ACT 781 OF 2017 - STATE AGENCY RULES REVIEW COMMITTEE MINUTES SENATE and HOUSE COMMITTEES ON CITY, COUNTY LOCAL AFFAIRS 91ST GENERAL ASSEMBLY

CHAIRS: S	SEN. CLARK /	CHAIRS: SEN. CLARK / REP. LEMONS	COMMITTEE STAFI	E KAREN HOLLIDAY	COMMITTEE STAFF: KAREN HOLLIDAY / WANDA MANEES
DATE: AUC	DATE: AUGUST 27, 2018	3 TIME: 1:00 P.M.			DOOM 100
					RUCIWI 130
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EXHIBIT #	RULE #	MOTION	MADE BY	SECONDED BY	SE III SEG
					NESOLIS
മ		Adopt Joint Meeting Rules	Sen. Lindsev	Ren emone	Doorgalist
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RULES TO	RULES TO REPEAL:				
		Batched to Accept Recommendation to			
C-1	ALL	Repeal	Pon Dolby	Ĺ	
			INCH. Dailby	sen. Filppo	Passed/Voice Vote

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	Passed/Voice Vote								
	Rep. Love								
	Rep. Della Rosa								
	Batched to Refer for Group Consideration								
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NOLES ID REEP:	C-3								

Rules for Joint Meetings of House and Senate Committees for the Purpose of Administrative Rule Review under Act 781 of 2017

PURPOSE: Act 781 of 2017 requires that the standing committees of the House of Representatives and the Senate meet during the interim in order to provide a recommendation to the Legislative Council to either accept or reject an agency's decision to repeal a rule. To expedite this process, the standing committees of the House and the Senate will hold joint meetings to hear and discuss the administrative rules and regulations of the various state agencies. The purpose of these rules is to establish the procedures to be applied to joint meetings of committees of the House and the Senate when meeting to fulfill their responsibilities under Act 781 of 2017.

PROCEDURE: Except as otherwise specified in these Rules, the proceedings of these joint meetings shall be governed by the same rules as govern the House of Representatives and the Senate of the General Assembly of the State of Arkansas, so far as they are applicable and do not conflict with one another, together with MASON'S MANUAL OF LEGISLATIVE PROCEDURE.

- Presiding Chair. The Chair of the House committee and the Chair of the Senate committee shall alternate, meeting by meeting, which of the two shall preside.
- Agenda Items. The standing committees of the House of Representatives and the Senate shall meet jointly for the sole purpose of considering agency rules assigned to the standing committees by the Speaker of the House of Representatives and the President Pro Tempore of the Senate.
 - a. During these joint meetings, the committees shall consider:
 - i. The rules the agency appearing before them wishes to repeal and the corresponding justifications submitted by the agency; and

 The agency rules that will continue to be or forward by the
 - The agency rules that will continue to be enforced by the agency and the corresponding justifications.
 - b. The standing committees are only authorized under Act 781 to make a recommendation to the Legislative Council regarding rules that an agency wishes to repeal. The committees are not authorized to make recommendations regarding rules the agency states it plans to continue to enforce, but shall make a motion to refer to group consideration pursuant to Arkansas Code § 25-15-403.
- 3. <u>Germaneness</u>. If the issue of germaneness of committee assignment of a rule arises in the joint meeting of the committees, the issue shall be submitted in writing by the chairs of the joint committees to the Speaker of the House of Representatives and the President Pro Tempore of the Senate for their final determination.
- 4. <u>Public Comment</u>. When hearing from an agency regarding the repeal of an administrative rule, the joint committees shall allow an agency representative and the public to comment on the rule. A sign-up sheet for comment on the rules on

the agenda shall be made available to the public at each meeting of the standing committees.

5. Recommendation to the Legislative Council. The House and Senate committees shall make a recommendation to the Administrative Rules and Regulations Subcommittee of the Legislative Council to either accept or reject the agency's decision to repeal a rule. If the House and Senate committees are not in agreement with regard to their recommendations for any rule, they may submit separate recommendations to the subcommittee.

6. Quorum.

- a. The Senate committee consists of eight (8) members. Five (5) Senate committee members constitute a quorum of the Senate committee.
- b. The House standing committee consists of twenty (20) members.
 - i. Eleven (11) House committee members constitute a quorum of the House committee.
 - ii. Provided, however, that in accordance with House Rule 66, the Speaker of the House shall not be included for the purpose of determining what is a majority of a standing committee, unless present at the time of the vote.
- c. The membership number for House Select committees varies, but a quorum shall consist of a majority of the committee membership.
- 7. Action. An affirmative vote of a majority of the members present when a quorum is present in each committee shall be required in order to take action on any issue before the committees.
 - a. <u>Voice Vote</u>. The presiding chair may call for a voice vote of the committees voting jointly on any issue before the committees.
 - b. <u>Separation of the Vote</u>. Upon the request of one (1) member of either committee, a separate voice vote of the committees shall be taken, and a majority of the members present in each committee when a quorum is present in each committee will be required for passage of the motion before them.
 - c. Roll Call. In order to conduct a roll call vote, one (1) member of either committee shall make a request to separate the vote of the committees. Following the determination to separate the vote, a roll call of the Senate committee shall be conducted if one (1) member of the Senate committee requests a roll call. A roll call of the House committee shall be conducted if two (2) members of the House committee request a roll call.
 - d. <u>Batching</u>. The joint committee may vote on agency rules in batches. If a member of either the House or Senate committee would like to pull out a rule for separate discussion and consideration, the rule shall be placed on the agenda for the next joint meeting of the standing committees and will be taken up for consideration at that meeting whether the requesting member is present or not.

Committee Report for Act 781 of 2017 Meetings

for CITY, COUNTY & LOCAL AFFAIRS COMMITTEE - HOUSE & SENATE

Monday, August 27, 2018 at 1:00 PM

The CITY, COUNTY & LOCAL AFFAIRS COMMITTEE - HOUSE & SENATE committees met on Monday, August 27, 2018 at 1:00 PM in Room 130, and the following actions were taken:

Agency / Rule 1	fitte	House Action	Senate Action
Arkansas Do Rules to R	epartment of Emergency Management		
ID#. 2236	Administrative Plan	Accept Recommendation to Repeal	Accept Recommendation to Repeal
ID#: 2341	Administrative Plan	Accept Recommendation to Repeal	Accept Recommendation to Repeal
ID#: 2343	Administrative Plan	Accept Recommendation to Repeal	Accept Recommendation to Repeal
ID#: 2366	Administrative Plan	Accept Recommendation to Repeal	Accept Recommendation to Repeal
ID#: 2367	Amendment #1 - State Emergency Operations Plan	Accept Recommendation to Repeal	Accept Recommendation to Repeal
ID#: 2368	Arkansas Veterinary Service and Animal Care Emergency Response Plan - Appendix 7 to Annex G. State of Arkansas Emergency Operations Plan	Accept Recommendation to Repeal	Accept Recommendation to Repeal
ID#: 2369	State of Emergency Operation Plan - Change #2 Errata Sheet	Accept Recommendation to Repeal	Accept Recommendation to Repeal
mergency T Rules to En	elephone Services Board force		
ID#: 10734	Rule 1 - Arkansas Emergency Telephone Services Board	Refer for Group Consideration	Refer for Group Consideration

Rules by Recommended Committee Assignments

		Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
ty, County & Local Affairs C					To the state of
Arkansas Department of Emergence	y Management			NEXT COME DAY DAY	
Repeal					
Administrative Plan					11
Statutory Authority	Act 434 of 1967	11/01/1984			ID#: 223
Required under State or Federal Law	(none)	11.01/1404	02/01/1985	12/26/1984	
Requirement Statement	100000				
Repeal		hich is no longer in effe	ct. Therefore this rule	should be renealed	
Link to Rule Document Administrative Plan	hope, are big actions as give Ponals of Rodey ARR Employ 123 Ruley 2236 Final Of S. Adm	iministic e Ptor (2-24-)	1-5-5-ha5-5-80 pdi	on the peared	
Administrative Pian					ID# 2341
Statutory Authority	Act 434 of 1967	03/05/1988	05/25/1988	05 05 1988	100 2341
Required under State or Lederal Law	(none)		. 30. 25. 1. 100	93 93 1388	
Requirement Statement	(none)				
Repeal Link to Rule Document	This Administrative Plan was required under the Civil Preparedness Guide from 1973 wh	nich is no longer in effec	t. Therefore this rule:	should be renealed	
Administrative Plan	burn sur Un arkansas era Pomik o Xalga A38 Emokey 178 Ruky 2341 Fond Administra	alisa Plangues Luero.	1-5-53 pgt		
10 William William 1 To Anna Carlo					ID# 2343
Statutory Authority	Act 434 of 1967	07/07/1989	10/01/1989	05/05/1989	
Required under State or Federal Law	(none)		1 30 311 1 200	0. 03 1334	
Requirement Statement	(none)				
Repeal Link to Rule Document	This Administrative Plan was required under the Civil Preparedness Guide from 1973 wh	ich is no longer in effec	t. Therefore this rule s	hould be repealed	
Administrative Plan	hita are 13 an among on Pottals 3 Rules VR Capitos 178 Rules 2133 Lind Monayte	tive Clar page 1 then 2	-7-87 pet		
INSTRUMENTAL STATE OF THE STATE					ID# 2366
Statutory Authority		06/22/1989	09/26/1989	09-26-1989	
Required under State or Federal Law					
Requirement Statement: Repeat:	(none)				
Link to Rule Document	This Administrative Plan was required under the Civil Preparedness Guide from 1973 whi	ich is no longer in effect	Therefore this tule s	hould be repealed	
Amendment #1 - State Emergency Opera	http://art.bir.arka.cta.cs.cs. Purish o Rules SER Laures T78 Rules 74 or Lord Adjaments	in c Plan 9-3-30 p.fr			
					ID# 2367
Statutory Authority		01/20 1993	01/26/1993	01/26/1993	
Required under State or Federal Law: Requirement Statement					
	This Amendment of Looks State Laws (A)				
· · · · · · · · · · · · · · · · · · ·	This Amendment #1 to the State Emergency Operations Plan is part of an annual review of Therefore this rule should be repealed.	f the internal processes :	for entergency manage	ment and should not be	listed as a rule
Link to Rule Document:	Therefore this rule should be repealed. 219. 221 EV ark uses a section of the Relative AVR Limited 124 Follow 2397 Final Augustumps.				

Prepared on August 20, 2018

Page 1 of 2

		Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
rkansas Veterinary Service and Anima	l Care Emergency Response Plan - Appendix 7 to Annex G, State of Atkansas I	Emergency Operations	Plan		ID#- 2368
Statutory Authority:	Act 434 of 1967	01/01/1997	03/09/1998		1134 2317
Required under State or Federal Law	(none)	0.10111947	03/04/1498	02/27/1908	
Requirement Statement	(none)				
Repeal	This Appendix 7 to Annex G of the State Emergency Operations Plan is part of an annurule. Therefore this rule should be repeated		rocesses for emergence	y management and she	uld not be listed as a
Link to Rule Document	for the first term of the firs				
	ping. are the prearbase stoy. Periods C Rules, ARR Entiries 175; Rules 2 and United Appendix	7-1 (m) 3-03 p.11			
ate of Emergency Operation Plan - Ch	Pitte art his arkanses son Parols C Rules ARR Emilias 128 Rules 2008 Final Appendic ange #2 Errata Sheet	7-10-10-03 pt			
ate of Emergency Operation Plan - Ch	ange #2 Errata Sheet				ID# 2369
ate of Emergency Operation Plan - Ch Statutory Authority	Act 434 of 1967	02/21/1994	04 17/1994	03/29/1994	ID# 2369
Statutory Authority Required under State or Federal Law:	Act 434 of 1967 (none)		04/17/1994	03/29/1994	ID# 2364
ate of Emergency Operation Plan - Ch Statutory Authority	Act 434 of 1967	02/21/1994		33803W-3003039	

Rules by Recommended Committee Assignments

Promulgated Date

Fifective Date

Filed w/ SOS Date

01/20/2010

Last Revision Date

City, County & Local Affairs Committees

Emergency Telephone Services Board

Enforce

Rule 1 - Arkansas Emergency Telephone Services Board

11/07/2009

01/20/2010

ID# 10734

Required under State or Federal Law (none)

Statutory Authority: A C A § 12-10-318(c)(2)(C)(4)

Requirement Statement (none)

Enforce: It is still needed to clarify the changes made by Act 1221 of 2009 and to support the formalized existing policies in place prior to ACT 1221

Link to Rule Document: http://www.new.perak.or.Ruks/Str. Paraset 180 Paris 10734 Papi 21736

SENATE & HOUSE INTERIM COMMITTEES ON CITY, COUNTY, & LOCAL AFFAIRS MEETING JOINTLY

SIGN IN SHEET FOR THOSE WISHING TO SPEAK

August 27, 2018 at 1:00 p.m. Room 130, State Capitol

RULE#	NAME	INTEREST REPRESENTED	REPEAL/ENFORCE
ALL	Tina Owens, Deputy Director	AR Dept. of Emergency Management	Informational
ALL	Tina Owens, Deputy Director	Emergency Telephone Services Board	Informational

ATTENDANCE 91st General Assembly

Act 781 of 2017- State Agency Rules Review Senate & House Committees on City, County, & Local Affairs

Date: August 27, 2018

MEMBERS	PRESENT	ABSENT
Sen. Will Bond	X	400
Sen. Linda Collins-Smith		X
Sen. Lance Eads		Х
Sen. Scott Flippo	X	
Sen. Stephanie Flowers		X
Sen. Jim Hendren	X	4 4 2 3 3 3 3 3 3 3 3 3 3
Sen. Uvalde Lindsey – Vice-Chair	X	
Sen. Alan Clark - Chair	X	
Pon Justin Poud		
Rep. Sarah Caran	X	AND THE OWNER OF THE OWNER
Rep. Sarah Capp	X	
Rep. Carol Dalby	X	-
Rep. Gary Deffenbaugh	X	
Rep. Jana Della Rosa	X	
Rep. David Fielding		X
Rep. Lanny Fite	X	
Rep. Jimmy Gazaway		Х
Rep. Mike Holcomb		X
Rep. Bob Johnson		X
Rep. Roger Lynch	X	
Rep. Andy Mayberry	X	
Rep. George McGill		Х
Rep. Aaron Pilkington		X
Rep. Johnny Rye	X	
Rep. Nelda Speaks	X	
Rep. Jeff Williams	X	
Rep. Fredrick Love – Vice-Chair	X	
Rep. Tim Lemons - Chair	X	
TOTALS	18	9