

DRAFT MINUTES
HOUSE & SENATE INTERIM COMMITTEES ON
STATE AGENCIES AND GOVERNMENTAL AFFAIRS
Meeting Jointly

January 23, 2014

The Senate and House State Agencies and Governmental Affairs Interim Committees met jointly on Thursday, January 23, 2014, at 10:30 a.m., in Room 171 of the State Capitol.

Members in Attendance

The following committee members attended: Senators Eddie Joe Williams, Chair; Jimmy Hickey, Bryan King, and Bobby Pierce. Representatives Andrea Lea, Chair; Bob Ballinger, Nate Bell, John Catlett, Jim Dotson, Deborah Ferguson, Charlene Fite, Mary “Prissy” Hickerson, Debra Hobbs, Karen Hopper, John Hutchison, Allen Kerr, David Kizzia, Betty Overbey, and Wes Wagner.

Other members attending were: Senators Eddie Cheatham, Linda Chesterfield, Joyce Elliott, and David Wyatt. Representatives Scott Baltz, Mary Broadaway, Les Carmine, Charlotte Vining-Douglas, Dan Douglas, Jeremy Gillam, David Hillman, Joe Jett, Sheilla Lampkin, Homer Lenderman, Stephanie Malone, Mark McElroy, Sue Scott, Mary Slinkard, and Marshall Wright.

The House and Senate Interim Committees on State Agencies and Governmental Affairs were called to order by Senator Williams, who recognized Representative Lea for comments.

Consideration to Adopt Minutes

[EXHIBIT B]

Senator Pierce made a motion to approve the December 17, 2013, meeting minutes.

Representative Overbey seconded the motion, and the motion passed.

Discussion of the Role of the Secretary of State’s (SOS) Office Regarding Preparing a Popular Name and Ballot Title for Referred Constitutional Amendments [EXHIBITS C1 & C2; HANDOUT 1]

Martha Adcock, General Counsel, Secretary of State’s Office, referred to Handout 1, and stated final legislative activity concerning SJR7, SJR16, and HJR1009 occurred before SB821 (Act 1413) passed. Based on precedent, the legislature might assume the Attorney General (AG) would prepare popular names for these resolutions. Therefore, Handout 1 includes titles provided by the AG’s Office. In concurrence with prior laws, the SOS Office recommends publishing the proposals with the popular name, ballot title, and full text in May. She noted, law requires ballot titles are published six months prior to elections. Senator Williams stated, this process does not require action from the committee; Matthew Miller, Attorney, Bureau of Legislative Research, agreed.

Review of Committee Comments on the Joint Rules, Section 21, Pertaining to the Joint Committee on Constitutional Amendments

Jennifer Waymack, Attorney, Bureau of Legislative Research, compiled suggestions from members of the Joint Committee on Constitutional Amendments for ways to improve the Committee’s efficiency. She referred to Exhibit D and stated, the consensus is, the Committee should address these topics:

- Date and regularity of meetings.
- Consider holding a meeting at the beginning of every legislative session, to refresh members on rules and procedural policies.
- Consider setting deadlines for completing shell resolutions.
- Determine what order the Committee addresses proposed resolutions and constitutional amendments.
- Determine how many resolutions the Committee refers to the General Assembly.

Senator Williams explained, the goal is to streamline the process of hearing and referring proposed constitutional amendments. Representative Bell said he believes the process was designed to be difficult, because amending the constitution is an important decision. Representative Lea concurred, streamlining is not her goal; but she believes the process needs guidelines that purport efficiency.

Steve Cook, General Counsel, Arkansas Senate, said the Joint Rules currently state, all proposed resolutions shall be referred to the Joint Committee. However, an historic “gentleman’s agreement” allowed the Senate and House Committees to hear proposals in respective committees; then refer two and three proposals (with the number alternating per chamber, per session) to the Joint Committee for consideration. He noted, the process worked well until the 89th General Assembly’s Regular Session.

Senator Pierce asked if the committee can make final decisions on revising the process at today’s meeting. Mr. Cook said members are authorized only to make recommendations today.

Representative Dotson made a motion for the Joint Committee on Constitutional Amendments to recommend, to each house’s Rules Committee, adding to the Joint Rules that the Joint Committee on Constitutional Amendments shall hold its first meeting on the Tuesday following the deadline to file joint resolutions; and shall meet regularly thereafter.

Without discussion, the motion passed.

With no further business, the Committees adjourned at 11:45 a.m.