of the Senate committee.

(e) Members of the committee shall be entitled to per diem and mileage at the rate provided by law to be paid from funds appropriated for payment of per diem and mileage for attendance at meetings of interim committees of the House and Senate.

(f)(1)(A) When meeting as a joint committee, the committee may subpoena persons, documents, and records upon approval of a majority of the House membership of the committee and a majority of the Senate membership of the committee.

(B) However, no action of the joint committee regarding the exercise of the subpoena power shall be taken except upon notice of at least one (1) week to all members of the committee or upon a two-thirds (2/3) vote of the House membership of the committee and a two-thirds (2/3) vote of the Senate membership of the committee.

(2)(A) If the House members meet as a separate committee under subsection (b) of this section, the House committee may subpoena persons, documents, and records upon approval of a majority of the membership of the House committee.

(B) However, no action of the House committee regarding the exercise of the subpoena power shall be taken except upon notice of at least one (1) week to all members of the House committee or upon a two-thirds (2/3) vote of the membership of the House committee.

(3)(A) If the Senate members meet as a separate committee under subsection (b) of this section, the Senate committee may subpoena persons, documents, and records upon approval of a majority of the membership of the Senate committee.

(B) However, no action of the Senate committee regarding the exercise of the subpoena power shall be taken except upon notice of at least one (1) week to all members of the Senate committee or upon a two-thirds (2/3) vote of the membership of the Senate committee.

**History.** Acts 1977, No. 392, §§ 1, 3; 1983, No. 798, § 1; A.S.A. 1947, §§ 4-1013, 4-1015, 4-1017; Acts 1992 (1st Ex. Sess.), No. 31, § 1; 1993, No. 517, § 3; 2001, No. 627, § 4; 2003, No. 24, § 3; 2003, No. 380, § 2; 2003, No. 1218, § 1.

#### **10-3-902. Duties.**

The Joint Performance Review Committee shall have the authority and responsibility to:

(1) Make random and periodic performance review of specific governmental programs and agencies;

(2) Conduct investigations into such specific problem areas of the administration of state government as may be brought to the attention of the Joint Performance Review Committee;

(3) Refer specific problems regarding the operation of state government to appropriate interim committees of the General Assembly for continuing study;

(4) Conduct hearings on citizen complaints and views regarding the operation of state government and serve as a forum for citizens to air their complaints and suggestions regarding the operation of state government;

(5) Review the expenditures of the various agencies, departments, and programs of state

government to assure that they are being administered in accordance with legislative intent and are being administered in such manner as to provide the taxpayers with the greatest service at the lowest reasonable cost; and

(6) Make such reports and recommendations to the Governor, the General Assembly, and the Legislative Council as the Joint Performance Review Committee deems necessary or appropriate to promote more effective and efficient operation of state government.

**History.** Acts 1977, No. 392, § 2; A.S.A. 1947, § 4-1014; Acts 1997, No. 1354, § 21.

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**Committee Members of: JOINT PERFORMANCE REVIEW (JPR)**

16-Apr-2015

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