

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Enrolled: H3/17/97 H3/20/97 H3/28/97 H3/31/97

## A Bill

HOUSE BILL 2236

4  
5 By: Representative Beatty

### For An Act To Be Entitled

9 "AN ACT TO CREATE THE HOUSE COUNCIL AND BUDGET OFFICE AND  
10 THE HOUSE INTERIM COUNCIL AND BUDGET COMMITTEE; TO  
11 APPROPRIATE FUNDS THEREFOR; TO DECLARE AN EMERGENCY; AND  
12 FOR OTHER PURPOSES."

### Subtitle

15 "AN ACT TO CREATE THE HOUSE COUNCIL AND  
16 BUDGET OFFICE AND THE HOUSE INTERIM  
17 COUNCIL AND BUDGET COMMITTEE; TO  
18 APPROPRIATE FUNDS THEREFOR."

19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21  
22 SECTION 1. There is hereby created the House Interim Council and Budget  
23 Committee with members to be selected and terms established in accordance with  
24 rules of the House of Representatives.

25  
26 SECTION 2. Arkansas Code 1-2-303(b)(1)(A) and (B) is amended by Act 533  
27 of 1997 is amended to read as follows:

28 " (A) However, before the commission shall enter into any contract for  
29 computerized data base banks of the statutes of Arkansas, the commission shall  
30 confer with and seek the advice of the President Pro Tempore of the Senate,  
31 the Speaker of the House of Representatives, the Legislative Council, the  
32 House Interim Council and Budget Committee, and the Director of the Bureau of  
33 Legislative Research with respect to the needs and requirements for use of  
34 computerized data base banks of the statutes of Arkansas:

35 (i) For electronic access and statutory retrieval in connection  
36 with a computerized bill drafting and bill processing system;

1                   (ii) To meet the needs of the General Assembly and the committees  
2 thereof; and

3                   (iii) To assist in the preparation of acts signed by the Governor  
4 for printing of the official Acts of Arkansas.

5           (B) The commission shall confer periodically with the President Pro  
6 Tempore of the Senate, the Speaker of the House of Representatives, the  
7 Legislative Council, the House Interim Council and Budget Committee, and the  
8 Director of the Bureau of Legislative Research and shall seek their advice  
9 with respect to means of upgrading and improving the computerized data base  
10 banks to meet the needs and requirements for their respective uses;"

11

12           SECTION 3. Arkansas Code 1-2-303(c)(2) as amended by Act 533 of 1997  
13 is amended to read as follows:

14           "(2) To provide for other and similar studies designed to lead to the  
15 preparation of drafts of corrective legislation for presentation, after review  
16 and approval by the Legislative Council, and the House Interim Council and  
17 Budget Committee, to each session of the General Assembly for enactment; and"

18

19           SECTION 4. Arkansas Code 5-64-201(a) is amended to read as follows:

20           "(a) The director shall administer subchapters 1-6 of this chapter and  
21 may add substances to or delete or reschedule all substances enumerated in the  
22 schedules, pursuant to the procedures of the Administrative Procedure Act, as  
23 amended, § 25-15-201 et seq. Provided, the director shall not delete any  
24 substance from the Schedules in effect on July 20, 1979, without prior  
25 approval by the Arkansas Legislative Council and the House Interim Council and  
26 Budget Committee. In making a determination regarding a substance, the  
27 director shall consider the following:

- 28           (1) The actual or relative potential for abuse;  
29           (2) The scientific evidence of its pharmacological effect, if known;  
30           (3) The state of current scientific knowledge regarding the substance;  
31           (4) The history and current pattern of abuse;  
32           (5) The scope, duration, and significance of abuse;  
33           (6) The risk to public health;  
34           (7) The potential of the substance to produce psychic or physiological  
35 dependence liability; and  
36           (8) Whether the substance is an immediate precursor of a substance

1 already controlled under this subchapter."

2

3 SECTION 5. Arkansas Code 6-3-111 is amended to read as follows:

4 "§ 6-3-111. Budget requests.

5 The Director of the Educational Television Division of the Department of  
6 Education shall submit budget requests of the Educational Television Division  
7 to the State Board of Education and the Director of the Department of  
8 Education, General Education Division, for their review and approval, before  
9 the budget submissions are forwarded to the Governor and the Legislative  
10 Council and the House Interim Council and Budget Committee."

11

12 SECTION 6. Arkansas Code 6-15-1008(b) is amended to read as follows:

13 "(b) Upon determination by the Director of the General Education  
14 Division of the Department of Education that a reallocation of the resources  
15 of the division is necessary to provide support and assistance to schools and  
16 school districts in restructuring and in meeting the goals of this subchapter,  
17 the director, after receiving approval of the Governor, shall request from the  
18 Chief Fiscal Officer of the State a transfer of positions, appropriations, and  
19 funds within or between appropriations or programs of the General Education  
20 Division of the Department of Education. Prior to acting on the requested  
21 transfer, the Chief Fiscal Officer of the State shall submit the transfer  
22 request with his recommendation to the Legislative Council and the House  
23 Interim Council and Budget Committee."

24

25 SECTION 7. Arkansas Code 6-53-203(a)(4) is amended to read as follows:

26 "(4) To develop, in conjunction with the institutions, the Governor,  
27 ~~and~~ the Legislative Council, and the House Interim Council and Budget  
28 Committee a single set of budget forms which will be utilized by all parties  
29 in making requests and recommendations for the funding of two-year  
30 postsecondary institutions in the system. The forms and process will require  
31 that the total income and expenditures of each institution must be considered  
32 in the request process;"

33

34 SECTION 8. Arkansas Code 6-60-209(a)(2) is amended to read as follows:

35 "(2) Such reports shall be made available to the State Board of Higher  
36 Education, ~~and~~ the Legislative Council, and the House Interim Council and

1 Budget Committee."

2

3 SECTION 9. Arkansas 6-61-209(2) is amended to read as follows:

4 "(2) To develop, in conjunction with the institutions of higher  
5 learning, the Governor, ~~and~~ the Legislative Council, and the House Interim  
6 Council and Budget Committee a single set of budget forms which will be  
7 utilized by all parties in making requests and recommendations for the funding  
8 of state-supported colleges and universities. The forms and process will  
9 require that the total income and expenditures of each institution must be  
10 considered in the request process."

11

12 SECTION 10. Arkansas Code 6-61-527(e) is amended to read as follows:

13 "(e) It is the intent of the General Assembly that the university  
14 center at Westark Community College serve as a pilot program for off-campus  
15 college instruction by four-year institutions of higher education on two-year  
16 campuses. Westark Community College shall furnish a progress report, on a  
17 semiannual basis, to the Legislative Council, the House Interim Council and  
18 Budget Committee, the Joint Interim Committee on Education, and the State  
19 Board of Higher Education."

20

21 SECTION 11. Arkansas Code 6-61-808(b)(1) is amended to read as follows:

22 "(1) The Director of the Department of Higher Education shall review  
23 the applications and shall approve applications in the amount he or she  
24 determines appropriate, after seeking the advice of the Legislative Council  
25 and the House Interim Council and Budget Committee."

26

27 SECTION 12. Arkansas Code 6-62-104 is amended to read as follows:

28 "§ 6-62-104. Transfer of appropriation.

29 Unless otherwise provided by law, each state-supported institution of higher  
30 education may transfer appropriations between the various line items within  
31 each appropriation contained in its biennial appropriation act. However, such  
32 transfers shall be made only after the approval of the Department of Higher  
33 Education and the Chief Fiscal Officer of the State, and after seeking the  
34 advice of the Legislative Council and the House Interim Council and Budget  
35 Committee."

36

1 SECTION 13. Arkansas Code 6-62-106(d) is amended to read as follows:

2 "(d) The State Board of Higher Education shall report to the  
3 Legislative Council and the House Interim Council and Budget Committee or the  
4 Joint Budget Committee the failure of an institution to report athletic costs  
5 and revenue utilizing the uniform report required by this section."  
6

7 SECTION 14. Arkansas Code 6-62-717(c) is amended to read as follows:

8 "(c) If the bonds are sold at a private or negotiated sale, within  
9 ninety (90) days following the close of such bond issue, the authority shall  
10 file with the Legislative Council and the House Interim Council and Budget  
11 Committee a written report of the details of the bond sale, which report shall  
12 include a listing of the firms to whom the sale was made, the rate or rates of  
13 interest paid for the bonds, the underwriting fee or discount, and other  
14 details of the underwriting of the bonds."  
15

16 SECTION 15. Arkansas Code 6-63-305(a)(1)(C) is amended to read as  
17 follows:

18 "(C) Institutions may request that classifications and/or maximum  
19 annual salary determinations made by the Office of Personnel Management be  
20 submitted to the Legislative Council and the House Interim Council and Budget  
21 Committee for review, where the recipient institution has determined that such  
22 recommendations do not adequately describe the purposes of the intended  
23 program or programs."  
24

25 SECTION 16. Arkansas Code 6-63-305(a)(2) is amended to read as follows:

26 "(2) The Director of the Office of Personnel Management shall report  
27 all such approvals to the Legislative Council and the House Interim Council  
28 and Budget Committee in the month following approval and shall certify all  
29 additional positions established under the provisions of this subsection to  
30 the Director of the Department of Finance and Administration and the Auditor  
31 of State."  
32

33 SECTION 17. Arkansas Code 6-63-310(b)(3) is amended to read as follows:

34 "(3) The transfers, consolidation, or reorganization which involve  
35 academic programs shall be reviewed by the Department of Higher Education, ~~and~~  
36 the Legislative Council, and the House Interim Council and Budget Committee."

1

2 SECTION 18. Arkansas Code 6-63-311(a) is amended to read as follows:

3 "(a) The boards of trustees of the University of Arkansas and Arkansas  
4 State University, after seeking the advice of the Legislative Council, and the  
5 House Interim Council and Budget Committee may make a special allowance  
6 available, in such amounts as the boards may determine are justified and  
7 equitable in view of the complexities of the duties and in consideration of  
8 the competence of individual scientists, as part of the compensation of  
9 scientists employed by the University of Arkansas or Arkansas State University  
10 in connection with any contract entered into between the University of  
11 Arkansas or Arkansas State University and the United States government or any  
12 of its departments or agencies for conducting research and educational  
13 programs connected with the National Center for Toxicological Research at Pine  
14 Bluff, if:

15 (1) All of the compensation is paid from funds received by the  
16 University of Arkansas or Arkansas State University under terms of the  
17 contract; and

18 (2)(A) The special allowance for any scientist and related  
19 personnel employed by the University of Arkansas for Medical Sciences shall  
20 not exceed an amount equal to one and one-half (1 1/2) that portion of his  
21 salary which could be paid from state funds if he were employed in a similar  
22 position, but unrelated to the National Center for Toxicological Research at  
23 Pine Bluff; and

24 (B) The special allowance for any scientist and related  
25 personnel employed by the other participating institutions shall not exceed an  
26 amount equal to that portion of his salary which could be paid from state  
27 funds if he were employed in a similar position, but unrelated to the National  
28 Center for Toxicological Research at Pine Bluff; and

29 (3) The Department of Higher Education will be notified of when  
30 and in what amount the special allowance will be paid prior to activation of  
31 the special allowance."

32

33 SECTION 19. Arkansas Code 6-63-312(b) is amended to read as follows:

34 "(b) The Department of Higher Education shall report monthly to the  
35 Legislative Council and the House Interim Council and Budget Committee these  
36 appropriation transfers, and the report shall include, by institution, the

1 amounts transferred and the reasons therefor."

2

3 SECTION 20. Arkansas Code 6-63-313 is amended to read as follows:

4 "§ 6-63-313. Reporting requirements.

5 All state-supported institutions of higher education shall report  
6 annually to the Legislative Council and the House Interim Council and Budget  
7 Committee, upon request from the Legislative Council, and the House Interim  
8 Council and Budget Committee the names of the employees paid from academic  
9 positions authorized for the institution, the title to which each employee is  
10 assigned, the annual salary rate of each employee, and the number of classroom  
11 hours in which the employee is engaged in teaching per week. The report is to  
12 be submitted to the Department of Higher Education for compilation prior to  
13 submission to the Legislative Council and the House Interim Council and Budget  
14 Committee."

15

16 SECTION 21. Arkansas Code 6-64-409(c) is amended to read as follows:

17 "(c) The Dean of the College of Medicine shall submit a report, through  
18 the offices of the Chancellor for Health Sciences and the President of the  
19 University of Arkansas, to the Governor, ~~and to~~ the Chairman of the  
20 Legislative Council and the Chairman of the House Interim Council and Budget  
21 Committee no later than September 1 of each year and covering the period of  
22 the preceding fiscal year, in which information shall be furnished as to the  
23 number of interns and residents in the various medical school programs, the  
24 number who completed the family practice program, the places where those who  
25 completed the various programs are practicing, including those in the military  
26 services, and any problems encountered in the education of students, interns,  
27 or residents in the family practice program which should be considered by the  
28 General Assembly, the Governor, ~~or~~ the Legislative Council or the House  
29 Interim Council and Budget Committee."

30

31 SECTION 22. Arkansas Code 6-64-414 is amended to read as follows:

32 "§ 6-64-414. Special language and restrictions - Area health education  
33 centers.

34 The Chancellor of the University of Arkansas for Medical Sciences shall  
35 make periodic progress reports of area health education center programs to the  
36 Governor, the Legislative Council, the House Interim Council and Budget

1 Committee, and other interested interim committees of the General Assembly  
2 regarding the achievements and the expansion of the aforementioned programs  
3 and the amounts expended for the area health education centers."  
4

5 SECTION 23. Arkansas Code 6-65-224 is amended to read as follows:

6 "§ 6-65-224. Arkansas State Technical Institute - Reporting  
7 requirements.

8 The Board of Trustees of Arkansas State University shall report to the  
9 Governor, ~~and~~ the Legislative Council, and the House Interim Council and  
10 Budget Committee, biennially, the types and numbers of students and programs  
11 offered or planned to be offered at the Arkansas State Technical Institute."  
12

13 SECTION 24. Arkansas Code 6-65-225(c) is amended to read as follows:

14 "(c) The transfers, consolidation, or reorganization which involve  
15 academic programs shall be reviewed by the Department of Higher Education, ~~and~~  
16 the Legislative Council, and the House Interim Council and Budget Committee."  
17

18 SECTION 25. Arkansas Code 6-81-108 is amended to read as follows:

19 "§ 6-81-108. Bonds, notes, etc. - Governor's consent.

20 The powers of the Arkansas Student Loan Authority created by this  
21 subchapter are limited in that no bonds which are to be issued pursuant to  
22 this subchapter shall be sold until the bond issue has the written approval of  
23 the Governor after he has received the advice of the Legislative Council and  
24 the House Interim Council and Budget Committee."  
25

26 SECTION 26. Arkansas Code 6-81-711(a) is amended to read as follows:

27 "(a) The board shall make an annual report to the Governor concerning  
28 the activities of the board and shall file a copy of its report with the  
29 Legislative Council and the House Interim Council and Budget Committee."  
30

31 SECTION 27. Arkansas Code 6-81-719 is amended to read as follows:

32 "§ 6-81-719. Tracking loan contract compliance.

33 The College of Medicine of the University of Arkansas for Medical  
34 Sciences shall track graduates who were recipients of rural medical practice  
35 loans for the length of their contractual obligations and shall report to the  
36 Legislative Council and the House Interim Council and Budget Committee by



1 October 1 of each even-numbered year regarding the compliance of those  
2 graduates with the terms of their contracts."

3

4 SECTION 28. Arkansas Code 8-1-204(c) is amended to read as follows:

5 "(c) Subject to such rules and regulations as may be implemented by the  
6 Chief Fiscal Officer of the State, and after having sought the approval of the  
7 Chief Fiscal Officer of the State and prior review by the Arkansas Legislative  
8 Council and the House Interim Council and Budget Committee, the Arkansas  
9 Pollution Control and Ecology Commission may transfer appropriation, from  
10 maintenance and general operations from the appropriation provided to the  
11 department for fee administration payable from the Arkansas Department of  
12 Pollution Control and Ecology Fee Fund, to the maintenance and general  
13 operations appropriation provided for the commission's hearing officer."

14

15 SECTION 29. Arkansas Code 9-18-103(b) is amended to read as follows:

16 "(b) The boards of trustees of the retirement systems shall promulgate  
17 rules and regulations to implement this section and shall adopt a uniform  
18 legal form, as approved by the Legislative Council and the House Interim  
19 Council and Budget Committee, for use in preparing qualified domestic  
20 relations orders for each retirement plan."

21

22 SECTION 30. Arkansas Code 9-28-406(d) and (e) is amended to read as  
23 follows:

24 "(d)(1) The committee shall advise the director on the formulation of  
25 policy for administering and implementing this subchapter.

26 (2) The committee shall also report annually to the Governor, the  
27 Legislative Council, the House Interim Council and Budget Committee, and the  
28 Director of the Department of Human Services on their findings and  
29 recommendations.

30 (e)(1) No regulation made pursuant to this subchapter shall become  
31 effective and no amendment or revision thereof shall take effect until the  
32 regulation has been presented to the committee with an opportunity for the  
33 committee to give its advice.

34 (2) The recommendation of the Advisory Committee on Child Placement  
35 shall accompany regulations submitted to the Legislative Council, the House  
36 Interim Council and Budget Committee, and the Joint Interim Committee on

1 Public Health, Welfare, and Labor pursuant to § 10-3-309."

2

3 SECTION 31. Arkansas Code 10-2-123(b) is amended to read as follows:

4 "(b) The Senate, the House of Representatives, the Arkansas Legislative  
5 Council, the House Interim Council and Budget Committee, and the Legislative  
6 Joint Auditing Committee shall cooperate in jointly sponsoring a biennial  
7 Institute of Legislative Procedure to carry out the aforementioned purposes."

8

9 SECTION 32. Arkansas Code 10-2-215(a) is amended to read as follows:

10 "(a) In addition to the expense allowance provided by § 10-2-212 and  
11 all laws amendatory and supplemental thereto, the chairperson of each of the  
12 standing, select, and joint committees of either house of the General  
13 Assembly, the chairpersons of the Legislative Council, the House Interim  
14 Council and Budget Committee, and the Legislative Joint Auditing Committee,  
15 the Speaker Designate of the House of Representatives, the House chairpersons  
16 of the Review/PEER Subcommittee, and the Personnel Subcommittee of the Joint  
17 Budget Committee, and the co-chairperson of any committee of the General  
18 Assembly which does not function during the legislative session shall be  
19 eligible to receive an additional one thousand eight hundred dollars (\$1,800)  
20 per year."

21

22 SECTION 33. Arkansas Code 10-2-217(b)(1)(I) is amended to read as  
23 follows:

24 "(I) ~~Any~~ The House Interim Council and Budget Committee and any other  
25 interim committee of the General Assembly created by pursuant to law."

26

27 SECTION 34. Arkansas 10-3-205(c) is amended to read as follows:

28 "(c) If any interim committee finds that the staff assigned to that  
29 committee is inadequate or that separate or additional staffing is necessary  
30 on a temporary or permanent basis in order to enable the committee to carry  
31 out its functions and duties, the chairman of the committee may file a request  
32 for additional staff with the Director of the Bureau of Legislative Research  
33 who shall present the request to the Legislative Council or the House Interim  
34 Council and Budget Committee, whichever is appropriate, for its consideration,  
35 or the committee may request the House of Representatives or Senate to employ  
36 such separate or additional staff pursuant to the authority granted in Acts

1 1995, No. 1312, § 20."

2

3 SECTION 35. Arkansas Code 10-3-206(a) is amended to read as follows:

4 "(a) Each of the subject matter interim committees may meet at such  
5 times and for such duration as it deems necessary to properly carry out its  
6 functions and duties. If any committee shall find it necessary for the  
7 committee to meet in excess of twelve (12) days per year, it shall report the  
8 necessity for any additional meeting to the Legislative Council and the House  
9 Interim Council and Budget Committee. If funds are available to hold  
10 additional meetings, the Council or the House Interim Council and Budget  
11 Committee shall so advise the requesting committee."

12

13 SECTION 36. Arkansas Code 10-3-210(b) is amended to read as follows:

14 "(b) Attendance at such meetings shall be authorized by vote of the  
15 committee ~~or in accordance with uniform rules and procedures established by~~  
16 ~~the committees with the approval of the Legislative Council.~~"

17

18 SECTION 37. Arkansas Code 10-3-211 is amended to read as follows:

19 "§ 10-3-211. Function during recess - Compensation.

20 If a regular session of the General Assembly is extended and the House  
21 of Representatives and the Senate recess for a period in excess of thirty (30)  
22 calendar days, the Legislative Council, the House Interim Council and Budget  
23 Committee, the Legislative Joint Auditing Committee, and other interim  
24 committees of the General Assembly are authorized to meet and transact their  
25 normal business during the recess. They shall be entitled to per diem and  
26 mileage for attending meetings and attending to the official business of the  
27 committee to the same extent as during the interim between sessions of the  
28 General Assembly."

29

30 SECTION 38. Arkansas Code 10-3-213(a) is amended to read as follows:

31 "(a) Requests for information or study or legislation received from the  
32 Governor or from other state agencies or departments by the Legislative  
33 Council or the House Interim Council and Budget Committee may be referred to  
34 the appropriate interim committee for its consideration."

35

36 SECTION 39. Arkansas Code 10-3-214 is repealed.

1 ~~\_\_\_\_\_ § 10-3-214. Committee studies - Duties of Legislative Council - Reports~~  
2 ~~and findings.~~

3 ~~\_\_\_\_\_ (a) In addition to the functions and duties of the Legislative Council~~  
4 ~~which are prescribed by law, it shall be the responsibility of the Legislative~~  
5 ~~Council, in order to coordinate the efforts of the interim committees and to~~  
6 ~~avoid duplication of effort by such committees, to review and screen all study~~  
7 ~~resolutions referred by the General Assembly and all study proposals sponsored~~  
8 ~~by members of the General Assembly during the interim and approved by the~~  
9 ~~Legislative Council. It shall either refer the study resolutions or study~~  
10 ~~proposals to the appropriate interim committee for study or, in unusual cases,~~  
11 ~~retain the study proposal or resolution and conduct the study. Nothing in this~~  
12 ~~act, however, shall be construed to alter or diminish the exclusive interim~~  
13 ~~and pre-session budget jurisdiction and authority of the Legislative Council as~~  
14 ~~now prescribed by law.~~

15 ~~\_\_\_\_\_ (b) The respective interim committees may initiate and conduct studies~~  
16 ~~by motion or resolution adopted by a majority of the membership of the~~  
17 ~~committee, but when an interim committee initiates a study on its own motion,~~  
18 ~~it shall advise the Legislative Council of the study to be made in order that~~  
19 ~~the Legislative Council may suggest ways to eliminate duplication of effort~~  
20 ~~among the interim committees.~~

21 ~~\_\_\_\_\_ (c) Each of the interim committees shall periodically report to the~~  
22 ~~Legislative Council regarding studies referred to or undertaken by the~~  
23 ~~committee and shall advise the Legislative Council of the status of each study~~  
24 ~~pending before it.~~

25 ~~\_\_\_\_\_ (d) Each committee shall file a copy of its minutes, final reports, and~~  
26 ~~recommendations on each study with the Legislative Council. Findings and~~  
27 ~~recommendations of the interim committees shall be advisory only and shall not~~  
28 ~~be binding on the standing committees of the Senate and House of~~  
29 ~~Representatives during legislative sessions."~~

30

31 SECTION 40. Arkansas Code 10-3-217(b) is amended to read as follows:

32 "(b) Proposed bills may be filed with interim committees as follows:

33 (1) By a member of the General Assembly filed directly with the  
34 interim committee of which he is a member, if the bill is germane to such  
35 committee;

36 (2) By a member of the General Assembly filed with the

1 Legislative Council or the House Interim Council and Budget Committee for  
2 referral to the appropriate interim committee of the General Assembly;

3 (3) By the Governor or a state agency filed with the appropriate  
4 germane interim committee or filed with the Legislative Council or the House  
5 Interim Council and Budget Committee for referral to the germane interim  
6 committee for study and review.

7 (c) All bills presented by the Governor and state agencies for interim  
8 committee study shall be approved for study only upon a majority vote of the  
9 committee, without that action creating a presumption of favorable action by  
10 the committee on the bill, upon conclusion of its study."

11

12 SECTION 41. Arkansas Code 10-3-217(d) is repealed.

13 ~~“(d) Bills filed directly with an interim committee shall be reviewed~~  
14 ~~by the Legislative Council for the purpose of determining that the bill is~~  
15 ~~germane to the committee, and may be re-referred to the germane interim~~  
16 ~~committee if the Legislative Council determines that the bill is not germane~~  
17 ~~to the committee with which filed.”~~

18

19 SECTION 42. Arkansas Code 10-3-304(d) is amended to read as follows:

20 "(d) All departments and agencies of the state government are directed  
21 to cooperate with the Legislative Council, the House Interim Council and  
22 Budget Committee and with the Bureau of Legislative Research and the House  
23 Council and Budget Office in providing assistance, information, or data when  
24 requested, so that the General Assembly might be fully advised of all matters  
25 with respect to the operation of the various state agencies, departments, and  
26 institutions."

27

28 SECTION 43. Arkansas Code 10-3-306 is amended to read as follows:

29 "§ 10-3-306. Investigations - Witnesses - Recommendations.

30 (a) The Legislative Council and the House Interim Council and Budget  
31 Committee shall have authority to conduct investigations pertaining to the  
32 operation of any state agency, institution, department, or office.

33 (b) After its organization, the Council and the House Interim Council  
34 and Budget Committee shall proceed to investigate all state departments,  
35 agencies, institutions, and all other activities supported, either in whole or  
36 in part, by state funds.

1 (c) In connection with any investigation, it shall have the right and  
2 power to subpoena witnesses and to issue subpoena duces tecum. The ~~chairman~~  
3 chairmen of the Council and the House Interim Council and Budget Committee ~~is~~  
4 are authorized to administer oaths.

5 (d) The Council and the House Interim Council and Budget Committee  
6 shall make proper recommendations to each General Assembly as to the  
7 appropriations required by all agencies, institutions, and departments for  
8 their efficient and economical operation."

9

10 SECTION 44. Arkansas Code 10-3-309(c) is amended to read as follows:

11 "(c) A state agency shall notify the Legislative Council and the House  
12 Interim Council and Budget Committee of its intention to repeal any rule or  
13 regulation which is on file with the Legislative Council."

14

15 SECTION 45. Arkansas Code 10-3-309(e) is amended to read as follows:

16 "(e)(1)(A) Before any rule or regulation of any agency of the state may  
17 be revised, promulgated, amended, or changed, a copy of the rule or amendment  
18 to existing rules and a financial impact statement shall be filed with the  
19 Arkansas Legislative Council and the House Interim Council and Budget  
20 Committee, at least thirty (30) days before the expiration of the period for  
21 public comment on the rule, pursuant to the Arkansas Administrative Procedure  
22 Act, as amended, § 25-15-201 et seq., or other acts pertaining to the rule-  
23 making authority of that agency.

24 (B) The scope of the financial impact statement shall be  
25 determined by the agency, but shall include, at a minimum, the estimated cost  
26 of complying with the rule or regulation and the estimated cost for the agency  
27 to implement the rule or regulation.

28 (C) If the agency has reason to believe that the development of a  
29 financial impact statement will be so speculative as to be cost prohibitive,  
30 the agency shall submit a statement and explanation to that effect.

31 (D) If the purpose of a state agency rule or regulation is to  
32 implement a federal rule or regulation, the financial impact statement shall  
33 be limited to any incremental additional cost of the state rule or regulation  
34 as opposed to the federal rule or regulation.

35 (2) The Bureau of Legislative Research of the Legislative Council shall  
36 review the proposed revised or amended rule or regulation and shall, if it is

1 believed that the rule or regulation is contrary to legislative intent, file a  
2 statement thereof with the Legislative Council and the House Interim Council  
3 and Budget Committee.

4 (3) In either event, the proposed rule or regulation and any comment  
5 thereon prepared by the Bureau of Legislative Research shall be submitted to  
6 the Legislative Council and the House Interim Council and Budget Committee at  
7 the next regular meeting following its filing with the Legislative Council and  
8 the House Interim Council and Budget Committee.

9 (4) If, at such meeting, the Legislative Council or the House Interim  
10 Council and Budget Committee, after having considered the proposed rule or  
11 regulation, or the proposed change of an existing rule or regulation of the  
12 agency, determines that the proposed rule, regulation, or change is, in the  
13 opinion of the Legislative Council or the House Interim Council and Budget  
14 Committee, contrary to legislative intent, the Chairman of the Legislative  
15 Council or the Chairman of the House Interim Council and Budget Committee  
16 shall file a statement in writing with the state agency proposing to  
17 promulgate said rule or regulation, setting forth ~~the Legislative Council's~~  
18 their conclusions in regard to the proposed rule or regulation. The statement  
19 shall be filed with the state agency on or before the date the hearings are to  
20 be held on the rule pursuant to the Administrative Procedure Act, as noted  
21 above."

22

23 SECTION 46. Arkansas Code 10-3-311 is amended to read as follows:

24 "§ 10-3-311. Gifts and donations.

25 The Arkansas Legislative Council and the House Interim Council and  
26 Budget Committee ~~is~~ are authorized to accept gifts, grants, contributions, and  
27 donations from the federal government or from private persons, associations,  
28 or corporations for use in making studies and in performing ~~the~~ their  
29 functions and duties ~~of the Legislative Council as prescribed by law.~~"

30

31 SECTION 47. Arkansas Code 10-3-312 is amended to read as follows:

32 " 10-3-312. Notification of lawsuits affecting state.

33 (a) In order that the General Assembly may take whatever steps it deems  
34 necessary concerning lawsuits which may affect the State of Arkansas, its  
35 officials, or its financial resources:

36 (1) The Attorney General shall notify the Director of the Bureau

1 of Legislative Research who is the Executive Secretary of the Arkansas  
2 Legislative Council and the Director of the House Council and Budget Office as  
3 soon as possible after the Attorney General becomes involved in such  
4 litigation;

5 (2) When any state agency or any entity which receives an  
6 appropriation of funds from the General Assembly becomes involved in  
7 litigation without representation by the Attorney General, the director or  
8 administrative head of the agency shall notify the Director of the Bureau of  
9 Legislative Research who is the Executive Secretary of the Legislative Council  
10 and the Director of the House Council and Budget Office as soon as possible.

11 (b) The notice given by the Attorney General or by the director or  
12 administrative head of a state agency to the Director of the Bureau of  
13 Legislative Research who is the Executive Secretary of the Legislative Council  
14 and the Director of the House Council and Budget Office shall include the  
15 style of the case being litigated, the identity of the tribunal before which  
16 the matter has been filed, a brief description of the issues involved, and  
17 other information that will enable the Legislative Council, the House Interim  
18 Council and Budget Committee or the Joint Budget Committee, to determine the  
19 action that may be deemed necessary to protect the interests of the General  
20 Assembly and the State of Arkansas in that matter.

21 (c) Upon receipt of the notice, the Director of the Bureau of  
22 Legislative Research who is the Executive Secretary of the Arkansas  
23 Legislative Council and the Director of the House Council and Budget Office  
24 shall as appropriate, during the interim between legislative sessions,  
25 transmit a copy of the notice to the Chairman of the Legislative Council and  
26 the Chairman of the House Interim Council and Budget Committee, and to the  
27 Cochairmen of the Joint Budget Committee during legislative sessions, in order  
28 that those committees may schedule that matter upon their respective agendas  
29 at the earliest possible date.

30 (d) During the interim between legislative sessions, the Legislative  
31 Council and the House Interim Council and Budget Committee shall, and during  
32 legislative sessions the Joint Budget Committee shall, determine whether the  
33 General Assembly has an interest in the litigation and, if so, take whatever  
34 action deemed necessary to protect the General Assembly's and the state's  
35 interest in that matter."

36



1 SECTION 48. Arkansas Code 10-3-403(a)(3) as amended by Act 147 of 1997  
2 is amended to read as follows:

3 "(3) The Speaker of the House, the President Pro Tempore of the Senate,  
4 the immediate past Chairman of the Legislative Joint Auditing Committee, the  
5 Chairman and Vice Chairman of the House Interim Council and Budget Committee  
6 and the Chairman and Vice Chairman of the Arkansas Legislative Council shall  
7 be ex officio members of the committee and shall enjoy all the rights and  
8 privileges of other members of the committee."

9

10 SECTION 49. Arkansas Code 10-3-403(c) is amended to read as follows:

11 "(c) No member of the Legislative Joint Auditing Committee shall be a  
12 regular member of the Legislative Council or the House Interim Council and  
13 Budget Committee, but may be a first or second alternate member of the  
14 Legislative Council or the House Interim Council and Budget Committee."

15

16 SECTION 50. Arkansas Code 10-3-703(d) is amended to read as follows:

17 "(d) The Joint Interim Committee on Public Retirement and Social  
18 Security Programs shall periodically report to the Legislative Council and the  
19 House Interim Council and Budget Committee on the status of its studies and  
20 findings. The committee shall undertake such special studies as may be  
21 referred to the joint interim committee by the Legislative Council or the  
22 House Interim Council and Budget Committee and report to the Legislative  
23 Council and the House Interim Council and Budget Committee in regard thereto."

24

25 SECTION 51. Arkansas Code 10-3-902(6) is amended to read as follows:

26 "(6) Make such reports and recommendations to the Governor, the General  
27 Assembly, ~~and~~ the Legislative Council, and the House Interim Council and  
28 Budget Committee as the committee deems necessary or appropriate to promote  
29 more effective and efficient operation of state government."

30

31 SECTION 52. Arkansas Code 10-3-1002 is amended to read as follows:

32 "§ 10-3-1002. Annual evaluation of vocational-technical courses.

33 (a)(1) The Legislative Council, the House Interim Council and Budget  
34 Committee, and the Interim Education ~~Committee~~ Committees shall annually study  
35 the courses offered to students participating in, and benefiting from, the  
36 area vocational-technical schools, and such other data as will enable the

1 Legislative Council, the House Interim Council and Budget Committee, and the  
2 Interim Education ~~Committee~~ Committees to evaluate the cost per student  
3 classroom hour for each course or area of instruction.

4           (2) The studies and evaluation shall be for the purpose of  
5 enabling the Legislative Council, the House Interim Council and Budget  
6 Committee, and the Interim Education ~~Committee~~ Committees, the State Board of  
7 Education, each school involved, and the General Assembly to periodically  
8 review the courses offered at each school, the relative benefits derived from  
9 these courses, and for finding alternative methods of providing these courses  
10 more economically, either through area vocational-technical schools, mobile  
11 vocational-technical units, area vocational-technical high schools, or the  
12 public schools.

13           (b) Each area vocational-technical school is directed to cooperate with  
14 the Legislative Council, the House Interim Council and Budget Committee, and  
15 the Interim Education ~~Committee~~ Committees in furnishing such data and records  
16 as may be requested by the Legislative Council, the House Interim Council and  
17 Budget Committee, and the Interim Education ~~Committee~~ Committees reflecting  
18 information needed to make the studies and evaluations provided in this  
19 section and shall especially include:

20           (1) Daily records of attendance of students at each course  
21 offered;

22           (2) Cost data reflecting the cost per student classroom hour of  
23 instruction received per student;

24           (3) Follow-up placement data on students who graduate from  
25 courses indicating the type of employment of the former student and whether  
26 the employments are in a field for which the student received instruction or  
27 training. The placement data shall also reflect the city and state of  
28 employment;

29           (4) Such additional student data and operating cost as may be  
30 necessary to enable the Legislative Council, the House Interim Council and  
31 Budget Committee, and the Interim Education ~~Committee~~ Committees to evaluate  
32 the courses of instruction offered, the per student cost per classroom hour of  
33 instruction, and the relative benefits of such instruction in placing the  
34 student in gainful employment upon completion of the course of instruction.

35           (c) The Legislative Council, the House Interim Council and Budget  
36 Committee, and the Interim Education ~~Committee~~ Committees are authorized to

1 promulgate standard and uniform forms and regulations to be followed by the  
2 various area vocational-technical schools in compiling and furnishing  
3 information required in this section."  
4

5 SECTION 53. Arkansas Code 10-3-1104(b) is amended to read as follows:

6 "(b) The committee may undertake any or all of the improvements  
7 contemplated in this subchapter, after conferring with the Legislative Council  
8 and the House Interim Council and Budget Committee, the agencies affected, and  
9 the Governor, giving due consideration to the needs and convenience of the  
10 several state agencies presently housed in the Capitol Building in space to be  
11 converted to legislative use, and especially after considering the plans for  
12 providing space for said agencies in a state office building, and may  
13 undertake improvements as a single project or in a series of projects as the  
14 committee may determine to be in the best interest of the General Assembly."  
15

16 SECTION 54. Arkansas Code 11-10-302(b)(1) is amended to read as  
17 follows:

18 "(b)(1) The Arkansas Employment Security Department shall report  
19 quarterly to the Legislative Council and the House Interim Council and Budget  
20 Committee the number of registrants or recipients of food stamps interviewed,  
21 the number of job referrals made, and the number of registrants or recipients  
22 of food stamps placed in jobs."  
23

24 SECTION 55. Arkansas Code 11-13-113(a)(1) is amended to read as  
25 follows:

26 "(a)(1) On January 1, 1994, and each year thereafter during the  
27 program's existence, the Director of the Department of Labor shall report to  
28 the Legislative Council and the House Interim Council and Budget Committee on  
29 the preceding fiscal year's impact of the program. All recipients of funds  
30 for approved projects shall provide the information requested by the  
31 Department of Labor for the purposes of this report."  
32

33 SECTION 56. Arkansas Code 12-8-306 is amended to read as follows:

34 "§ 12-8-306. Submission of contracts and proposals.

35 The Arkansas State Police Commission shall submit any contract,  
36 agreement, or proposal, as authorized by this subchapter, to the Arkansas

1 Communications Study Committee, ~~and to~~ the Arkansas Legislative Council, and  
2 the House Interim Council and Budget Committee prior to any obligation being  
3 incurred by the commission for their advice and counsel."  
4

5 SECTION 57. Arkansas Code 12-9-104(1) as amended by Act 179 of 1997 is  
6 amended to read as follows:

7 "(1) Promulgate rules and regulations for the administration of this  
8 subchapter. The rules and regulations promulgated by the Arkansas Commission  
9 on Law Enforcement Standards and Training shall not go into full force and  
10 effect until the commission seeks the advice of the Arkansas Legislative  
11 Council, the House Interim Council and Budget Committee and the House and  
12 Senate Interim Committees on Public Health, Welfare, and Labor;"  
13

14 SECTION 58. Arkansas Code 12-12-322(d) is amended to read as follows:

15 "(d) A monthly report shall be made to the Legislative Council and the  
16 House Interim Council and Budget Committee describing all payments made to  
17 employees under the provisions of this section."  
18

19 SECTION 59. Arkansas Code 12-50-106(b) is amended to read as follows:

20 "(b) Any contract for the financing, acquiring, constructing, or  
21 operating of facilities between the department and a prison contractor shall  
22 be approved by the board, subject to the advice and consent of the Legislative  
23 Council and the House Interim Council and Budget Committee."  
24

25 SECTION 60. Arkansas Code 12-75-131(c) is amended to read as follows:

26 "(c) A monthly report shall be made to the Arkansas Legislative Council  
27 and the House Interim Council and Budget Committee describing all payments  
28 made to employees under the provisions of this section."  
29

30 SECTION 61. Arkansas Code 15-4-210(b) as amended by Act 540 of 1997 is  
31 amended to read as follows:

32 "(b) The Arkansas Economic Development Commission shall report the  
33 progress of these offices annually to the Legislative Council, the House  
34 Interim Council and Budget Committee, the Legislative Joint Auditing  
35 Committee, and the Governor."  
36

1 SECTION 62. Arkansas Code 15-4-1405(a) as amended by Act 324 of 1997 is  
2 amended to read as follows:

3 "(a) The center shall submit an annual report based on the fiscal year  
4 on or before December 31 of each year to the Governor and shall mail the  
5 report to the Legislative Council of the General Assembly and the House  
6 Interim Council and Budget Committee to be reviewed by the House and Senate  
7 Interim Committees on State Agencies and Governmental Affairs."

8

9 SECTION 63. Arkansas Code 15-5-212 is amended to read as follows:

10 "§ 15-5-212. Approval of Legislative Council and the House Interim  
11 Council and Budget Committee for certain matters.

12 (a) The Arkansas Development Finance Authority shall not employ or  
13 select any investment banker, consultant, professional financial advisor, or  
14 attorney unless the selection criteria to be used in the selection has been  
15 submitted to the Legislative Council and the House Interim Council and Budget  
16 Committee for review.

17 (b) The Arkansas Development Finance Authority shall, as soon as  
18 practicable after closing any new bond issue, submit a program fact sheet for  
19 the issue to the Legislative Council and the House Interim Council and Budget  
20 Committee for ~~its~~ theirs review. The program fact sheet shall include, but not  
21 be limited to, the fees, interest rates, average coupon life of the securities  
22 and gross spread for the issue."

23

24 SECTION 64. Arkansas Code 15-5-1110(b) is amended to read as follows:

25 "(b) The reports required under this section shall be submitted to the  
26 Governor, ~~and to~~ the Legislative Council and the House Interim Council and  
27 Budget Committee."

28

29 SECTION 65. Arkansas Code 15-11-102(b) is amended to read as follows:

30 "(b) The Department of Parks and Tourism is specifically authorized to  
31 promulgate its own rules and procedures applying to the professional services  
32 of an advertising agency. The department will take proposals and contract with  
33 an advertising agency with the advice of the Legislative Council and the House  
34 Interim Council and Budget Committee."

35

36 SECTION 66. Arkansas Code 15-20-309(2) is amended to read as follows:

1           "(2) With the advice and consent of the Arkansas Legislative Council,  
2 the House Interim Council and Budget Committee and the Governor, to acquire,  
3 by purchase or otherwise, real property for the purpose of trade or exchange,  
4 and to trade or exchange any such property acquired for lands to be included  
5 in the natural areas system. However, the commission shall exercise this power  
6 in such a manner that any and all property acquired for the purpose of trade  
7 or exchange shall in fact be traded or exchanged forthwith and without delay."

8

9           SECTION 67. Arkansas Code 15-20-311(a) is amended to read as follows:

10           "(a) In any county in this state in which thirty-three percent (33%) or  
11 more of the total acreage in the county is publicly owned land, the commission  
12 shall not purchase in excess of forty (40) acres per year. Provided, the  
13 commission may purchase not to exceed forty (40) additional acres in any year  
14 in any such county if it first obtains approval of the Legislative Council and  
15 the House Interim Council and Budget Committee for such purchase."

16

17           SECTION 68. Arkansas Code 15-22-607(c) is amended to read as follows:

18           "(c) Upon conclusion of the studies, and after obtaining the advice of  
19 the Legislative Council and the House Interim Council and Budget Committee  
20 thereon, the Governor, if he deems the plan to be in the public interest,  
21 shall, by proclamation, authorize the commission to proceed with the issuance  
22 of the bonds as provided herein."

23

24           SECTION 69. Arkansas Code 15-22-707(c) is amended to read as follows:

25           "(c) Upon conclusion of the studies, and after obtaining the advice of  
26 the Legislative Council, ~~and~~ the House Interim Council and Budget Committee,  
27 the Governor, if he deems it to be in the public interest, shall by  
28 proclamation authorize the commission to proceed with the issuance of the  
29 bonds as provided in this subchapter."

30

31           SECTION 70. Arkansas Code 15-71-107(c) is amended to read as follows:

32           "(c) Before the Oil and Gas Commission implements the collection  
33 process of any increase in the millage assessment that may be authorized by  
34 law on each barrel of oil or on each thousand cubic feet (1,000 cf) of gas,  
35 the commission shall first seek review from the Arkansas Legislative Council,  
36 the House Interim Council and Budget Committee, or the Joint Budget

1 Committee."

2

3 SECTION 71. Arkansas Code 16-13-504 is amended to read as follows:

4 "§ 16-13-504. Initial annual salary of court reporters - Salary  
5 implementation procedures.

6 (a) All court reporters appointed by any circuit judge, chancery judge,  
7 or circuit-chancery judge in this state after March 28, 1983, shall receive an  
8 initial annual salary not to exceed that salary provided for in Step 1 of  
9 Grade 19 of the Uniform Classification and Compensation Plan unless the  
10 Arkansas Legislative Council and the House Interim Council and Budget  
11 Committee approves entrance at a greater salary, but in no instance shall  
12 court reporters enter at an annual salary greater than that provided in Step 5  
13 of Grade 19.

14 (b) The following salary implementation procedures shall apply to all  
15 court reporters who were official circuit or chancery court reporters in the  
16 state on June 30, 1981:

17 (1) The beginning compensation of persons first appointed to a  
18 position of court reporter after June 30, 1981, shall not be made at greater  
19 than the first, or entrance, step unless a special entrance rate is requested  
20 through and approved by the Office of Personnel Management with the advice of  
21 the Arkansas Legislative Council and the House Interim Council and Budget  
22 Committee;

23 (2) All subsequent step increases granted to court reporters  
24 shall be in conformance with the schedule provided in the compensation plan;

25 (3) Increase eligibility dates shall be determined from the dates  
26 of initial employment by the state:

27 (A) For those court reporters who are official court  
28 reporters in the state on June 30, 1981, the increase eligibility date shall  
29 be July 1, 1982.

30 (B) For those court reporters who are appointed after  
31 June 30, 1981, the increase eligibility date shall be determined by the date  
32 of appointment as court reporter by the circuit or chancery judge."

33

34 SECTION 72. Arkansas Code 17-34-107(a)(2)(B) is amended to read as  
35 follows:

36 "(B) Prior to any adjustment to the registration or renewal fee, the

1 Secretary of State shall certify to the Legislative Council and the House  
2 Interim Council and Budget Committee or any successor body thereto that the  
3 adjustment is necessary in order to comply with the provisions of this section  
4 and the amount of the adjusted registration or renewal fee, as the case may  
5 be."

6

7 SECTION 73. Arkansas Code 17-87-203(1)(B) as amended by Act 179 of 1997  
8 is amended to read as follows:

9 "(B) No regulation promulgated hereafter by the board shall be  
10 effective until reviewed by the Legislative Council, the House Interim Council  
11 and Budget Committee and the House and Senate Interim Committees on Public  
12 Health, Welfare, and Labor of the Arkansas General Assembly;"

13

14 SECTION 74. Arkansas Code 17-95-303(3) is amended to read as follows:

15 "(3) Have authority to employ attorneys to represent the board in all  
16 legal matters at a compensation approved by the board. Contracts for  
17 employment of attorneys shall be filed by the secretary of the board with the  
18 Legislative Council and the House Interim Council and Budget Committee. The  
19 board shall further have authority to request the assistance of the Attorney  
20 General and the prosecuting attorneys of Arkansas in such manner as it deems  
21 necessary and proper;"

22

23 SECTION 75. Arkansas Code 19-1-610(a) is amended to read as follows:

24 "(a) The Director of the Department of Finance and Administration, the  
25 Legislative Joint Auditing Committee, the House Interim Council and Budget  
26 Committee, or the Legislative Council may request the Office of the Attorney  
27 General to review any information concerning any violation of the fiscal  
28 responsibility and management laws of the state in order to determine whether  
29 legal action is appropriate."

30

31 SECTION 76. Arkansas Code 19-2-402(d) is amended to read as follows:

32 "(d) On or before July 1 of each fiscal year of the biennium, the Chief  
33 Fiscal Officer of the State shall report to the Legislative Council and the  
34 House Interim Council and Budget Committee the amounts to be saved by each  
35 agency, institution, department, board, and commission and where the various  
36 agencies, departments, boards, and commissions are anticipating making such



1 savings."

2

3 SECTION 77. Arkansas Code 19-2-404(a)(2) is amended to read as follows:

4 "(2) Other requests for utilization of this appropriation shall be  
5 submitted for prior review by the Governor to a Governor's Emergency Fund  
6 Review Committee, meeting in committee, composed of the chairmen and vice  
7 chairmen of the Legislative Joint Auditing Committee, ~~and~~ Legislative Council,  
8 and the House Interim Council and Budget Committee."

9

10 SECTION 78. Arkansas Code 19-4-105 is amended to read as follows:

11 "§ 19-4-105. Continuing studies and investigations.

12 The Chief Fiscal Officer of the State is directed to make continuing  
13 studies and investigations of the operation of state agencies and to make  
14 recommendations to the General Assembly, the Legislative Council, the House  
15 Interim Council and Budget Committee, and the Governor about improvements  
16 which should be made in order to:

17 (1) Safeguard against excessive expenditures of appropriations and funds;

18 (2) Promote economy, efficiency, and control in the operation of state  
19 agencies;

20 (3) Properly execute budgets; and

21 (4) Accomplish the purposes of this chapter as intended by the General  
22 Assembly."

23

24 SECTION 79. Arkansas Code 19-4-302 is amended to read as follows:

25 "§ 19-4-302. Budget information forms.

26 To accomplish his duties and responsibilities, the Director of the  
27 Department of Finance and Administration, in cooperation with the Legislative  
28 Council and the House Interim Council and Budget Committee, shall design  
29 budget information forms so that comparative data of the last fiscal year, the  
30 current fiscal year, and the next biennium are presented so that state  
31 agencies can best express budgetary and program information that will be most  
32 useful to the Governor, or Governor-elect, and the General Assembly in order  
33 to facilitate program formulation, execution, and accountability by:

34 (1) Focusing attention upon the general character and relative  
35 importance of the program to be accomplished or upon the service to be  
36 rendered and what the program or service will cost;

- 1           (2) Employing functional classifications, where practical to do so, in  
2 order to present budgets by broad program categories;
- 3           (3) Presenting budget requests by organizational units;
- 4           (4) Grouping expenditures and budget estimates by major objects of  
5 expenditures;
- 6           (5) Stating goals and objectives of agency programs;
- 7           (6) Presenting proposed plans to implement the goals and objectives,  
8 including proposed modification of existing program services and establishment  
9 of new program services, and the estimated resources required to implement the  
10 goals and objectives;
- 11          (7) Including a report of the receipts during the prior fiscal year, an  
12 estimate of the receipts during the current fiscal year, and an estimate for  
13 each year of the succeeding biennium;
- 14          (8) Presenting requested legislation required to implement the proposed  
15 programs and financial plans; and
- 16          (9) Supplying any other information necessary to carry out the purposes  
17 of this chapter."

18

19           SECTION 80. Arkansas Code 19-4-306 is amended to read as follows:

20           "§ 19-4-306. Review and control of budgets.

21           The Chief Fiscal Officer of the State, in cooperation with the  
22 Legislative Council and the House Interim Council and Budget Committee, shall  
23 devise the necessary procedures, forms, and timetables to assure the same  
24 comprehensive review of all state agency requests for capital expenditures as  
25 outlined in this subchapter for operating budgets. In addition, the Chief  
26 Fiscal Officer of the State shall institute the necessary budgetary and  
27 accounting controls over those capital budgets approved by the General  
28 Assembly to assure full compliance with all applicable state laws."

29

30           SECTION 81. Arkansas Code 19-4-522(c)(2) and (3) are amended to read as  
31 follows:

32           "(2) In considering the proposed modification as prepared and submitted  
33 by each state agency, the Chief Fiscal Officer of the State shall make such  
34 studies as he deems necessary. If the requested transfer would, when added to  
35 other transfers previously approved during the fiscal year for the same  
36 classification with the same appropriation, result in a deviation of any kind

1 in the affected classifications of less than five percent (5%) up to a maximum  
2 of two thousand five hundred dollars (\$2,500) from the classifications  
3 established by law, the Chief Fiscal Officer of the State shall approve the  
4 requested transfer if in his opinion it is in the best interest of the state.  
5 If the requested transfer would, when added to other transfers previously  
6 approved during the fiscal year for the same classification within the same  
7 appropriation, result in a deviation of five percent (5%) or more, or more  
8 than two thousand five hundred dollars (\$2,500), the Chief Fiscal Officer of  
9 the State shall submit the request, along with his recommendation, to the  
10 Legislative Council and the House Interim Council and Budget Committee for its  
11 advice prior to approving the request;

12 (3) In the event any state agency shall expend or obligate any approved  
13 budget in excess of the maximum classification, the Chief Fiscal Officer of  
14 the State shall study the reasons for such excess expenditures and shall take  
15 immediate steps to correct such excess spending as he deems necessary after  
16 notification of such actions has been sent to the Legislative Council and the  
17 House Interim Council and Budget Committee."

18  
19

20 SECTION 82. Arkansas Code 19-4-609(b)(2) is amended to read as follows:

21 "(2) The information shall be compiled on forms developed by the Bureau  
22 of Legislative Research and submitted to the Legislative Council and the House  
23 Interim Council and Budget Committee on a calendar-quarterly basis."

24

25 SECTION 83. Arkansas Code 19-4-1306(c) is amended to read as follows:

26 "(c) A copy of each directive issued pursuant to subdivision (b)(4) of  
27 this section shall be furnished to the Governor, ~~to~~ the Legislative Council,  
28 the House Interim Council and Budget Committee, and ~~to~~ the Legislative Joint  
29 Auditing Committee."

30

31 SECTION 84. Arkansas Code 19-4-1612(c) is amended to read as follows:

32 "(c) The rules and regulations authorized by this section shall not go  
33 into effect until the Chief Fiscal Officer of the State, or the Arkansas State  
34 Highway and Transportation Department as to its employees, has sought the  
35 advice of the Legislative Council and the House Interim Council and Budget  
36 Committee."

1

2 SECTION 85. Arkansas Code 19-4-1614(c) is amended to read as follows:

3 "(c) When notified that a state employee has filed suit or is in any  
4 other manner claiming redress under the provisions of the federal laws cited  
5 in subsection (a) of this section, the Chief Fiscal Officer of the State may  
6 investigate the circumstances surrounding the claim. If, based on the evidence  
7 and facts found during the investigation, the Chief Fiscal Officer of the  
8 State determines or has reason to believe that the court would sustain the  
9 employee's claim and find for the employee and in so doing award wages or  
10 salaries in addition to those paid or due for the employee's personal service  
11 rendered, then the Chief Fiscal Officer of the State shall, with the advice of  
12 the Legislative Council, the House Interim Council and Budget Committee, or  
13 the Joint Budget Committee, authorize payment of the additional wages or  
14 salaries as provided in subsection (a) of this section."

15

16 SECTION 86. Arkansas Code 19-4-1707(b) is amended to read as follows:

17 "(b) No contract contemplated by this subchapter may be approved by the  
18 Chief Fiscal Officer of the State which requires the services of one (1) or  
19 more individuals on a regular full-time or part-time work week basis for  
20 longer than one (1) year. However, in the unusual event that the best interest  
21 of the state would be served by a contract which exceeds one (1) year, the  
22 Chief Fiscal Officer of the State may approve such contract, having first  
23 received the advice of the Legislative Council, the House Interim Council and  
24 Budget Committee, or the Joint Budget Committee."

25

26 SECTION 87. Arkansas Code 19-4-1708 is amended to read as follows:

27 "§ 19-4-1708. General guidelines and regulations.

28 The Chief Fiscal Officer of the State, after soliciting suggestions from  
29 state agencies and after seeking and receiving the advice of the Attorney  
30 General and of the Legislative Council, and the House Interim Council and  
31 Budget Committee, or the Joint Budget Committee if the General Assembly is in  
32 session, shall publish general guidelines for the procurement of the two (2)  
33 types of contracts specified in this subchapter and general regulations  
34 governing the use of each type of contract."

35

36 SECTION 88. Arkansas Code 19-4-1710 is amended to read as follows:

1           "§ 19-4-1710. Submission of contracts required.

2           (a)(1) Any contract for professional services or consultant services  
3 requiring the services of an individual for regular full-time or part-time  
4 weekly work, or services for longer than twenty (20) actual working days, or  
5 the total compensation exceeds five thousand dollars (\$5,000) must be  
6 presented to the Legislative Council, the House Interim Council and Budget  
7 Committee, or the Joint Budget Committee by the Department of Finance and  
8 Administration prior to the execution date of the contract.

9           (2) The Legislative Council, the House Interim Council and Budget  
10 Committee, or the Joint Budget Committee shall provide the Chief Fiscal  
11 Officer of the State with their advice as to the propriety of the contract  
12 within thirty (30) days of the submission.

13           (3) This contract shall not be submitted to the Legislative Council, the  
14 House Interim Council and Budget Committee, or the Joint Budget Committee  
15 until the department has reviewed the contract and provided the Legislative  
16 Council, the House Interim Council and Budget Committee, or the Joint Budget  
17 Committee with a recommendation as to the legality of the contract.

18           (b) The Legislative Council, the House Interim Council and Budget  
19 Committee, or the Joint Budget Committee may review or exempt from review any  
20 contract or group of contracts contemplated by this subchapter.

21           (c) Funds from grants and contracts to any state institution of higher  
22 education may be used for the purpose of subcontracting with institutions  
23 under the performance conditions of the grants or contracts. Subcontracts for  
24 research that are derived from grants and contracts to any state institution  
25 of higher education shall require the prior approval of the Chief Fiscal  
26 Officer of the State and a review by the Legislative Council and the House  
27 Interim Council and Budget Committee."

28

29           SECTION 89. Arkansas Code 19-4-1711(c) is amended to read as follows:

30           "(c) It is the intent of the General Assembly that this section be  
31 strictly construed and enforced. However, in the unusual event that an  
32 obligation has been incurred by a state agency under any contractual agreement  
33 or proposed contract prior to the approval of the contract, the Chief Fiscal  
34 Officer of the State may approve payment for such services after having first  
35 received the advice of the Legislative Council and the House Interim Council  
36 and Budget Committee."

1

2 SECTION 90. Arkansas Code 19-4-1713(c),(d), and (e) are amended to read  
3 as follows:

4 "(c) The Chief Fiscal Officer of the State shall immediately report to  
5 the Legislative Council, the House Interim Council and Budget Committee, or  
6 the Joint Budget Committee the disapproval of any contracts or payments  
7 thereunder and the reasons therefor. The agency involved may then request a  
8 hearing before the Legislative Council, the House Interim Council and Budget  
9 Committee, or the Joint Budget Committee.

10 (d) The Legislative Council, the House Interim Council and Budget  
11 Committee, or the Joint Budget Committee, upon a hearing of the facts, may:

12 (1) Request the state agency to make certain changes in the  
13 contract involved;

14 (2) Request that the Chief Fiscal Officer of the State reconsider  
15 his previous disapproval of the contract or payment; or

16 (3) Notify the state agency that it concurs in the decision of  
17 the Chief Fiscal Officer of the State.

18 (e) The Chief Fiscal Officer of the State shall have final and ultimate  
19 authority over the supervision and approval of all contracts described in this  
20 subchapter. However, the Chief Fiscal Officer of the State shall seek and  
21 receive the advice of the Legislative Council and the House Interim Council  
22 and Budget Committee before approving or disapproving any contract or class or  
23 group of contracts authorized under the provisions of this subchapter, unless  
24 the Legislative Council, the House Interim Council and Budget Committee, or  
25 Joint Budget Committee specifically exempts the contract or class or group of  
26 contracts by formal committee action."

27

28 SECTION 91. Arkansas Code 19-4-1714(b) is amended to read as follows:

29 "(b) The Chief Fiscal Officer of the State shall verify the correctness  
30 of each agency report and shall compile and submit a copy of such reports  
31 monthly to the Legislative Council, the House Interim Council and Budget  
32 Committee, and the Legislative Joint Auditing Committee for their  
33 information."

34

35 SECTION 92. Arkansas Code 19-4-1906(b)(3) is amended to read as  
36 follows:

1           "(3) No agency shall implement a checks-paid or delay-of-drawdown  
2 letter of credit system except upon approval of the Chief Fiscal Officer of  
3 the State and upon advice of the Legislative Council and the House Interim  
4 Council and Budget Committee."

5

6           SECTION 93. Arkansas Code 19-4-1907 is amended to read as follows:

7           "(a) The Director of the Department of Finance and Administration shall  
8 file quarterly reports with the Legislative Council and the House Interim  
9 Council and Budget Committee itemizing and summarizing all contracts or  
10 agreements entered into by the Governor of the State of Arkansas with the  
11 federal government, or any agencies or instrumentalities thereof, whereby the  
12 State of Arkansas is to participate in any program involving the expenditure  
13 of federal funds. These reports shall be filed, whether or not state funds are  
14 obligated in connection therewith, with respect to new federal programs or  
15 expansions of existing federal programs which were not in existence or which  
16 were not implemented by state participation, at the time of the adjournment of  
17 the regular session of the General Assembly and entered into prior to the  
18 convening of the next regular session of the General Assembly.

19           (b) The report shall list, with respect to each such contract or  
20 agreement:

21           (1) A brief statement of the purposes of the agreement;

22           (2) The amount of federal funds to be expended thereunder;

23           (3) The amount of any state matching funds required in connection with  
24 such program, if any;

25           (4) The name of the agency that will administer the program; and

26           (5) Such additional information as will enable the members of the  
27 Legislative Council and the House Interim Council and Budget Committee to  
28 determine the nature and purposes of the agreement."

29

30           SECTION 94. Arkansas Code 19-4-1908(a) is amended to read as follows:

31           "(a) The Legislative Council and the House Interim Council and Budget  
32 Committee shall review the quarterly reports filed by the Director of the  
33 Department of Finance and Administration as required in this subchapter. The  
34 Legislative Council and the House Interim Council and Budget Committee shall  
35 submit such findings and recommendations to each succeeding regular session of  
36 the General Assembly for enabling legislation to implement, restrict, or

1 prohibit the state's participation in any such new federal program or expanded  
2 federal program which was implemented by contract or agreement entered into by  
3 the Governor subsequent to the adjournment of the preceding session of the  
4 General Assembly."

5

6 SECTION 95. Arkansas Code 19-5-106(a)(7) is amended to read as follows:

7 "(7) If during either fiscal year of a biennium, the board determines  
8 that as a result of the implementation of the Quality Management Program, that  
9 a reallocation of resources within any agency of the executive branch is  
10 necessary for the efficient and effective operation of state government, the  
11 Chief Fiscal Officer of the State, with approval of the Governor, shall have  
12 the authority to transfer or reallocate funds within such agency, board, or  
13 commission. The Chief Fiscal Officer of the State shall submit such transfers  
14 or reallocations to the Legislative Council and the House Interim Council and  
15 Budget Committee for review prior to making any transfer or reallocation;"

16

17 SECTION 96. Arkansas Code 19-5-106(f) is amended to read as follows:

18 "(f) The Chief Fiscal Officer of the State is authorized to remove any  
19 inactive funds, other than those funds or fund accounts established by law,  
20 upon determination that the funds have no appropriations or outstanding  
21 warrants and are therefore inactive, from the financial records of the State  
22 of Arkansas and to transfer any balances remaining in such funds to the  
23 General Revenue Allotment Reserve Fund. The Chief Fiscal Officer of the State  
24 shall notify the Treasurer of State and the Auditor of State of such  
25 transactions. The Chief Fiscal Officer of the State shall report to the  
26 Legislative Council, the House Interim Council and Budget Committee, and the  
27 Joint Budget Committee, during the month of November of each even-numbered  
28 year, the status of all inactive funds, along with his recommendation as to  
29 the disposition of such funds and balances maintained in them."

30

31 SECTION 97. Arkansas Code 19-5-107(b) is amended to read as follows:

32 "(b) Upon approval of the Chief Fiscal Officer of the State, and after  
33 seeking prior review by the Arkansas Legislative Council and the House Interim  
34 Council and Budget Committee, the cash fund appropriations shall be  
35 established upon the books of the Department of Finance and Administration;  
36 provided further, that upon request of the state agency and with the approval



1 of the Chief Fiscal Officer of the State, the requested appropriations may be  
2 established upon the books of the Department of Finance and Administration in  
3 compliance with the applicable classifications of appropriations as enumerated  
4 in §§ 19-4-521 - 19-4-525."

5

6 SECTION 98. Arkansas Code 19-5-501(b)(1)(B) is amended to read as  
7 follows:

8 "(B) The loans made to the Department of Correction Farm Fund are to be  
9 repaid on or before June 30 of the fiscal year following the fiscal year in  
10 which the loan was made after the amount of the outstanding loan made the  
11 previous fiscal year has been reduced by the value of products produced or  
12 processed on the farm that were consumed by inmates and other authorized  
13 personnel, in amounts as determined and certified by the Legislative Auditor  
14 to the Chief Fiscal Officer of the State. Processed beef purchased by the  
15 Department of Correction must be U.S. labeled. The value of products produced  
16 or processed on the farm that were consumed by inmates and other authorized  
17 personnel shall be based upon prices obtained by the Department of Correction  
18 and the State Purchasing Director for purchasing similar products and  
19 quantities on the open market for other state agencies, institutions, and  
20 universities. However, the Chief Fiscal Officer of the State may grant an  
21 extension not to exceed sixty (60) days for repayment of loans made to the  
22 Department of Correction Farm Fund upon receipt by him of a certification by  
23 the Director of the Department of Correction that farm products are held in  
24 storage or are on hand that exceed in market value the amount of loans that  
25 are due, and the Chief Fiscal Officer of the State may grant an additional  
26 extension not to exceed sixty (60) days for repayment of the loan made to the  
27 Department of Correction Farm Fund, after obtaining the advice of the Arkansas  
28 Legislative Council and the House Interim Council and Budget Committee in  
29 regard to a request from the Department of Correction for the additional  
30 sixty-day extension for repayment of the loan. Loans made to the Department of  
31 Correction Prison Industry Fund for operation expenses shall be repaid on or  
32 before June 30 of the fiscal year in which the loan was made, but loans made  
33 for the purchase of equipment necessary for implementing the various  
34 industries shall be repaid from time to time."

35

36 SECTION 99. Arkansas Code 19-5-501(d) is amended to read as follows:

1           "(d) The Chief Fiscal Officer of the State is authorized to transfer up  
2 to a maximum of four million dollars (\$4,000,000) from the Budget  
3 Stabilization Trust Fund to the State Central Services Fund, only in those  
4 instances when obligations incurred by the State Central Services Fund are  
5 estimated to exceed or are actually exceeding estimated or actual available  
6 resources. The transfer shall also be utilized to provide a level of funding,  
7 for those appropriations made payable from the State Central Services Fund,  
8 equal to the previous year's expenditure or the current year appropriation,  
9 whichever is less, in the event that income from all sources does not provide  
10 that funding level. Any transfer made as authorized in this section shall  
11 require the review and advice of the Legislative Council and the House Interim  
12 Council and Budget Committee prior to the transfer of those funds."

13

14           SECTION 100. Arkansas Code 19-5-905(a)(3) is amended to read as  
15 follows:

16           "(3) Guaranteeing bonds of any other park or recreation facility  
17 approved by the Governor and the Department of Parks and Tourism, not to  
18 exceed five hundred thousand dollars (\$500,000) in the aggregate, after  
19 seeking advice of the Legislative Council, the House Interim Council and  
20 Budget Committee, and the Legislative Joint Auditing Committee;"

21

22           SECTION 101. Arkansas Code 19-5-1018(d) is amended to read as follows:

23           "(d) Those funds accruing to the Higher Education Building Maintenance  
24 Fund under the provisions of this section shall be disbursed by the Director  
25 of the Department of Higher Education in accordance with the recommendations  
26 of the State Board of Higher Education, but only after the board shall  
27 determine the projects and priorities for which the funds shall be used, and  
28 after the board shall have sought the advice of the Legislative Council and  
29 the House Interim Council and Budget Committee with respect to them."

30

31           SECTION 102. Arkansas Code 19-5-1048(e) is amended to read as follows:

32           "(e) Upon approval of the Chief Fiscal Officer of the State, with  
33 review by the Legislative Council and the House Interim Council and Budget  
34 Committee, such transfers shall be recorded on the books of the Treasurer of  
35 State, Auditor of State, and the Chief Fiscal Officer of the State."

36

1 SECTION 103. Arkansas Code 19-7-101 is amended to read as follows:

2 "§ 19-7-101. Reports to Legislative Council.

3 (a) The Director of the Department of Finance and Administration shall  
4 file quarterly reports with the Legislative Council and the House Interim  
5 Council and Budget Committee itemizing and summarizing all contracts or  
6 agreements entered into by the Governor with the federal government, or any  
7 agencies or instrumentalities thereof, whereby the State of Arkansas is to  
8 participate in any program involving the expenditure of federal funds, whether  
9 or not state funds are obligated in connection therewith, with respect to new  
10 federal programs, or expansion of existing federal programs which were not in  
11 existence or which were not implemented by state participation, at the time of  
12 the adjournment of the regular session of the General Assembly and entered  
13 into prior to the convening of the next regular session of the General  
14 Assembly.

15 (b) The report shall list, with respect to each such contract or  
16 agreement:

- 17 (1) A brief statement of the purposes of the agreement;  
18 (2) The amount of federal funds to be expended thereunder;  
19 (3) The amount of any state matching funds required in connection  
20 with the program, if any;  
21 (4) The name of the agency or department that will administer the  
22 program; and  
23 (5) Such additional information as will enable the members of the  
24 Legislative Council and the House Interim Council and Budget Committee to  
25 determine the nature and purposes of the agreement."

26

27 SECTION 104. Arkansas Code 19-7-102(a) is amended to read as follows:

28 "(a) The Legislative Council and the House Interim Council and Budget  
29 Committee shall review the quarterly reports filed by the Director of the  
30 Department of Finance and Administration as required in § 19-7-101 and shall  
31 submit ~~its~~ their findings and recommendations to each succeeding regular  
32 session of the General Assembly for enabling legislation to implement,  
33 restrict, or prohibit the state's participation in any such new federal  
34 program or expanded federal program which was implemented by contract or  
35 agreement entered into by the Governor subsequent to the adjournment of the  
36 preceding session of the General Assembly."

1

2 SECTION 105. Arkansas Code 19-7-103(b) is amended to read as follows:

3 "(b) The Department of Education shall issue rules and regulations for  
4 the purpose of administering the funds received for college work-study  
5 programs and basic educational opportunity grants for the vocational-technical  
6 schools. The Department of Higher Education shall issue rules and regulations  
7 for the purpose of administering the funds received by state colleges and  
8 universities. The administration guidelines for the control of the funds of  
9 these two (2) programs shall be treated within the fiscal management laws of  
10 the State of Arkansas. Before these rules and regulations are implemented, the  
11 approval of the Legislative Council, the House Interim Council and Budget  
12 Committee, and the Legislative Joint Auditing Committee must be obtained by a  
13 majority vote of ~~both~~ those named bodies."

14

15 SECTION 106. Arkansas Code 19-7-502(d) is amended to read as follows:

16 "(d) Upon receipt of the report and supporting documents, for  
17 unanticipated miscellaneous federal grants, excluding the Comprehensive  
18 Employment and Training Act or its successor, the Governor or his designee  
19 shall study it. If he shall determine that the new or additional positions or  
20 appropriations are being sought in strict compliance with this subchapter, the  
21 Governor, after seeking the advice of the Legislative Council, the House  
22 Interim Council and Budget Committee, or the Joint Budget Committee, may  
23 approve or modify the request for such additional or new positions or  
24 appropriations as, in his judgment, he deems necessary. He shall forward a  
25 copy thereof to the head of the requesting agency and the Chief Fiscal Officer  
26 of the State. Upon receipt thereof, the Chief Fiscal Officer of the State  
27 shall direct the Auditor of State and Treasurer of State to establish upon  
28 their books of record the necessary appropriation accounts in accordance with  
29 the provisions as set out in this section and the applicable classifications  
30 of appropriations as enumerated in §§ 19-4-520 - 19-4-525 as amended, or its  
31 successor, and in accordance with any federal limitations as may be applicable  
32 to the funds which are available."

33

34 SECTION 107. Arkansas Code 19-9-502(c) is amended to read as follows:

35 "(c) The Secretary of the State Board of Finance shall compile a summary  
36 report of all revenue bonds from information provided under this section and

1 present the summary report to the Legislative Council and the House Interim  
2 Council and Budget Committee as soon as practicable after each October 1."

3

4 SECTION 108. Arkansas Code 20-7-127(b) is amended to read as follows:

5 "(b) If revenue from these fees is inadequate to enable local health  
6 units to continue the provision of essential services and the expansion and  
7 improvement of local health unit facilities in the state, the State Board of  
8 Health, with the review and comment of the Legislative Council and the House  
9 Interim Council and Budget Committee, is authorized to adopt appropriate rules  
10 and regulations to increase the client visit fee imposed in subsection (a) of  
11 this section to an amount not to exceed five dollars (\$5.00) per client visit  
12 or a twenty-five dollar (\$25.00) single annual charge and to prescribe  
13 guidelines for the assessment, collection, and remittance of those fees."

14

15 SECTION 109. Arkansas Code 20-46-105 as amended by Act 179 of 1997 is  
16 amended to read as follows:

17 "§ 20-46-105. Report concerning emotionally disturbed youth.

18 (a) The Department of Human Services shall report quarterly to the  
19 Arkansas Legislative Council, the House Interim Council and Budget Committee,  
20 and the House and Senate Interim Committees on Public Health, Welfare, and  
21 Labor the utilization of residential treatment facilities in the Residential  
22 Treatment Program for Emotionally Disturbed Youth.

23 (b) This report shall include the number of youth treated, the  
24 percentage of utilization of available facilities, and the number of beds  
25 available but not used.

26 (c) This information shall be provided both on a statewide basis and on  
27 the basis of each treatment facility.

28 (d) The Legislative Council and the House Interim Council and Budget  
29 Committee may request at any time that such additional information as it deems  
30 necessary be provided by the Department of Human Services.

31 (e) The Deputy Director of the appropriate division of the Department  
32 of Human Services as determined by the director shall certify by his signature  
33 that the information contained in these reports is correct to the best of his  
34 knowledge."

35

36 SECTION 110. Arkansas Code 20-48-212 is amended to read as follows:

1           "§ 20-48-212. Amount requested for special olympics.

2           The Board of Developmental Disabilities Services shall, when preparing  
3 their biennial budget request for submission to the Governor, the House  
4 Interim Council and Budget Committee, and the Arkansas Legislative Council,  
5 consult with the Arkansas Special Olympics, Inc., concerning the amount which  
6 is to be submitted as the request for each year of the forthcoming biennium  
7 for a grant to the Arkansas Special Olympics, Inc. Such amount as may be  
8 determined by the Arkansas Special Olympics, Inc., shall be submitted as the  
9 agency request to the Governor, the House Interim Council and Budget  
10 Committee, and ~~to~~ the Arkansas Legislative Council."

11

12           SECTION 111. Arkansas Code 20-76-102(b)(1) is amended to read as  
13 follows:

14           "(1) The Arkansas Employment Security Department shall report quarterly  
15 to the Arkansas Legislative Council and the House Interim Council and Budget  
16 Committee the number of registrants or recipients of food stamps interviewed,  
17 the number of job referrals made, and the number of registrants or recipients  
18 of food stamps placed in jobs."

19

20           SECTION 112. Arkansas Code 20-76-402(b) is amended to read as follows:

21           "(b) In the event that federal statutes, rules, or regulations conflict  
22 with the requirements of this section or rules and regulations promulgated  
23 hereunder, the appropriate division of the Department of Human Services is  
24 authorized to promulgate rules and regulations bringing the state's welfare  
25 programs into compliance with federal law after first obtaining the advice of  
26 the Legislative Council and the House Interim Council and Budget Committee  
27 thereon, while pursuing, insofar as possible, the legitimate objectives of  
28 this section."

29

30           SECTION 113. Arkansas Code 20-77-102(d) is amended to read as follows:

31           "(d) The Director of the Department of Human Services, with the approval  
32 of the Governor and after obtaining the advice of the Legislative Council and  
33 the House Interim Council and Budget Committee, may provide for an expanded  
34 comprehensive program of long-term care facility care for residents of this  
35 state if he deems the program advisable or appropriate in order to take  
36 advantage of expanded federal programs or participation therein, within the

1 limitation of funds that may be available to the department therefor."

2

3 SECTION 114. Arkansas Code 20-77-111 as amended by Act 179 of 1997 is  
4 amended to read as follows:

5 "§ 20-77-111. Data reports.

6 The Director of the Department of Human Services shall cause to be  
7 prepared a compilation of data on the Arkansas medicaid program. The report  
8 shall be issued quarterly and shall include comparisons of expenditures and  
9 recipients for the quarter with those of the previous quarters, for the same  
10 period the previous year, and such other comparisons and in such format as may  
11 be requested by the Arkansas Legislative Council, the House Interim Council  
12 and Budget Committee, the Arkansas Health Care Resources Commission, and the  
13 House and Senate Interim Committees on Public Health, Welfare, and Labor to  
14 which the reports are to be delivered. The report shall also identify any  
15 changes in eligibility requirements, level of benefits, methods or rates of  
16 reimbursement, and any program adjustments implemented to achieve savings in  
17 any category of the medicaid program. The report shall also identify any  
18 increase or decrease in expenditures as a result of any of these changes in  
19 the medicaid program."

20

21 SECTION 115. Arkansas Code 20-77-403(b)(2) is amended to read as  
22 follows:

23 "(2) The pharmacist's cost of the drug plus a dispensing fee. The fee  
24 will be adjusted annually on July 1 of each year by the percentage change in  
25 the Consumer Price Index, except that on any July 1 immediately following a  
26 subsequent cost of dispensing survey conducted by the appropriate division of  
27 the Department of Human Services, the fee will be adjusted using the formula  
28 used by the director and deputy director to determine the July 1, 1980, fee or  
29 other such formula as may be developed subsequently by the director and deputy  
30 director with the approval of the Legislative Council and the House Interim  
31 Council and Budget Committee."

32

33 SECTION 116. Arkansas Code 20-78-104(a)(4) is amended to read as  
34 follows:

35 "(4) Arkansas Children's Hospital shall make quarterly reports to the  
36 Arkansas Legislative Council and the House Interim Council and Budget

1 Committee on matters of funding, existing programs, and any new programs  
2 and/or services offered through the Child Health and Family Life Institute."  
3

4 SECTION 117. Arkansas Code 20-78-104(b)(3) is amended to read as  
5 follows:

6 "(3) The designated administrator from the University of Arkansas for  
7 Medical Sciences, Department of Pediatrics, shall make quarterly reports to  
8 the Chancellor of the University of Arkansas for Medical Sciences, the House  
9 Interim Council and Budget Committee, and the Arkansas Legislative Council on  
10 all matters of funding, existing programs, and services offered through the  
11 Child Health and Family Life Institute."  
12

13 SECTION 118. Arkansas Code 20-78-505(d) is amended to read as follows:

14 "(d) The commission shall report each October to the Legislative Council  
15 and the House Interim Council and Budget Committee on the status of the  
16 Arkansas Child Care Facilities Loan Guarantee Trust Fund."  
17

18 SECTION 119. Arkansas Code 21-3-101(b)(1) is amended to read as  
19 follows:

20 "(b)(1) Every state agency, board, commission, institution of higher  
21 education, and constitutional officer shall report to the Legislative Council  
22 and the House Interim Council and Budget Committee on December 31 and June 30  
23 of each year regarding its efforts to achieve its equal employment hiring  
24 program goal."  
25

26 SECTION 120. Arkansas Code 21-3-601 is amended to read as follows:

27 "§ 21-3-601. Internship program.

28 (a) The Legislative Council, the House Interim Council and Budget  
29 Committee, and the Department of Finance and Administration are authorized to  
30 establish, for their respective agencies, agreements with institutions of  
31 higher learning to utilize highly qualified graduate level students who are  
32 seeking Master's of Arts or Master's of Public Administration degrees in the  
33 departments of Political Science of such institutions to perform duties for  
34 their respective agencies.

35 (b) The program shall be known as an 'internship program' through which  
36 graduate level students can obtain practical experience in state government.



1 (c)(1) Students preparing for careers in government shall be given  
2 priority in employment under this program.

3 (2) Only qualified graduate level students who are citizens of  
4 the State of Arkansas shall be eligible to receive the benefits of the  
5 provisions of this section.

6 (3) In addition, internship agreements shall be based on the  
7 anticipated benefits and services to be rendered to the Legislative Council,  
8 the House Interim Council and Budget Committee, or the Department of Finance  
9 and Administration under the agreement with the institution of higher  
10 learning.

11 (d) All internship agreements entered into under the provisions of this  
12 section shall be at such rates as agreed to between the contracting  
13 institution of higher learning and the Legislative Council, the House Interim  
14 Council and Budget Committee, or the Department of Finance and Administration,  
15 but shall not exceed two hundred fifty dollars (\$250) per month per student  
16 for the time required for the student to complete his degree requirements,  
17 including the internship work obligations under agreements entered into under  
18 the provisions of this section.

19 (e) No such internship agreement shall be for more than twenty-one (21)  
20 months per student."

21

22 SECTION 121. Arkansas Code 21-5-206 is amended to read as follows:

23 "§ 21-5-206. Legislative Council and the House Interim Council and  
24 Budget Committee - Duties.

25 The Legislative Council and the House Interim Council and Budget  
26 Committee, in order to assist the General Assembly in more efficiently  
27 performing its constitutional duty, that being that '. . . the number and  
28 salaries of the clerks and employees of the different departments of the state  
29 shall be fixed by law . . .' shall:

30 (1) Review the establishment and implementation of any new  
31 classification titles proposed between legislative sessions due to program  
32 changes;

33 (2) Review the staffing levels of all agencies and institutions covered  
34 by the provisions of this subchapter and submit to the General Assembly, when  
35 in regular or special session, recommendations for revisions, modifications,  
36 or additions thereto;

1           (3) Conduct, when necessary, salary surveys of the private and public  
2 sector of jobs comparable to those contained in § 21-5-208 for purposes of  
3 establishing equitable and competitive rates of compensation for employees  
4 occupying positions affected by this subchapter;

5           (4) Periodically review and recommend any changes found necessary in  
6 the job evaluation system used to set salary grade levels for all  
7 classifications affected by the provisions of this section and forward the  
8 recommendations to the Office of Personnel Management; and

9           (5) Prepare and submit recommendations for revisions in this subchapter  
10 to the General Assembly when in session."

11

12           SECTION 122. Arkansas Code 21-5-207 is amended to read as follows:

13           "§ 21-5-207. Office of Personnel Management - Duties.

14           (a) It shall be the duty of the Office of Personnel Management to  
15 perform the following administrative responsibilities with respect to the  
16 state classification and compensation plan, subject to the provisions of this  
17 subchapter:

18                   (1) To determine that each position of a state agency or  
19 institution of higher education affected by this subchapter is allocated to a  
20 class having a written class specification based on the duties and  
21 responsibilities assigned to the position and the requirements necessary to  
22 satisfactorily perform the duties;

23                   (2) To assist the various state agencies or institutions of  
24 higher education in the allocation of positions to classes established in this  
25 subchapter, and in the appropriation act covering each of the several state  
26 agencies or institutions affected by this subchapter, and to disallow the  
27 allocation of a position to a class that is not in conformance with the  
28 provisions of this subchapter;

29                   (3) To cooperate with any other state agency, department, board,  
30 commission, or institution that is not covered by this subchapter which may  
31 wish to voluntarily establish its positions into classifications in a like  
32 manner as provided in this subchapter for state agencies or institutions of  
33 higher education covered by it;

34                   (4)(A) To authorize the reclassification of positions in a state  
35 agency or institution of higher education affected by the provisions of this  
36 subchapter in cases where it has been determined by the Office of Personnel

1 Management that there are material changes in the duties and responsibilities  
2 assigned to the position when there is no available vacant position having the  
3 proper classification and where it is impracticable to restructure the duties  
4 of the position to the proper classification.

5 (B) The reclassification of positions may also be  
6 authorized where it is necessary to establish a new classification to meet  
7 federal standards as a prerequisite for federal programs, provided that no  
8 position may be reclassified to a class with a higher salary grade than that  
9 approved by the General Assembly, and the reclassified positions shall not be  
10 placed in a class and receive pay at a salary rate in excess of the maximum  
11 salary rate authorized for the position, which was reclassified as provided in  
12 the appropriation act of the agency or institution.

13 (C) Reclassifications of positions authorized may be  
14 approved by the Office of Personnel Management, but shall be reported monthly  
15 to the Legislative Council and the House Interim Council and Budget Committee;

16 (5)(A) To review all class specifications and all classes and  
17 grades and the compensation plan affecting all state agencies and institutions  
18 of higher education covered by the provisions of this subchapter and to submit  
19 to the Legislative Council, the House Interim Council and Budget Committee,  
20 and the Governor in advance of the regular session of the General Assembly  
21 recommendations for revisions, modifications, or additions thereto.

22 (B) The Office of Personnel Management shall, when  
23 necessary, confer with the staff of the Legislative Council and the House  
24 Interim Council and Budget Committee on the development of and revisions to  
25 uniform classification and compensation systems.

26 (C) Time periods for the development of recommendations and  
27 time periods for the review by the Legislative Council and the House Interim  
28 Council and Budget Committee of those recommendations will be as established  
29 by the Personnel Committee of the Legislative Council.

30 (D) The time period shall be sufficiently in advance of  
31 budget hearings for the regular session to allow for the thorough review by  
32 the Personnel Committee of the Legislative Council;

33 (6) To develop and implement rules and regulations to accomplish  
34 the purposes of this subchapter;

35 (7) To revise, as necessary, upon review by the Legislative  
36 Council and the House Interim Council and Budget Committee, the minimum

1 education and experience requirements for all class specifications in order to  
2 maintain a valid relationship between the requirements and the duties and  
3 responsibilities of the jobs;

4 (8)(A) To establish a procedure to allow for the review of the  
5 qualifications of applicants whose education and experience do not meet or  
6 exceed that required by the class specification but who have other job-related  
7 qualifications which might be validly substituted for the class requirements.

8 (B) This procedure is intended specifically to allow  
9 agencies or institutions to substitute job-related education and experience  
10 for the specific requirements stated on the class specification without the  
11 necessity for the revision of the class requirements.

12 (C) The procedure will require the final approval of the  
13 personnel administrator, with the review of the Arkansas Legislative Council  
14 and the House Interim Council and Budget Committee;

15 (9)(A) To monitor agency and institution personnel transactions  
16 to ensure that unqualified appointments, including new hires, promotions, and  
17 reductions in grade are identified.

18 (B) Questionable appointments shall be forwarded to the  
19 personnel administrator for further review.

20 (C) Payroll vouchers containing unqualified appointments  
21 will not be processed until the unqualified appointment is removed from the  
22 payroll or placed into a position for which the individual meets the minimum  
23 qualifications of the classification.

24 (D) It is the specific responsibility of the director of  
25 each agency or the head of each institution covered by the provisions of this  
26 subchapter to certify that the qualifications of persons appointed to  
27 positions within the agency or institution do meet or exceed the minimum  
28 education and experience requirements as stated on the class specification;

29 (10)(A) To establish during the biennium, upon the review of the  
30 Legislative Council and the House Interim Council and Budget Committee, new  
31 classifications at an appropriate grade level in order to meet new or changed  
32 conditions and to report, at the end of each fiscal year, all class titles  
33 contained in § 21-5-208 for which a class specification has not been written.

34 (B) Any classification established within the biennium  
35 under the provisions of this subdivision shall remain in effect for the  
36 remainder of the biennium during which it was established unless specifically

1 authorized to continue by the General Assembly as an addition to this  
2 subchapter;

3           (11) To revise, as necessary, with the review of the Legislative  
4 Council and the House Interim Council and Budget Committee, the class  
5 specification of a classification in order to ensure the accuracy of the  
6 description of the assigned duties and the minimum requirements necessary to  
7 perform these duties;

8           (12) To administer and maintain a system for the evaluation of  
9 employee performance effectiveness;

10           (13) To provide assistance to state agencies or institutions  
11 covered by the merit system in the areas of recruitment, testing, and merit  
12 placement of applicants under the rules and regulations established for the  
13 merit system;

14           (14) To provide assistance to state agencies and institutions in  
15 identifying, developing, and maintaining training and resource programs; and

16           (15) To develop and implement, as needed, upon the review of the  
17 Arkansas Legislative Council and the House Interim Council and Budget  
18 Committee, rules and regulations to ensure a uniform system of personnel  
19 administration within state government.

20           (b) In order to ensure and provide for the accuracy and efficiency of  
21 the Uniform Classification and Compensation Plan and to provide for an  
22 efficient and equitable system of personnel management, the Office of  
23 Personnel Management, with the review of the Legislative Council and the House  
24 Interim Council and Budget Committee, is directed to:

25           (1) Study on a continuing basis and modify and revise when and  
26 where necessary the current classifications, the class specifications, and  
27 minimum requirements;

28           (2) Create where necessary new classifications at an appropriate  
29 grade level which will accurately describe those positions for which no  
30 appropriate classification exists;

31           (3) Determine those positions which are improperly classified and  
32 reclassify those positions to the appropriate classification subject to the  
33 provisions of this subchapter;

34           (4) Develop and implement the policies, rules, regulations, and  
35 procedures necessary for the establishment and maintenance of the Uniform  
36 Classification and Compensation Act."

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SECTION 123. Arkansas Code 21-5-210(b) is amended to read as follows:

"(b) Changes in class specifications may be made in whole or in part by regulation of the Office of Personnel Management with the review of the Legislative Council and the House Interim Council and Budget Committee, so long as the changes do not substantially change or alter the original class specifications adopted in this subchapter."

SECTION 124. Arkansas Code 21-5-211(b)(3)(A)(ii) is amended to read as follows:

"(ii) Any employee who is placed in a lower graded position because his original position has expired due to lack of funding, program changes, or withdrawal of federal grant funds, may continue to be paid at the same rate as he was being paid in the higher graded position upon approval of the Office of Personnel Management after seeking the review of the Legislative Council and the House Interim Council and Budget Committee."

SECTION 125. Arkansas Code 21-5-214 is amended to read as follows:

"§ 21-5-214. New appointments.

New appointments to positions in a state agency or institution of higher education covered by this subchapter shall not be at greater than Pay Level I unless a special rate is requested and approved as follows:

(1)(A) State agencies or institutions of higher education may request special rates of compensation for either current or prospective employees within the agency or institution under the following conditions:

(i) Where prevailing market rates of compensation for a specific classification title are such that the agency or institution is unable to competitively recruit at the entry level for the salary grade assigned to that classification;

(ii) Where an acute shortage of qualified applicants for a specific classification exists;

(iii) Where the agency or institution desires to obtain the services of an exceptionally well-qualified applicant for a specific classification; or

(iv) To meet any requirements of the federal Fair Labor Standards Act.

1                   (B)(i) State agencies or institutions of higher education may  
2 hire new employees up to a pay level equal to fifty percent (50%) of the range  
3 between Pay Level II and Pay Level III of the appropriate grade with the  
4 written approval of the Chief Fiscal Officer of the State, or above that level  
5 only with the approval of the Chief Fiscal Officer of the State after review  
6 by the Legislative Council and the House Interim Council and Budget Committee,  
7 for new appointments where qualified applicants cannot be obtained at Pay  
8 Level I of the assigned grade.

9                   (ii) No special rates of compensation shall be approved under the  
10 provisions of this section unless the classification is properly reviewed and  
11 approved as a market rate classification and listed on a register of such  
12 classifications to be maintained by the Office of Personnel Management of the  
13 Department of Finance and Administration.

14                   (iii) The Office of Personnel Management shall file a report of  
15 all such classifications with the Legislative Council and the House Interim  
16 Council and Budget Committee within the month following such approval.

17                   (C)(i) In all instances where a special rate of compensation has  
18 been approved for a specific classification due to prevailing market rates of  
19 compensation or an acute shortage of qualified applicants, current employees  
20 within the state agency or institution allocated to the affected  
21 classification shall not be adjusted to that new rate by the agency or  
22 institution until it has received approval to do so, where justified, by the  
23 Office of Personnel Management after seeking the review of the Legislative  
24 Council and the House Interim Council and Budget Committee.

25                   (ii) Agency or institution requests for special rates of  
26 compensation due to prevailing market rates or an acute shortage of qualified  
27 applicants for a specific classification may be approved up to the maximum  
28 annual rate authorized for the grade assigned to a classification;

29                   (2)(A) State agencies or institutions may hire a new employee up to a  
30 pay level equal to fifty percent (50%) of the range between Pay Level II and  
31 Pay Level III of the appropriate pay grade with the written approval of the  
32 Chief Fiscal Officer of the State and up to Pay Level IV with the approval of  
33 the Chief Fiscal Officer of the State after review by the Legislative Council  
34 and the House Interim Council and Budget Committee, provided that this  
35 provision is intended to be used exclusively for the hiring of the  
36 exceptionally well-qualified employee whose background and experience qualify

1 the applicant to perform the job with very little or substantially less  
2 orientation and training than would be the case for a qualified applicant.

3 (B) Requests by state agencies or institutions for special rates  
4 of compensation based on an exceptional level of qualifications held by a  
5 prospective employee may be approved only after the agency or institution has  
6 met the following conditions:

7 (i) It has documented to the satisfaction of the Chief Fiscal  
8 Officer of the State that no current employee of the affected agency or  
9 institution could have been considered for promotion as an equivalent  
10 alternative to the exceptionally well-qualified applicant. The Chief Fiscal  
11 Officer of the State shall, upon request, supply any documentation to the  
12 Legislative Council and the House Interim Council and Budget Committee; and

13 (ii) The prospective employee possesses a level of experience or  
14 educational credentials that would permit him to perform the duties and  
15 responsibilities of the position for which the special rate is being requested  
16 with significantly less training and orientation than all other qualified  
17 applicants.

18 (C) The hiring of a new employee under subdivision (2) of this  
19 section shall not affect the salary level or salary eligibility of any  
20 existing employee within the agency or institution.

21 (D) The provisions of this section shall apply to both current  
22 and prospective state employees;

23 (3) In all instances where approval has been granted to a requesting  
24 agency or institution for special rates of compensation in accordance with the  
25 provisions of this section, the Chief Fiscal Officer of the State shall report  
26 all approvals monthly to the Legislative Council and the House Interim  
27 Council and Budget Committee;

28 (4) (A) There shall be established a pool of two hundred (200)  
29 positions at grade 26 assigned to the Office of Personnel Management to be  
30 used to reclassify positions in state agencies and institutions, when  
31 justified, to the proper classification and grade when the agency or  
32 institution does not have a vacant position available with the appropriate  
33 classification and grade.

34 (B) To obtain a position from the pool, an agency or institution  
35 must surrender to the pool the position being reclassified.

36 (C) The Office of Personnel Management shall review all requests



1 and may grant approval of the reclassification after seeking the review of the  
2 Legislative Council and the House Interim Council and Budget Committee; and

3 (5) An employee's anniversary date may be changed on approval of the  
4 Office of Personnel Management with the review of the Legislative Council and  
5 the House Interim Council and Budget Committee in the event that an inequity  
6 is created due to the implementation procedures of this subchapter."

7

8 SECTION 126. Arkansas Code 21-5-304 is amended to read as follows:

9 "§ 21-5-304. Director of the Department of Finance and Administration -  
10 Duties.

11 The Director of the Department of Finance and Administration shall:

12 (1) At least quarterly, report to the Legislative Council and the House  
13 Interim Council and Budget Committee all requests for supplemental personal  
14 services made by the various state agencies and institutions which have been  
15 approved; and"

16

17 SECTION 127. Arkansas Code 21-5-306(b) is amended to read as follows:

18 "(b) Before establishing a supplemental emergency personal services  
19 position and the cost thereof, the Chief Fiscal Officer of the State shall  
20 seek the advice of the Legislative Council, the House Interim Council and  
21 Budget Committee, or the Joint Budget Committee."

22

23 SECTION 128. Arkansas Code 21-5-308(2) is amended to read as follows:

24 "(2)(A) Any legislative agency requesting supplemental personal services  
25 shall make the reasons, justification, duties to be performed, duration of  
26 service needed, and the total anticipated costs associated with the request  
27 known to the Chairman of the Legislative Council, the Chairman of the House  
28 Interim Council and Budget Committee, and the Chief Fiscal Officer of the  
29 State.

30 (B) The Chairmen of the Legislative Council, the House Interim Council  
31 and Budget Committee, and Legislative Joint Auditing Committee, jointly, shall  
32 conduct an investigation of the request to determine if the proposed use of  
33 supplemental personal services complies with the definitions established in  
34 this subchapter and shall recommend in writing their reasons for recommending  
35 approval or disapproval of the request to the Legislative Council and the  
36 House Interim Council and Budget Committee for ~~its~~ their advice, after which

1 the Chief Fiscal Officer shall establish the necessary accounts;"

2

3 SECTION 129. Arkansas Code 21-5-308(3)(B) is amended to read as  
4 follows:

5 "(B) The Chief Justice of the Supreme Court shall conduct an  
6 investigation of the request to determine if the proposed use of supplemental  
7 personal services complies with the definitions established in this subchapter  
8 and shall grant or deny the request in whole or in part and submit his  
9 recommendations to the Legislative Council and the House Interim Council and  
10 Budget Committee for ~~its~~ their advice after which the Chief Fiscal Officer  
11 shall establish the necessary accounts."

12

13 SECTION 130. Arkansas Code 21-5-310(b) is amended to read as follows:

14 "(b) Each agency or institution shall include in its biennial budget  
15 request presented to the Legislative Council and the House Interim Council and  
16 Budget Committee any request to continue any emergency personal services  
17 authorized by this subchapter."

18

19 SECTION 131. Arkansas Code 21-5-414(a) as amended by Act 183 of 1997 is  
20 amended to read as follows:

21 "(a) The Arkansas State Employee and Public School Personnel Board  
22 shall seek the advice of the Legislative Council, the House Interim Council  
23 and Budget Committee, and the House and Senate Interim Committees on Insurance  
24 and Commerce before additional contributions can be made."

25

26 SECTION 132. Arkansas Code 21-11-105(a)(2) is amended to read as  
27 follows:

28 "(2) The membership of the board shall consist of the Director of the  
29 Department of Finance and Administration, the Personnel Director, who shall  
30 serve as chairman, the Chairman of the House Interim Council and Budget  
31 Committee, and the Chairman of the Legislative Council."

32

33 SECTION 133. Arkansas Code 22-2-108(13) is amended to read as follows:

34 "(13) To provide monthly reports to the Legislative Council, the House  
35 Interim Council and Budget Committee, and to the Governor, or otherwise as may  
36 be requested by the Legislative Council, the House Interim Council and Budget

1 Committee, the Governor, or the General Assembly;"

2

3 SECTION 134. Arkansas Code 22-3-311 is amended to read as follows:

4 "§ 22-3-311. Report by commission to Legislative Council and the House  
5 Interim Council and Budget Committee.

6 The Capitol Zoning District Commission shall submit a written summary of  
7 its actions and progress to the Legislative Council and the House Interim  
8 Council and Budget Committee as requested ~~by that council.~~"

9

10 SECTION 135. Arkansas Code 22-3-802(b) is amended to read as follows:

11 "(b) The disbursing officer of the Governor's Mansion Commission shall  
12 file with the Legislative Council and the House Interim Council and Budget  
13 Committee an annual summary statement of expenditures made by him of the  
14 maintenance funds so withdrawn, together with a statement of the adequacy of  
15 the amount of the funds for operation of the Governor's Mansion and grounds."

16

17 SECTION 136. Arkansas Code 22-3-805(3) is amended to read as follows:

18 "(3) To prepare and file with the Governor, the House Interim Council  
19 and Budget Committee, and the Legislative Council an annual mansion report, to  
20 be filed on or before November 1 of each year, summarizing the results of its  
21 surveys and investigations made under subdivision (1) of this section and  
22 recommending any necessary repairs, improvements, replacements, or  
23 reconstruction of the mansion, its appurtenant buildings, grounds, and  
24 contents, together with an itemized and detailed estimate of the costs  
25 thereof; and"

26

27 SECTION 137. Arkansas Code 22-3-805(4) is amended to read as follows:

28 "(4) To solicit and accept gifts, grants, or donations of, or for the  
29 purchase of, furnishings, fixtures, works of art, trees, shrubs, landscaping,  
30 and similar contents and appurtenances. However, no such gift, grant, or  
31 donation may be accepted without the approval of the Governor, the House  
32 Interim Council and Budget Committee, and the Mansion Advisory Council."

33

34 SECTION 138. Arkansas Code 22-3-1010 is amended to read as follows:

35 "§ 22-3-1010. Audit of accounts - Reports.

36 An audit of the records and accounts of the commission shall be made

1 each year, and a copy of the report shall be filed with the Legislative  
2 Council, the House Interim Council and Budget Committee, the Governor, and the  
3 Chief Fiscal Officer of the State."

4

5 SECTION 139. Arkansas Code 22-3-1206 is amended to read as follows:

6 "§ 22-3-1206. Plan for proposed construction - Hearings and review - Filing  
7 of financial statement.

8 (a) Before certificates of indebtedness as authorized by this  
9 subchapter may be issued by the State Building Services and purchased by the  
10 State Board of Finance, the State Building Services shall develop a plan for  
11 all proposed construction work to be performed, the location at which the work  
12 is to be performed, and the proposed use of the improvements to be carried out  
13 under the construction, together with the estimated cost thereof, and shall  
14 file a copy thereof with the Legislative Council, the House Interim Council  
15 and Budget Committee, the Governor, and the Chief Fiscal Officer of the State  
16 at least sixty (60) days prior to the issuance of the certificates of  
17 indebtedness.

18 (b)(1) Upon receipt of a copy of a plan for proposed construction, the  
19 Legislative Council and the House Interim Council and Budget Committee shall  
20 review the plan and may hold hearings in connection therewith, and upon the  
21 conclusion of the hearings and review, the Legislative Council and the House  
22 Interim Council and Budget Committee may offer such advice to the State  
23 Building Services as ~~it deems~~ they deem appropriate in accomplishing the  
24 purposes set forth in this subchapter.

25 (2) Copies of the advice of the Legislative Council and the House  
26 Interim Council and Budget Committee shall be furnished to the State Building  
27 Services, the Governor, and the Chief Fiscal Officer of the State for their  
28 respective review and consideration.

29 (3) Nothing in this subsection is intended to prohibit or limit  
30 the authority of the State Building Services to proceed in accordance with the  
31 purposes and intent of this subchapter, but in each instance in which the  
32 State Building Services shall elect not to follow the advice of the  
33 Legislative Council, or the House Interim Council and Budget Committee, the  
34 State Building Services shall file a written statement of the reasons therefor  
35 with the Legislative Council and the House Interim Council and Budget  
36 Committee within thirty (30) days after receiving the advice of the

1 Legislative Council and the House Interim Council and Budget Committee.

2           (4) The Legislative Council and the House Interim Council and  
3 Budget Committee shall report to the next following regular session of the  
4 General Assembly ~~its~~ their advice offered to the State Building Services in  
5 performing its duties under the provisions of this subchapter and shall attach  
6 to the report any statements in writing filed with the Legislative Council and  
7 the House Interim Council and Budget Committee by the State Building Services  
8 setting forth its reasons for not following the advice of the Legislative  
9 Council and the House Interim Council and Budget Committee.

10           (c)(1) Whenever any certificates of indebtedness are issued under the  
11 provisions of this subchapter the State Building Services shall thereafter  
12 quarterly file with the Legislative Council and the House Interim Council and  
13 Budget Committee a detailed financial statement reflecting all expenditures or  
14 transfers of funds, by major categories, made during the calendar quarter.

15           (2) The State Building Services shall furnish the Legislative  
16 Council and the House Interim Council and Budget Committee additional  
17 information concerning the use of funds provided in this subchapter that the  
18 Legislative Council and the House Interim Council and Budget Committee may  
19 reasonably request."

20

21           SECTION 140. Arkansas Code 22-4-105(e) is amended to read as follows:

22           "(e) No long-term lease shall be entered into by the department unless it  
23 is approved by the State Parks, Recreation, and Travel Commission, the House  
24 Interim Council and Budget Committee and the Legislative Council."

25

26           SECTION 141. Arkansas Code 22-4-106(a) and (b) are amended to read as  
27 follows:

28           "(a) The Department of Parks and Tourism and the State Parks,  
29 Recreation, and Travel Commission are directed to consult with and seek the  
30 advice of the Governor, the Director of the Department of Finance and  
31 Administration, the House Interim Council and Budget Committee, and the  
32 Legislative Council before establishing and acquiring properties for new state  
33 parks or before making acquisitions of real property for additions to or  
34 expansions of existing state parks which have not been specifically authorized  
35 or funded by the General Assembly.

36           (b) The advice of the Governor, the Director of the Department of Finance

1 and Administration, the House Interim Council and Budget Committee, and the  
2 Legislative Council shall be sought in writing by the department or the  
3 commission at least sixty (60) days prior to the final approval by the  
4 commission of any formal action to establish a new state park or to make  
5 acquisitions of real property for additions to or expansions of existing state  
6 parks, if the action has not previously received specific legislative  
7 authorization."

8

9 SECTION 142. Arkansas Code 22-5-817(a) is amended to read as follows:

10 "(a)(1) The State Parks, Recreation, and Travel Commission, through the  
11 Department of Parks and Tourism, is authorized to execute a lease after  
12 securing the advice of the Legislative Council and the House Interim Council  
13 and Budget Committee for the exploration and production of diamonds at the  
14 Crater of Diamonds State Park.

15 (2) After securing the advice of the Legislative Council and the House  
16 Interim Council and Budget Committee, the commission shall have full authority  
17 to determine whether the lease shall be executed, the area of the park to be  
18 included in any lease, the method of selecting the lessee, benefits, and  
19 improvements for the park to be made by the lessee, the royalty payments to be  
20 paid the commission by any lessee, and any and all other terms of the lease;  
21 provided, however, any lease executed by the commission shall contain plans  
22 for the continued operation and improvement of the park, including long-range  
23 plans that provide 'finders keepers' diamond hunting opportunities for  
24 visitors to the park."

25

26 SECTION 143. Arkansas Code 22-8-101(b)(1) is amended to read as  
27 follows:

28 "(1) The director shall make an annual report to the Legislative Council  
29 and the House Interim Council and Budget Committee as to the number of motor  
30 vehicles owned by the State of Arkansas."

31

32 SECTION 144. Arkansas Code 22-8-102(a)(2), (3), and (4) are amended to  
33 read as follows:

34 "(2) Upon receipt, the Director of the Office of State Purchasing of  
35 the Department of Finance and Administration shall review the request to lease  
36 the motor vehicle, and if he determines that the lease is in the best interest

1 of the State of Arkansas and that the agency has adequate funds to pay the  
2 lease, he may approve the request, but only if he shall have first received  
3 the approval of the Legislative Council and the House Interim Council and  
4 Budget Committee.

5 (3) After receiving the approval of the Legislative Council and the  
6 House Interim Council and Budget Committee, the Director of the Office of  
7 Purchasing of the Department of Finance and Administration shall stamp his  
8 approval on the request and return it to the state agency, which may then  
9 proceed to enter into the lease as proposed and approved by the Director of  
10 the Office of Purchasing of the Department of Finance and Administration.

11 (4) In emergency situations, the Director of the Office of Purchasing  
12 may approve a temporary lease of a motor vehicle, not to exceed thirty (30)  
13 days, but only if he has sought the advice of the Chairman of the Legislative  
14 Council and the Chairman of the House Interim Council and Budget Committee and  
15 scheduled the temporary lease of a motor vehicle for consideration at the next  
16 meeting of the Legislative Council and the House Interim Council and Budget  
17 Committee."

18

19 SECTION 145. Arkansas Code 22-8-206(f) is amended to read as follows:

20 "(f) After seeking the advice of the Legislative Council and the House  
21 Interim Council and Budget Committee, in order to effectuate the intent and  
22 purposes of this subchapter, the Chief Fiscal Officer of the State shall have  
23 the authority to transfer appropriations:

24 (1) From the Property Sale Holding Appropriation to the Motor  
25 Vehicle Acquisition Revolving Fund appropriation; and

26 (2) From the appropriation or budget classification provided by  
27 the General Assembly for the purchase of automobiles or pickup trucks to the  
28 Motor Vehicle Acquisition Revolving Fund appropriation."

29

30 SECTION 146. Arkansas Code 22-9-104(d) is amended to read as follows:

31 "(d)(1) In unusual circumstances between sessions of the General  
32 Assembly, a state agency, department, or institution which needs to make a  
33 capital expenditure in excess of fifty thousand dollars (\$50,000), which has  
34 not been approved by the General Assembly, may submit a request for the  
35 expenditure to the Chief Fiscal Officer of the State, who shall review the  
36 request and submit his recommendation for the method of finance for the

1 expenditure to the Legislative Council and the House Interim Council and  
2 Budget Committee for ~~its~~ their advice and recommendation.

3 (2) Upon obtaining the advice and recommendation of the Legislative  
4 Council, and the House Interim Council and Budget Committee, the state agency,  
5 department, or institution is authorized to proceed with the capital  
6 expenditure, subject to the provisions of the General Accounting and Budgetary  
7 Procedures Law, § 19-4-101 et seq., and other fiscal laws of the state."

8  
9 SECTION 147. Arkansas Code 22-9-208(a)(3) is amended to read as  
10 follows:

11 "(3) Procedures provided in subdivision (a)(2) of this section should  
12 be applicable for specific projects only after review and approval by the  
13 Chief Fiscal Officer of the State, the State Building Services Council, the  
14 House Interim Council and Budget Committee, and the Legislative Council."

15  
16 SECTION 148. Arkansas Code 22-9-209(d) is amended to read as follows:

17 "(d) No agency shall advertise for bids under the provisions of this  
18 section and §§ 22-9-208, 22-9-210, and 22-9-211 without seeking the advice of  
19 the Legislative Council, the House Interim Council and Budget Committee, and  
20 the State Building Services Council."

21  
22 SECTION 149. Arkansas Code 23-4-420 is amended to read as follows:

23 "§ 23-4-420. Reports on status of applications.

24 (a) Quarterly, the Arkansas Public Service Commission shall appear  
25 before the Legislative Council and the House Interim Council and Budget  
26 Committee, file a written report, and make such oral reports as the  
27 Legislative Council and the House Interim Council and Budget Committee may  
28 request concerning the status of all utility rate applications pending before  
29 the commission, including:

30 (1) An identification of the cases filed;

31 (2) The status of staff progress, if any;

32 (3) The schedule of hearings and deadlines established for  
33 disposition of each case;

34 (4) The date on which hearings have been held or are scheduled to  
35 be held; and

36 (5) The projected date of completion of hearings and issuance of



1 a final order in connection with each case.

2 (b) In the event the commission has failed to conclude a hearing and  
3 issue an order on a particular rate application within the deadlines  
4 established by law, the commission shall file with the Legislative Council and  
5 the House Interim Council and Budget Committee a detailed statement of the  
6 reasons for the delay or failure to complete the hearing and ruling thereon  
7 within the deadline set by law, and shall advise the Legislative Council and  
8 the House Interim Council and Budget Committee of any impact or effect thereof  
9 upon the ratepayers of the utility.

10 (c) The Legislative Council and the House Interim Council and Budget  
11 Committee shall schedule an appropriate date and shall give notice thereof to  
12 the Arkansas Public Service Commission of the date on which the commission is  
13 to appear before the Legislative Council and the House Interim Council and  
14 Budget Committee to make its quarterly report, as requested in this section."

15

16 SECTION 150. Arkansas Code 23-61-610 is amended to read as follows:

17 "§ 23-61-610. Annual report.

18 The risk manager shall report annually to the Governor, the House  
19 Interim Council and Budget Committee and the Legislative Council on his  
20 findings and recommendations."

21

22 SECTION 151. Arkansas Code 24-3-104(b) is amended to read as follows:

23 "(b) A copy of the audit report is to be given to the Legislative  
24 Council, the House Interim Council and Budget Committee and the Governor."

25

26 SECTION 152. Arkansas Code 24-7-305(d)(3) is amended to read as  
27 follows:

28 "(3) In addition to the distribution of the report provided by this  
29 subsection (d), it shall also be distributed to the Legislative Council, the  
30 House Interim Council and Budget Committee, and the Governor as provided by §  
31 24-3-104."

32

33 SECTION 153. Arkansas Code 24-7-605(a)(1)(A)(ii) is amended to read as  
34 follows:

35 "(ii) These meetings shall include, but not be limited to, the  
36 Legislative Council, the House Interim Council and Budget Committee, the

1 Legislative Joint Auditing Committee, the ~~joint~~ interim committees, and  
2 special legislative committees."

3

4 SECTION 154. Arkansas Code 24-10-204(e)(2) is amended to read as  
5 follows:

6 "(2) The Division of Legislative Audit shall examine the audits at  
7 least once every three (3) years and report to the Joint Interim Committee on  
8 Retirement and Social Security, the Legislative Council, the House Interim  
9 Council and Budget Committee, the Board of Trustees of the Arkansas Local  
10 Police and Fire Retirement System, the Arkansas Fire and Police Pension Review  
11 Board, and the Governor."

12

13 SECTION 155. Arkansas Code 25-1-105 as amended by Act 181 of 1997 is  
14 amended to read as follows:

15 "25-1-105. Annual reports.

16 (a) Each state board or commission created by law shall file with the  
17 Legislative Council and the House Interim Council and Budget Committee an  
18 annual mission statement describing the scope, function, public purpose,  
19 specific goals and objectives, and duties of the board or commission and an  
20 annual report summarizing the boards or commissions activity during the  
21 previous twelve months. The filings shall be made available to the Governor  
22 upon his request.

23 (b) In January of each year, the following state boards and commissions  
24 shall file their mission statements and annual reports with the Legislative  
25 Council and the House Interim Council and Budget Committee:

- 26 (1) Abstractors' Board of Examiners [17-11-201]  
27 (2) Board of Public Accountancy [17-12-201]  
28 (3) Aeronautics Commission [27-115-103]  
29 (4) Alcoholic Beverage Control Board [3-2-201]  
30 (5) Board of Nursing [17-87-201]  
31 (6) Occupational Therapy Examining Committee [17-88-202]  
32 (7) Fire Prevention Commission [20-22-202]  
33 (8) Auctioneer's Licensing Board [17-17-201]  
34 (9) Board of Architects [17-15-201]  
35 (10) Arkansas State University Board of Trustees [6-65-201]  
36 (11) Advisory Council to Office of Arkansas State Arts &

- 1 Humanities [13-8-104]
- 2           (12) Athletic Commission [17-22-201]
- 3           (13) Banking Board [23-31-302]
- 4           (14) Board of Barber Examiners [17-20-201]
- 5           (15) Board of Trustees for Arkansas School for the Blind & the
- 6 Arkansas School for the Deaf [6-43-101]
- 7           (16) Burial Association Board [23-78-105]
- 8           (17) Crime Laboratory Board [12-12-302]
- 9           (18) State Interagency Council [20-14-508]
- 10           (19) Arkansas Cemetery Board [20-17-1004]
- 11           (20) Podiatry Examining Board [17-96-201]
- 12           (21) Board of Chiropractic Examiners [17-81-201]
- 13           (22) State Claims Commission [19-10-201]
- 14           (23) Board of Collection Agencies [17-24-201]
- 15           (24) Arkansas Commemorative Commission [13-7-202]
- 16           (25) Contractors Licensing Board [17-25-201]
- 17           (26) State Board of Cosmetology [17-26-201]
- 18           (27) Board of Electrical Examiners [17-28-201]
- 19           (c) In February of each year, the following state boards and
- 20 commissions shall file their mission statements and annual reports with the
- 21 Legislative Council and the House Interim Council and Budget Committee:
- 22           (1) Board of Dental Examiners [17-82-201]
- 23           (2) State Board of Education & Vocational Education [6-11-101]
- 24           (3) Compact for Education Commissioners for Arkansas [6-4-202]
- 25           (4) Elevator Safety Board [20-24-105]
- 26           (5) State Board of Embalmers & Funeral Directors [17-29-201]
- 27           (6) State Board of Registration of Professional Engineers & Land
- 28 Surveyors [17-30-201]
- 29           (7) State Forestry Commission [15-31-102]
- 30           (8) State Board of Registration for Foresters [17-31-201]
- 31           (9) Arkansas Geological Commission [15-55-201]
- 32           (10) Advisory Council for the Education of Gifted & Talented
- 33 Children [6-42-104]
- 34           (11) State Board of Health [20-7-102]
- 35           (12) Board of Directors of Arkansas Development Finance Authority
- 36 [15-5-202]

- 1 (13) Board of Trustees of Henderson State University [6-66-101]
- 2 (14) State Board of Higher Education [6-61-201]
- 3 (15) State History Commission [13-3-101]
- 4 (16) Arkansas Industrial Development Commission [15-4-201]
- 5 (17) Arkansas State Respiratory Care Examining Committee [17-99-
- 6 203]
- 7 (18) Board of Private Investigators and Private Security Agencies
- 8 [17-40-201]
- 9 (19) Rural Fire Departments Study Commission [14-272-101]
- 10 (20) State Kidney Disease Commission [20-15-602]
- 11 (21) Long-Term Care Facility Advisory Board [20-10-301]
- 12 (22) Liquefied Petroleum Gas Board [15-75-201]
- 13 (23) Liquefied Petroleum Gas Board Advisory Committee [15-75-205]
- 14 (24) Livestock & Poultry Commission [2-33-101]
- 15 (25) Board of Massage Therapy [17-86-201]
- 16 (26) State Medical Board [17-95-301]
- 17 (27) Board of Developmental Disabilities Services [20-48-203]

18 (d) In March of each year, the following state boards and commissions  
19 shall file their mission statements and annual reports with the Legislative  
20 Council and the House Interim Council and Budget Committee:

- 21 (1) Mississippi River Parkway Commission [27-69-201]
- 22 (2) State Board of Nursing [17-87-201]
- 23 (3) Oil & Gas Commission [15-71-101]
- 24 (4) State Board of Optometry [17-90-201]
- 25 (5) Oil & Brine Museum Advisory Committee [13-5-404]
- 26 (6) State Parks, Recreation & Travel Commission [15-11-201]
- 27 (7) State Board of Pharmacy [17-92-201]
- 28 (8) Child Care Facility Review Board [20-78-205]
- 29 (9) Child Care Providers' Committee [20-78-401]
- 30 (10) State Board of Physical Therapy [17-93-201]
- 31 (11) State Plant Board [2-16-206]
- 32 (12) State Police Commission [12-8-102]
- 33 (13) Red River Commission [14-118-202]
- 34 (14) Pollution Control & Ecology Commission [8-4-104]
- 35 (15) Board of Trustees of Arkansas Tech University [6-65-301]
- 36 (16) Prairie Grove Battlefield Commission [13-7-401]

- 1 (17) Board of Examiners in Psychology [17-97-201]
- 2 (18) Racing Commission [23-110-201]
- 3 (19) Real Estate Commission [17-42-201]
- 4 (20) Revenue Department Building Commission [38 of 1st Spec Sess
- 5 1961]
- 6 (21) State Board of Review [11-10-523]
- 7 (22) Entertainers Hall of Fame Board [13-9-101]
- 8 (23) State Board of Sanitarians [17-43-201]
- 9 (24) Savings & Loan Association Board [23-37-203]
- 10 (25) Grade "A" Milk Program Advisory Committee [20-59-503]
- 11 (26) School Self-Insurance Advisory Committee [6-20-1504]
- 12 (27) Soil & Water Conservation Commission [15-20-201]
- 13 (28) Water Well Construction Commission [17-50-201]
- 14 (e) In April of each year, the following state boards and commissions
- 15 shall file their mission statements and annual reports with the Legislative
- 16 Council and the House Interim Council and Budget Committee:
- 17 (1) University of Central Arkansas Board of Trustees [6-67-102]
- 18 (2) Southern Arkansas University Technical Advisory Committee [6-
- 19 65-405]
- 20 (3) Employment Security Advisory Council [11-10-305]
- 21 (4) University of Arkansas Board of Trustees [6-64-201]
- 22 (5) Veterinary Medical Examining Board [17-101-201]
- 23 (6) Arkansas Waterways Commission [15-23-201]
- 24 (7) Governor's Mansion Commission [22-3-804]
- 25 (8) Child Abuse & Neglect Prevention Board [9-30-104]
- 26 (9) Arkansas Natural Heritage Commission [15-20-305]
- 27 (10) Manufactured Home Commission [20-25-101]
- 28 (11) Arkansas-Oklahoma Arkansas River Compact Commission [15-23-
- 29 401]
- 30 (12) Commission on Law Enforcement Standards & Training [12-9-103]
- 31 (13) Capitol Zoning District Commission [22-3-303]
- 32 (14) Emergency Medical Services Advisory Council [20-13-205]
- 33 (15) Board of Registration for Professional Geologists [17-32-201]
- 34 (16) Natural & Scenic Rivers Commission [15-23-305]
- 35 (17) Motor Vehicle Commission [23-112-201]
- 36 (18) Health Services Commission [20-8-102]

- 1                   (19) Board of Examiners in Speech-Language Pathology & Audiology  
2 [17-100-201]
- 3                   (20) Spinal Cord Commission [20-8-202]
- 4                   (21) Student Loan Authority [6-81-102]
- 5                   (22) Social Work Licensing Board [17-46-201]
- 6                   (23) State Library Board [13-2-205]
- 7                   (24) Governor's Commission on Veterans' Affairs [20-81-104]
- 8                   (25) Museum Services Review Panel [13-5-207]
- 9                   (26) Board of Dispensing Opticians [17-89-201]
- 10               (f) In May of each year, the following state boards and commissions  
11 shall file their mission statements and annual reports with the Legislative  
12 Council and the House Interim Council and Budget Committee:
- 13                   (1) Capitol Grounds Commission [22-3-502]
- 14                   (2) Advisory Committee on Child Placement [9-28-406]
- 15                   (3) Fire Training Academy Board [12-13-202]
- 16                   (4) Science & Technology Authority Board [15-3-104]
- 17                   (5) Commission on Improving Public Schools' Basic Skills  
18 Opportunities Through Technology [6-16-402]
- 19                   (6) Board of the Division of State Services for the Blind [25-10-  
20 205]
- 21                   (7) Fire & Police Pension Review Board [24-11-203]
- 22                   (8) Individual Sewage Disposal Systems Advisory Committee [14-  
23 229-101]
- 24                   (9) Beef Council [2-35-303]
- 25                   (10) HVACR Licensing Board [17-33-201]
- 26                   (11) Crime Victims Reparations Board [16-90-705]
- 27                   (12) Towing & Recovery Board [27-50-1203]
- 28                   (13) State Board of Private Career Education [6-51-605]
- 29                   (14) Arkansas Early Childhood Commission [20-78-501]
- 30                   (15) Apprenticeship Coordination Steering Committee [6-52-204]
- 31                   (16) Code Revision Commission [1-2-301]
- 32                   (17) Committees Appointed by the Governor under the Arkansas  
33 Emergency Plan Act of 1921 [2-16-309]
- 34                   (18) Fire Ant Advisory Board [2-16-701]
- 35                   (19) Arbitration Committee for State Plant Board [2-23-104]
- 36                   (20) Board of Visitors for the University of AR at Pine Bluff [6-

- 1 64-304]
- 2 (21) Buffalo National River Commission [15-23-701]
- 3 (22) Capitol Art Commission [22-3-214]
- 4 (23) Central Interstate Low-Level Radioactive Waste Advisory Group
- 5 [8-8-204]
- 6 (24) Central Interstate Low-Level Radioactive Waste Commission [8-
- 7 8-203]
- 8 (25) Board to prescribe restrictions under which retired police
- 9 officers may carry concealed weapon [12-15-203]
- 10 (26) Court of Appeals Apportionment Commission [uncodified Act
- 11 1085 of 1993 as amended]
- 12 (27) Consumer Advisory Board Appointed by the Attorney General [4-
- 13 88-106]
- 14 (g) In June of each year, the following state boards and commissions
- 15 shall file their mission statements and annual reports with the Legislative
- 16 Council and the House Interim Council and Budget Committee:
- 17 (1) Criminal Justice Institute Advisory Board [12-9-503]
- 18 (2) Department of Human Services State Institutional System Board
- 19 [25-10-402]
- 20 (3) Governor's Commission on People with Disabilities [20-14-202]
- 21 (4) Arkansas Educational Television Commission [6-3-101]
- 22 (5) Emergency Response Commission [12-82-104]
- 23 (6) Fire Protection Services Board [20-22-803]
- 24 (7) Governors Partnership Council for Children & Families [6-5-
- 25 601]
- 26 (8) State Highway Commission [Amendment 42]
- 27 (9) High Technology Training Center, Advisory Board of Directors
- 28 [6-46-301]
- 29 (10) Home Health Care Service Agency Advisory Council [20-10-804]
- 30 (11) Information Network of Arkansas [25-27-103]
- 31 (12) Judicial Advisory Group [12-27-104]
- 32 (13) Advisory Committee for Registration of Landscape Architects
- 33 [17-36-201]
- 34 (14) Governors Commission on Adult Literacy [6-44-201]
- 35 (15) Mansion Advisory Council [22-3-806]
- 36 (16) University of Arkansas College of Medicine Admissions Board

- 1 [6-64-405]
- 2 (17) *Statewide Minority Business Advisory Council* [15-4-303]
- 3 (18) *Minority Teacher Recruitment Advisory Council* [6-17-1903]
- 4 (19) *Natural & Cultural Heritage Advisory Committee* [25-3-104]
- 5 (20) *Arkansas Natural & Cultural Resources Council* [15-12-101]
- 6 (21) *Advisory Board for Perinatal Health Services* [20-7-116]
- 7 (22) *Public Health Advisory Board* [20-57-202]
- 8 (23) *Public Service Commission* [23-2-101]
- 9 (24) *Quality Management Board* [25-23-103]
- 10 (25) *Rails to Trails Conservancy Task Force* [uncodified Act 682 of
- 11 1993 as amended]
- 12 (26) *Seed Arbitration Committee* [2-23-104]
- 13 (27) *Southern Arkansas University Board of Trustees* [6-65-401]
- 14 (h) *In July of each year, the following state boards and commissions*
- 15 *shall file their mission statements and annual reports with the Legislative*
- 16 *Council and the House Interim Council and Budget Committee:*
- 17 (1) *Southern Regional Education Board of Control* [6-4-101]
- 18 (2) *Southern States Energy Board* [15-10-402]
- 19 (3) *Soybean Promotion Board* [2-20-404]
- 20 (4) *War Memorial Stadium Commission* [22-3-1001]
- 21 (5) *State Review Committee for Historic Preservation* [13-7-108]
- 22 (6) *Trauma Advisory Council* [20-13-807]
- 23 (7) *Turnpike Authority* [27-71-201]
- 24 (8) *Commission on Uniform State Laws* [1-2-401]
- 25 (9) *Southern Ark University - El Dorado Branch Advisory Committee*
- 26 [6-65-407]
- 27 (10) *Rural Medical Practice Student Loan & Scholarship Board* [6-
- 28 81-702]
- 29 (11) *Primary Care Nursing Practice Student Loan & Scholarship*
- 30 *Board* [6-81-1202]
- 31 (12) *Rice Research & Promotion Board* [2-20-505]
- 32 (13) *Athletic Trainers Committee* [17-93-404]
- 33 (14) *Game & Fish Commission* [Amendment 35]
- 34 (15) *Advisory Council on Volunteerism* [25-10-128]
- 35 (16) *Wheat Promotion Board* [2-20-604]
- 36 (17) *White River Valley Commission* [15-23-601]



- 1 (18) Wine Producers Council [3-5-701]
- 2 (19) Workers Compensation Commission [11-9-201]
- 3 (20) Committee on Purchases of Workshop-Made Products & Services
- 4 [19-11-501]
- 5 (21) Wastewater Treatment Plant Licensing Committee of the
- 6 Pollution Control & Ecology Commission [8-5-204]
- 7 (22) Sanitary Landfills Licensing Committee of the Pollution
- 8 Control & Ecology Commission [8-6-904]
- 9 (23) Technical Advisory Committees Appointed by the Department of
- 10 Pollution Control & Ecology [8-7-209]
- 11 (24) Temporary Boards of Arbitration Appointed by the Director of
- 12 the Labor Board [11-2-109]
- 13 (25) Coal Mine Examining Board [11-7-401]
- 14 (26) Employment Agency Advisory Council [11-11-205]
- 15 (27) Highway Safety Program Advisory Council [12-6-101]
- 16 (28) Supervisory Board for the Ark Crime Information Center [12-
- 17 12-202]
- 18 (i) In August of each year, the following state boards and commissions
- 19 shall file their mission statements and annual reports with the Legislative
- 20 Council and the House Interim Council and Budget Committee:
- 21 (1) Criminal Detention Facilities Review Commission [12-26-104]
- 22 (2) Corrections Resources Commission [12-31-101]
- 23 (3) State Records Commission [13-4-105]
- 24 (4) Arkansas Post Museum Advisory Committee [13-5-603]
- 25 (5) Committees Appointed by the Governor Under the AR Historic
- 26 Preservation Program
- 27 (6) Public Art Advisory Board [13-8-205]
- 28 (7) Art Selection Committees Appointed by the Public Art Advisory
- 29 Board [13-8-206]
- 30 (8) Advisory Committees Appointed by the Science & Technology
- 31 Authority [15-3-110]
- 32 (9) Committee to Appraise Property Belonging to the Industrial
- 33 Development Commission [15-4-212]
- 34 (10) Advisory Board to the Division of Land Surveys [15-21-202]
- 35 (11) Advisory Council to the Natural & Scenic Rivers Commission
- 36 [15-23-307]

- 1 (12) Board of Examiners in Counseling [17-27-201]
- 2 (13) Committee of Plumbing Examiners [14-54-1003]
- 3 (14) State Apprentice Committee [17-38-403]
- 4 (15) Board of Registration for Professional Soil Classifiers [17-
- 5 47-201]
- 6 (16) Drinking Water Advisory & Operator Licensing Committee [17-
- 7 51-104]
- 8 (17) Board of Hearing Aid Dispensers [17-84-201]
- 9 (18) Prescriptive Authority Advisory Committee [17-87-205]
- 10 (19) Department of Health Emergency Medical Services Advisory
- 11 Committee [20-13-506]
- 12 (20) Advisory Committees Appointed by the Director of the Ark
- 13 Poison & Drug Information Center [20-13-706]
- 14 (21) Advisory Commission of Ark Childrens Hospital [20-16-203]
- 15 (22) Technical Advisory Board of Ark Childrens Hospital [20-16-
- 16 204]
- 17 (23) Nuclear Planning & Response Program Advisory Committee [20-
- 18 21-603]
- 19 (24) Fire Protection Licensing Board [20-22-606]
- 20 (25) Boiler Advisory Board [20-23-201]
- 21 (26) Public Health Advisory Board [20-57-202]
- 22 (j) In September of each year, the following state boards and
- 23 commissions shall file their mission statements and annual reports with the
- 24 Legislative Council and the House Interim Council and Budget Committee:
- 25 (1) Drug & Alcohol Abuse Authority [20-64-604]
- 26 (2) Alcohol & Drug Abuse Coordinating Council [20-64-1002]
- 27 (3) Technology Equipment Revolving Loan Fund Committee [20-79-
- 28 301]
- 29 (4) Community Services Advisory Board [20-80-308]
- 30 (5) Governmental Bonding Board [21-2-705]
- 31 (6) State Employee & Public School Personnel Board [21-5-402]
- 32 (7) State Building Services Council [22-2-106]
- 33 (8) State Comprehensive Health Insurance Pool Board [23-79-503]
- 34 (9) Property & Casualty Advisory Association [23-90-106]
- 35 (10) Board of Directors of the Life & Disability Insurance
- 36 Guaranty Association [23-96-109]

- 1 (11) Board of Trustees of the Public Employees' Retirement System
- 2 [24-4-104]
- 3 (12) Board of Trustees of the State Highway Employees Retirement
- 4 System [24-5-104]
- 5 (13) Board of Trustees of the State Police Retirement System [24-
- 6 6-204]
- 7 (14) Board of Trustees of the Teacher Retirement System [24-7-303]
- 8 (15) Board of Trustees of the Judicial Retirement System [24-8-
- 9 203]
- 10 (16) Board of Trustees of the Local Police & Fire Retirement
- 11 System [24-10-201]
- 12 (17) Retirement & Relocation Advisory Board [25-13-204]
- 13 (18) Commission for Arkansas Future [uncodified Act 810 of 1989]
- 14 (19) Department of Health Building Commission [uncodified Act 469
- 15 of 1965]
- 16 (20) Dietetics Licensing Board [17-83-201]
- 17 (21) Post Prison Transfer Board [16-93-201]
- 18 (22) Advisory Committee on Accountability [6-15-804]
- 19 (23) Judicial Discipline & Disability Commission [16-10-402]
- 20 (24) Advisory Committee on Petroleum Storage Tanks [8-7-904]
- 21 (25) Delta Cultural Center Policy Advisory Board [13-5-704]
- 22 (26) Delta Cultural Center National Advisory Board [13-5-705]
- 23 (27) Appraiser Licensing & Certification Board [17-14-201]
- 24 (k) In October of each year, the following state boards and commissions
- 25 shall file their mission statements and annual reports with the Legislative
- 26 Council and the House Interim Council and Budget Committee:
- 27 (1) Board of Directors of School for Mathematics & Sciences [6-
- 28 42-202]
- 29 (2) Marketing Board for Recyclables [8-9-201]
- 30 (3) Child Abuse/Rape/Domestic Violence Commission [20-82-201]
- 31 (4) Rural Development Commission [15-6-104]
- 32 (5) School Motor Vehicle Self-Insurance Advisory Committee [6-21-
- 33 711]
- 34 (6) Alternative Fuels Commission [15-10-502]
- 35 (7) Board of Trustees of Cossatot Technical College [6-53-301]
- 36 (8) Board of Directors of Cotton Boll Technical Institute [6-51-

- 1 903]
- 2 (9) Board of Directors of Delta Technical Institute [6-51-903]
- 3 (10) Board of Directors of Forest Echoes Technical Institute [6-
- 4 51-903]
- 5 (11) Board of Directors of Arkansas Valley Technical Institute [6-
- 6 51-903]
- 7 (12) Board of Directors of Quapaw Technical Institute [6-51-903]
- 8 (13) Board of Trustees of Pulaski Technical College [6-53-301]
- 9 (14) Board of Directors of Foothills Technical Institute [6-51-
- 10 903]
- 11 (15) Board of Trustees of Petit Jean Technical College [6-53-301]
- 12 (16) Board of Directors of Great Rivers Comprehensive Lifelong
- 13 Learning Center [6-51-903]
- 14 (17) Board of Trustees of Ouachita Technical College [6-53-301]
- 15 (18) Board of Directors of Northwest Technical Institute [6-51-
- 16 903]
- 17 (19) Board of Trustees of Black River Technical College [6-53-301]
- 18 (20) Board of Directors of Crowley's Ridge Technical Institute [6-
- 19 51-903]
- 20 (21) Board of Trustees of Gateway Technical College [6-53-301]
- 21 (22) Board of Trustees of Pines Technical College [6-53-301]
- 22 (23) Board of Directors of Rice Belt Technical Institute [6-51-
- 23 903]
- 24 (24) Board of Trustees of Ozarka Technical College [6-53-301]
- 25 (25) Black History Advisory Committee [13-3-202]
- 26 (26) Commission to Assist Persons Who Have Suffered Catastrophic
- 27 Financial Loss [12-81-101]

28 (1) In November of each year, the following state boards and

29 commissions shall file their mission statements and annual reports with the

30 Legislative Council and the House Interim Council and Budget Committee:

- 31 (1) Arkansas Scenic Resources Preservation Coordinating Committee
- 32 [15-20-707]
- 33 (2) Minority Health Commission [20-2-102]
- 34 (3) Ethics Commission [7-6-217]
- 35 (4) Aviation & Aerospace Commission [15-4-1501]
- 36 (5) Public Defender Commission [16-87-202]

- 1 (6) Martin Luther King, Jr. Commission [25-24-101]
- 2 (7) Commission on Child Support [9-14-401]
- 3 (8) Pygmalion Commission [uncodified Act 1288 of 1993 as amended]
- 4 (9) Health Resources Commission [20-77-202]
- 5 (10) Board of Disease Intervention Specialists [17-98-201]
- 6 (11) Professional Bail Bond Company & Professional Bail Bondsman
- 7 Licensing Board [17-19-106]
- 8 (12) Advisory Board on Juvenile Justice Standards [9-27-203]
- 9 (13) Board of Correction & Community Punishment [12-27-104]
- 10 (14) Tuition Trust Authority [6-62-903]
- 11 (15) Public Transportation Coordination Council [27-3-103]
- 12 (16) Board of Registered Interior Designers [17-35-201]
- 13 (17) Board of Registered Residential Interior Designers [17-35-
- 14 701]
- 15 (18) Sentencing Commission [16-90-802]
- 16 (19) Advisory Council for Vocational-Technical Education [6-50-
- 17 601]
- 18 (20) Small Business Stationary Source Technical & Environmental
- 19 Compliance Assistance Program Compliance Advisory Panel [8-4-314]
- 20 (21) Police Corps Planning Commission [6-82-1202]
- 21 (22) Multi-State Tax Compact Advisory Committee [26-5-104]
- 22 (23) Community Work, Recreation, & Youth Opportunities Commission
- 23 [9-31-302]
- 24 (24) Alternative Dispute Resolution Commission [16-7-102]
- 25 (25) State Board of Election Commissioners [7-4-101]
- 26 (m) In December of each year, the following state boards and
- 27 commissions shall file their mission statements and annual reports with the
- 28 Legislative Council and the House Interim Council and Budget Committee:
- 29 (1) Criminal Detention Facility Review Committee, Dist #1 [12-26-
- 30 105]
- 31 (2) Criminal Detention Facility Review Committee, Dist #2 [12-26-
- 32 105]
- 33 (3) Criminal Detention Facility Review Committee, Dist #3 [12-26-
- 34 105]
- 35 (4) Criminal Detention Facility Review Committee, Dist #4 [12-26-
- 36 105]

- 1                   (5) Criminal Detention Facility Review Committee, Dist #5 [12-26-  
2 105]
- 3                   (6) Criminal Detention Facility Review Committee, Dist #6 [12-26-  
4 105]
- 5                   (7) Criminal Detention Facility Review Committee, Dist #7 [12-26-  
6 105]
- 7                   (8) Criminal Detention Facility Review Committee, Dist #8 [12-26-  
8 105]
- 9                   (9) Criminal Detention Facility Review Committee, Dist #9 East  
10 [12-26-105]
- 11                   (10) Criminal Detention Facility Review Committee, Dist #9 West  
12 [12-26-105]
- 13                   (11) Criminal Detention Facility Review Committee, Dist #10 [12-  
14 26-105]
- 15                   (12) Criminal Detention Facility Review Committee, Dist #11 East  
16 [12-26-105]
- 17                   (13) Criminal Detention Facility Review Committee, Dist #11 West  
18 [12-26-105]
- 19                   (14) Criminal Detention Facility Review Committee, Dist #12 [12-  
20 26-105]
- 21                   (15) Criminal Detention Facility Review Committee, Dist #13 [12-  
22 26-105]
- 23                   (16) Criminal Detention Facility Review Committee, Dist #14 [12-  
24 26-105]
- 25                   (17) Criminal Detention Facility Review Committee, Dist #15 [12-  
26 26-105]
- 27                   (18) Criminal Detention Facility Review Committee, Dist #16 [12-  
28 26-105]
- 29                   (19) Criminal Detention Facility Review Committee, Dist #17 East  
30 [12-26-105]
- 31                   (20) Criminal Detention Facility Review Committee, Dist #17 West  
32 [12-26-105]
- 33                   (21) Criminal Detention Facility Review Committee, Dist #18 East  
34 [12-26-105]
- 35                   (22) Criminal Detention Facility Review Committee, Dist #18 West  
36 [12-26-105]

1 (23) Criminal Detention Facility Review Committee, Dist #19 [12-  
2 26-105]

3 (24) Criminal Detention Facility Review Committee, Dist #20 [12-  
4 26-105]

5 (25) All other boards or commissions created by state law which  
6 are not listed in this section.

7 (n) The reports required by this section must be filed no later than  
8 the last business day of the month prescribed.

9 (o) The Legislative Council and the House Interim Council and Budget  
10 Committee may refer any or all of the filings to the appropriate interim  
11 committees or standing committees of the General Assembly. The Legislative  
12 Council, the House Interim Council and Budget Committee, or other reviewing  
13 committee shall report monthly to the co-chairs of the Joint Budget Committee  
14 as to which boards and commissions have failed to file mission statements and  
15 annual reports which were deemed adequate by the reviewing committee.

16 (p) No action shall be taken by the Joint Budget Committee on any bill  
17 providing an appropriation for a board or commission if the board or  
18 commission has not timely filed an annual mission statement and an annual  
19 report of activities which was deemed adequate by the Legislative Council,  
20 House Interim Council and Budget Committee, or other reviewing committee."

21

22 SECTION 156. Arkansas Code 25-3-108(b) and (c) are amended to read as  
23 follows:

24 "(b) If a heritage foundation is established and the department shares  
25 resources or facilities with the foundation or accepts support and assistance  
26 from the foundation, the foundation shall annually file a report with the  
27 Governor, the Legislative Council, the House Interim Council and Budget  
28 Committee, and the Legislative Joint Auditing Committee showing the amount and  
29 source of all gifts, grants, and donations of money or property received by  
30 the foundation and all expenditures or other dispositions of money or property  
31 by the foundation during the preceding year.

32 (c) The Director of the Department of Arkansas Heritage shall, on or  
33 before July 1 of each fiscal year, submit a plan to the Legislative Council  
34 and the House Interim Council and Budget Committee reflecting the proposed  
35 uses of private funds for the ensuing fiscal year for its review and comment.

36 No person over whom the Department of Arkansas Heritage has day-to-day

1 managerial control shall receive compensation or remuneration from funds not  
2 in the State Treasury."

3

4 SECTION 157. Arkansas Code 25-4-112(b)(2) is amended to read as  
5 follows:

6 "(2) However, before approving the use of moneys appropriated for  
7 payment of regular salaries of the department for obtaining professional  
8 services, the Chief Fiscal Officer of the State shall determine that  
9 resignations, vacancies in positions, or the inability to employ persons with  
10 technical skills to provide the services has necessitated that action. In  
11 addition, the Chief Fiscal Officer of the State shall obtain the advice of the  
12 Legislative Council and the House Interim Council and Budget Committee before  
13 approving any transfer of regular salary appropriations to the maintenance and  
14 operation appropriation of the agency to be used for payment of professional  
15 services."

16

17 SECTION 158. Arkansas Code 25-4-113(b)(2) is amended to read as  
18 follows:

19 "(2) However, before approving any transfers of moneys appropriated for  
20 maintenance and operation of a state agency to the line-item appropriation for  
21 purchase of data processing services of that state agency, the Chief Fiscal  
22 Officer of the State shall obtain the advice of the Legislative Council and  
23 the House Interim Council and Budget Committee with respect thereto."

24

25 SECTION 159. Arkansas Code 25-4-118(b)(1) is amended to read as  
26 follows:

27 "(b)(1) However, before the State Board of Finance shall approve any  
28 requests for loans by the department authorized in subsection (a) of this  
29 section, the requests shall be submitted to the Governor for his approval  
30 after the Governor has first obtained the advice of the committee, the House  
31 Interim Council and Budget Committee, and ~~of~~ the Legislative Council in regard  
32 thereto. After having obtained such advice, the Governor may in writing  
33 approve or reject the request. However, if the committee shall fail to give  
34 its written advice or opinion to the Governor within thirty (30) days after  
35 receiving notice of the request for loans, the Governor may proceed to act on  
36 the matter without the advice of the committee."



1

2 SECTION 160. Arkansas Code 25-10-107(b) is amended to read as follows:

3 "(b) The other divisions shall report quarterly to the Division of  
4 Administrative Services concerning the areas of coordination and cooperation  
5 where the divisions have worked with other departmental divisions and  
6 concerning the plans for coordination and cooperation in the next quarter. A  
7 copy of the report shall be sent to the Legislative Council and the House  
8 Interim Council and Budget Committee upon request of the Legislative Council  
9 and the House Interim Council and Budget Committee."

10

11 SECTION 161. Arkansas Code 25-10-111(a) is amended to read as follows:

12 "(a) The Director of the Department of Human Services shall obtain from  
13 each division, office, section, or unit of the department, including the  
14 institutions and institutional boards thereunder, all requests for biennial  
15 appropriations and all requests for special supplemental or construction  
16 appropriations. He shall review the requests and submit to the Chief Fiscal  
17 Officer of the State, the Governor, the House Interim Council and Budget  
18 Committee, and the Legislative Council a coordinated budget for all divisions,  
19 offices, programs, institutions, and services of the Department of Human  
20 Services in whatever detail may be required by the state budgetary laws and by  
21 the budget forms and procedures promulgated by the Chief Fiscal Officer of the  
22 State, the House Interim Council and Budget Committee, and ~~by~~ the Legislative  
23 Council."

24

25 SECTION 162. Arkansas Code 25-10-112(a) is amended to read as follows:

26 "(a) Upon determination by the Director of the Department of Human  
27 Services that a reallocation of resources within the department is necessary  
28 for the efficient and effective operation of the department, the director,  
29 with approval of the Governor, shall have the authority to request, from the  
30 Chief Fiscal Officer of the State, a transfer of positions, appropriations,  
31 line item appropriations, and funds within or between existing and newly  
32 created divisions, offices, sections, or units of the department. The Chief  
33 Fiscal Officer of the State, prior to approving the request, shall submit his  
34 recommendation to the Legislative Council and the House Interim Council and  
35 Budget Committee for ~~its~~ their review."

36

1 SECTION 163. Arkansas Code 25-10-118 is amended to read as follows:

2 "§ 25-10-118. Child support enforcement program - Reports.

3 The Office of Child Support Enforcement of the Revenue Division of the  
4 Department of Finance and Administration shall file a semiannual report with  
5 the Legislative Council and the House Interim Council and Budget Committee  
6 concerning performance and progress made in administering the Child Support  
7 Enforcement Program approved under Title IV-D of the Social Security Act."

8

9 SECTION 164. Arkansas Code 25-10-133(b) is amended to read as follows:

10 "(b) Any saving made in state or federal appropriations for regular  
11 salaries, extra help, social security and retirement matching, or maintenance  
12 and general operations, and grants for approved projects, may, upon prior  
13 review by the Legislative Council and the House Interim Council and Budget  
14 Committee and approval of the Department of Finance and Administration, be  
15 transferred to the purchase of services for persons with long-term mental  
16 illness and in the establishment, operation, and maintenance of facilities,  
17 centers, or programs for this population."

18

19 SECTION 165. Arkansas Code 25-14-102(d) is amended to read as follows:

20 "(d) A monthly report shall be made to the Legislative Council and the  
21 House Interim Council and Budget Committee describing all payments made to  
22 employees under the provisions of this section."

23

24 SECTION 166. Arkansas Code 25-15-103(b) is amended to read as follows:

25 "(b) Any and all administrative hearings before an agency of this state  
26 in which any attorney for either party to any suit is a member of the  
27 Legislative Council, the House Interim Council and Budget Committee, the  
28 Legislative Joint Auditing Committee, or any ~~joint~~ interim committee of the  
29 General Assembly shall be stayed, or reset if scheduled, if the proceeding or  
30 hearing has been scheduled on the day immediately prior to, the day  
31 immediately after, or the day upon which the Legislative Council, the House  
32 Interim Council and Budget Committee, Legislative Joint Auditing Committee, or  
33 any ~~joint~~ interim committee is meeting and if the attorney is a member of the  
34 committee which is meeting, or an alternate member attending in the place of a  
35 regular member, and the attorney requests the continuance of the court no less  
36 than three (3) days before the proceeding is to commence."

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SECTION 167. Arkansas Code 25-15-205(d) is amended to read as follows:

"(d) A progress report on publication and distribution shall be provided to the Legislative Council and the House Interim Council and Budget Committee annually."

SECTION 168. Arkansas Code 25-16-205(d) is amended to read as follows:

"(d) The Division of Legislative Audit of the Legislative Joint Auditing Committee is authorized and directed to perform an audit on the expenditures of transition funds. The audit shall be presented to the Legislative Joint Auditing Committee, the House Interim Council and Budget Committee, and the Legislative Council during the biennium following the expenditure of the funds."

SECTION 169. Arkansas Code 25-16-702(b)(2) is amended to read as follows:

"(2) If, in the opinion of the Attorney General, it shall at any time be necessary to employ special counsel to prosecute any suit brought on behalf of the state or to defend a suit brought against any official, board, commission, or agency of the state, the Attorney General, with the approval of the Governor, may employ special counsel. The compensation for the special counsel shall be fixed by the court where the litigation is pending, with the written approval of the Governor and the Attorney General. The Attorney General shall not enter into any contract for the employment of outside legal counsel without first seeking prior review by the Legislative Council and the House Interim Council and Budget Committee."

SECTION 170. Arkansas Code 25-16-712 is amended to read as follows:

"§ 25-16-712. Funding restriction.

The Attorney General shall not enter into any contract for the employment of outside legal counsel without first seeking prior review by the Legislative Council and the House Interim Council and Budget Committee."

SECTION 171. Arkansas Code 26-26-503(b)(2) is amended to read as follows:

"(2) The division shall seek the advice of the Legislative Council and

1 the House Interim Council and Budget Committee prior to the final adoption of  
2 training criteria for persons to be employed by county assessors to appraise  
3 property for ad valorem tax purposes."

4

5 SECTION 172. Arkansas Code 26-55-604 is amended to read as follows:

6 "§ 26-55-604. Rules and regulations - Audit assistance.

7 The Director of Highways and Transportation of the Arkansas State  
8 Highway and Transportation Department shall prescribe and promulgate rules and  
9 regulations necessary for the proper enforcement of this subchapter with the  
10 advice of the Legislative Council and the House Interim Council and Budget  
11 Committee, and in any audits conducted by the Arkansas State Highway and  
12 Transportation Department relating to the Motor Fuel Tax Law, § 26-55-201 et  
13 seq., or the Special Motor Fuels Tax Law, § 26-56-101 et seq., or this  
14 subchapter or other pertinent laws, may call upon the Director of the  
15 Department of Finance and Administration for assistance."

16

17 SECTION 173. Arkansas Code 26-58-122(c) as amended by Act 232 of 1997  
18 is amended to read as follows:

19 "(c)(1) In the event the director fails to report to the Arkansas  
20 Forestry Commission within the time specified or the Arkansas Forestry  
21 Commission disagrees with the findings of the director, the State Forester  
22 shall file with the Governor, the Arkansas Legislative Council, the House  
23 Interim Council and Budget Committee, and the House and Senate Interim  
24 Committees on Revenue and Taxation a report of the matter.

25 (2) The Governor shall then conduct an investigation into such  
26 failure to report by the director or disagreement as to tax liability with the  
27 Arkansas Forestry Commission, take whatever measures he deems necessary to  
28 rectify the situation, and shall notify the Arkansas Legislative Council, the  
29 House Interim Council and Budget Committee, and the House and Senate Interim  
30 Committees on Revenue and Taxation of his decision."

31

32 SECTION 174. Arkansas Code 27-65-141 is amended to read as follows:

33 "§ 27-65-141. Payment of claims for damages to personal property.

34 The Arkansas State Highway and Transportation Department is hereby  
35 authorized to pay amounts not to exceed twenty-five thousand dollars (\$25,000)  
36 per claim for damages to personal property of others resulting from the

1 operation of any motor vehicle or other motorized equipment of the department  
2 upon determination by the State Claims Commission that the claim is valid  
3 after hearing the facts thereof and after prior review by the Legislative  
4 Claims Committee, the House Interim Council and Budget Committee, and the  
5 Legislative Council."

6

7 SECTION 175. Arkansas Code 27-72-210 is amended to read as follows:

8 "§ 27-71-210. Audit of records and accounts of authority - Report.

9 The agency of the State of Arkansas authorized by law to audit the  
10 records and accounts of the various state agencies is authorized and directed  
11 to audit the records and accounts of the authority and to furnish a copy of  
12 the report of the audit to the authority, to the Legislative Council, to the  
13 House Interim Council and Budget Committee and to the Governor."

14

15 SECTION 176. Arkansas Code 27-74-211(c) is amended to read as follows:

16 "(c) In the event that federal statutes, rules, or regulations conflict  
17 with the provisions of §§ 27-74-210 - 27-74-212 or regulations promulgated  
18 thereunder, the State Highway Commission is authorized to promulgate rules and  
19 regulations necessary to comply with federal law after first obtaining the  
20 advice of the Legislative Council and the House Interim Council and Budget  
21 Committee thereon while pursuing, insofar as possible, the legitimate  
22 objectives of those sections."

23

24 SECTION 177. Arkansas Code §10-3-315 is hereby amended to read as  
25 follows:

26 "(a) For purposes of this section, 'state agency' means every  
27 department, division, office, board, commission, and institution of this  
28 state, including state-supported institutions of higher education.

29 (b) Every state agency shall provide the House Council and Budget Office  
30 and the Bureau of Legislative Research with information, records, and access  
31 to electronic data bases and files when requested by the House Council and  
32 Budget Office and the bureau, unless prohibited by federal or state law.

33 (c) Information and records requested by the House Council and Budget  
34 Office and the bureau shall be provided as soon as possible and in whatever  
35 reasonable form, hard copy, electronic, etc., requested.

36 (d) State agencies shall also make their staff reasonably accessible for

1 consultation with House Council and Budget Office and the bureau staff."

2

3 SECTION 178. Arkansas Code §10-2-212 (c) is amended to read as follows:

4 "(c) Except as otherwise provided by law, the maximum amount of  
5 reimbursement for legislative expenses incurred by members of the General  
6 Assembly shall be, at the option of each member, either five thousand eight  
7 hundred twenty dollars (\$5,820) per year, six thousand five hundred forty  
8 dollars (\$6,540) per year, or nine thousand six hundred dollars ~~(\$9,000)~~  
9 (\$9,600) per year."

10

11 SECTION 179. Arkansas Code §10-2-215(a) is amended to read as follows:

12 "(a) In addition to the expense allowance provided by §10-2-212 and all  
13 laws amendatory and supplemental thereto, the chairperson of each of the  
14 standing, select, and joint committees of either house of the General  
15 Assembly, the chairpersons of the Legislative Council and the Legislative  
16 Joint Auditing Committee, the cochairpersons of the House Interim Council and  
17 Budget Committee, the Speaker Designate of the House of Representatives, ~~the~~  
18 ~~House chairpersons of the Review/PEER Subcommittee, and the Personnel~~  
19 ~~Subcommittee of the Joint Budget Committee~~, the cochairpersons of the  
20 subcommittees of the House Interim Council and Budget Committee and the  
21 cochairperson of any committee of the General Assembly which does not function  
22 during the legislative session shall be eligible to receive an additional ~~one~~  
23 two thousand eight four hundred dollars ~~(\$1,800)~~ (\$2,400) per year and the  
24 chairman of each subcommittee of each standing committee of either house shall  
25 be eligible to receive an additional twelve hundred dollars (\$1,200) per  
26 year."

27

28 SECTION 180. Arkansas Code §10-3-301(a) is amended to read as follows:

29 "(a) An ad interim committee of the General Assembly is hereby  
30 established as the Legislative Council to consist of the following:

31 (1) The Senate of the General Assembly shall select sometime  
32 before adjournment of each regular session twelve (12) members, with three (3)  
33 members to be chosen from each of the four (4) congressional districts of the  
34 state in effect on January 1, 1987, by caucus of the members of the Senate  
35 residing in their respective congressional districts;

36 ~~(2) The House of Representatives of the General Assembly shall~~

1 ~~select twenty (20) members in accordance with the procedure prescribed by~~  
2 ~~House Rules;~~

3       ~~(3)(2)~~ The President Pro Tempore of the Senate, President Pro  
4 Tempore Designate, the immediate past President Pro Tempore of the Senate, the  
5 next-preceding past President Pro Tempore if the immediate past President Pro  
6 Tempore is not a member of the Senate, ~~the Speaker Designate of the House of~~  
7 ~~Representatives, the Speaker of the House of Representatives, the immediate~~  
8 ~~past Speaker of the House of Representatives, the next-preceding past Speaker~~  
9 ~~of the House if the immediate past Speaker of the House is not a member of the~~  
10 ~~House of Representatives, the immediate past Chairman of the Arkansas~~  
11 ~~Legislative Council, the immediate past Chairman of the Legislative Joint~~  
12 ~~Auditing Committee, and the Chairman and Vice Chairman of the Legislative~~  
13 ~~Joint Auditing Committee shall be ex officio members of the Legislative~~  
14 ~~Council and shall enjoy the same rights and privileges as other Council~~  
15 ~~members."~~

16  
17       SECTION 181. (a) All powers and duties of the Legislative Council  
18 shall hereafter be powers and duties of the Legislative Council and the House  
19 Interim Council and Budget Committee. All documents required to be filed with  
20 the Legislative Council shall hereafter be filed with both the Legislative  
21 Council and the House Interim Council and Budget Committee. In all instances  
22 where review, advice or approval of the Legislative Council is required,  
23 hereafter review, advice or approval of both the Legislative Council and the  
24 House Interim Council and Budget Committee shall be required.

25       (b) All duties and powers of the Bureau of Legislative Research shall  
26 hereafter be exercised by the Bureau for the Senate and the House Council and  
27 Budget Office for the House of Representatives.

28       (c) There is hereby created the House Rules Committee and the House  
29 Management Committee to be composed of such members and perform such duties as  
30 prescribed by House Rules and may meet both during the sessions of the General  
31 Assembly and between sessions of the General Assembly.

32  
33       SECTION 182. Arkansas Code §10-2-212(d)(1) is amended to read as  
34 follows:

35       "(d)(1) Any member of the General Assembly may elect not to receive per  
36 diem and mileage payments for attending legislative sessions and for attending

1 legislative activities and in lieu thereof be reimbursed up to an additional  
 2 ~~four~~ six thousand eight hundred dollars (~~\$4,800~~) (\$6,800) per year."

3

4 SECTION 183. REGULAR SALARIES - HOUSE COUNCIL AND BUDGET OFFICE. There is  
 5 hereby established for the Arkansas House of Representatives - House Council  
 6 and Budget Office for the 1997-99 biennium, the following maximum number of  
 7 additional regular employees, the grades to be assigned to the respective  
 8 positions, and the maximum annual salaries for each such position. The  
 9 maximum annual salary for the position assigned to grades shall be determined  
 10 in accordance with, but shall not exceed the maximum annual amount for the  
 11 grade assigned herein, as established in Arkansas Code §21-5-209. Except for  
 12 the purpose of determining the maximum annual salary rate, which is to be  
 13 applicable to each of the positions to which a salary grade is assigned  
 14 hereinafter, in accordance with the provisions of Arkansas Code §21-5-209, all  
 15 positions set forth herein shall be exempt from other provisions of the  
 16 Uniform Classification and Compensation Act, or its successor, but shall not  
 17 be exempt from the provisions of the Regular Salaries Procedures and  
 18 Restrictions Act, or its successor.

19

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1997-98	1998-99
24	(1)	DIRECTOR	1	\$105,301	\$108,249
25	(2)	ASSISTANT DIRECTOR	2	\$100,664	\$103,482
26	(3)	SPECIAL ASSISTANT/BUDGET	1	\$ 84,899	\$ 87,277
27	(4)	SENIOR STAFF ATTORNEY	1	\$ 76,972	\$ 79,127
28	(5)	PERSONNEL REVIEW ADMINISTRATOR	1	\$ 76,972	\$ 79,127
29	(6)	LEGIS AUTOMATED SYSTEM COORDINATOR	1	\$ 63,494	\$ 65,272
30	(7)	LEGISLATIVE ANALYST	1	\$ 63,156	\$ 64,924
31	(8)	NETWORK PLANNING COORDINATOR	1	GRADE 26	
32	(9)	LEGISLATIVE ATTORNEY	5	GRADE 25	
33		PROGRAM ANALYST	1		
34	(10)	ADMINISTRATIVE COORDINATOR	1	GRADE 22	
35		DIRECTOR'S EXECUTIVE ASSISTANT	1		
36		LEGISLATIVE ANALYST	18		



1	PC SUPPORT SPECIALIST	3	
2	(11) LEGISLATIVE ADMINISTRATIVE ASST	3	GRADE 20
3	(12) ASSISTANT TO ASSISTANT DIRECTOR	2	GRADE 19
4	(13) FISCAL OFFICER	1	GRADE 18
5	REFERENCE ANALYST	1	
6	ADMINISTRATIVE ASSISTANT II	2	
7	OFFICE SERVICES SUPERVISOR	1	
8	(14) LEGIS MICRO/PHOTO SUPERVISOR	1	GRADE 17
9	(15) DATA CONTROL CLERK	1	GRADE 16
10	(15a) LEGIS COMMITTEE SECRETARY	8	GRADE 14
11	(16) COMMUNICATIONS SYSTEM MGR	<u>1</u>	GRADE 13
12	MAX. No. of Additional Employees	59	

13

14 SECTION 184. EXTRA HELP - HOUSE COUNCIL AND BUDGET OFFICE. There is  
 15 hereby authorized, for the Arkansas House of Representatives - House Council  
 16 and Budget Office for the 1997-99 biennium, the following maximum number of  
 17 part-time or temporary employees, to be known as "Extra Help", payable from  
 18 funds appropriated herein for such purposes: fifteen (15) temporary or  
 19 part-time employees, when needed, at rates of pay not to exceed those provided  
 20 in the Uniform Classification and Compensation Act, or its successor, or this  
 21 act for the appropriate classification.

22

23 SECTION 185. APPROPRIATIONS - HOUSE COUNCIL AND BUDGET OFFICE. There  
 24 is hereby appropriated, to the Arkansas House of Representatives, to be  
 25 payable from the State Central Services Fund, for personal services and  
 26 operating expenses of the Arkansas House of Representatives - House Council  
 27 and Budget Office for the biennial period ending June 30, 1999, the following:

28

29 ITEM	FISCAL YEARS	
30 NO.	1997-98	1998-99
31 (01) REGULAR SALARIES	\$ 2,921,491	\$ 3,014,822
32 (02) EXTRA HELP	21,349	21,884
33 (03) PERSONAL SERVICES MATCHING	498,463	520,759
34 (04) MAINTENANCE & GENERAL OPERATIONS		
35 (A) OPERATING EXPENSES	546,576	560,240
36 (B) CONF. & TRAVEL	127,925	131,123

1	(C) PROF. FEES	245,848	251,994
2	(D) CAPITAL OUTLAY	138,941	142,414
3	(E) DATA PROCESSING	51,008	52,283
4	(05) COMMITTEE ROOMS	76,875	78,797
5	(06) SCHOOL FORMULA UNIT	<u>65,344</u>	<u>66,977</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,693,820</u>	<u>\$ 4,841,293</u>

7  
 8 SECTION 186. APPROPRIATIONS - INTERIM COMMITTEE STUDY EXPENSES. There  
 9 is hereby appropriated, to the Arkansas House of Representatives, to be  
 10 payable from the State Central Services Fund, for study expenses of the House  
 11 Interim Committees of the Arkansas General Assembly for the biennial period  
 12 ending June 30, 1999, the following:

---

13			
14	ITEM	FISCAL YEARS	
15	NO.	1997-98	1998-99
16	(01) HOUSE INTERIM COMMITTEE STUDY EXPENSES	<u>\$ 198,337</u>	<u>\$ 203,295</u>

17  
 18 SECTION 187. APPROPRIATIONS - HOUSE INTERIM COMMITTEE EXPENSES. There  
 19 is hereby appropriated, to the Arkansas House of Representatives, to be  
 20 payable from the State Central Services Fund, for paying per diem, expenses,  
 21 and mileage to members of the House of Representatives of the General Assembly  
 22 attending regular and special meetings and other committee related activities  
 23 of the Interim Committees of the Arkansas General Assembly including attending  
 24 meetings of the legislative caucuses for the biennial period ending June 30,  
 25 1999, the following:

---

26			
27	ITEM	FISCAL YEARS	
28	NO.	1997-98	1998-99
29	(01) PER DIEM, EXPENSES, AND MILEAGE FOR HOUSE		
30	MEMBERS OF THE ARKANSAS GENERAL ASSEMBLY		
31	AD INTERIM COMMITTEES AND CAUCUSES	\$ 1,111,609	\$ 1,139,399
32	(02) OUT-OF-STATE TRAVEL OF INTERIM COMMITTEE HOUSE		
33	MEMBERS WHO ARE AUTHORIZED BY		
34	APPROPRIATE COMMITTEES	<u>95,398</u>	<u>132,898</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,207,007</u>	<u>\$ 1,272,297</u>

36

1 SECTION 188. APPROPRIATIONS - ENERGY COUNCIL. There is hereby  
2 appropriated, to the Arkansas House of Representatives, to be payable from the  
3 State Central Services Fund, for paying the State's contribution to the Energy  
4 Council, paying expenses of House members of the Arkansas General Assembly  
5 attending meetings of the Energy Council and for other associated expenses for  
6 the biennial period ending June 30, 1999, the following:

8 ITEM	FISCAL YEARS	
9 NO.	1997-98	1998-99
10 (01) PAYMENT OF STATE'S CONTRIBUTION,		
11 EXPENSES OF HOUSE MEMBERS, AND		
12 OTHER EXPENSES	<u>\$ 77,815</u>	<u>\$ 79,605</u>

13  
14 SECTION 189. In order that exceptionally well qualified personnel may  
15 be recruited and retained the House of Representatives may exceed the maximum  
16 salary levels provided for in this act by no more than twenty percent (20%).

17  
18 SECTION 190. TRANSFER PROVISION. Any unexpended balance of any  
19 appropriation provided in this Act which remains at the close of the fiscal  
20 year ending June 30, 1998, shall be transferred forward and made available for  
21 the same purpose for the fiscal year ending June 30, 1999. In the event that  
22 unforeseen circumstances arise during the fiscal year ending June 30, 1998  
23 such that any appropriations made available for that year are insufficient,  
24 the Speaker of the Arkansas House of Representatives shall certify the amount  
25 thereof to the Chief Fiscal Officer of the State, who upon receipt of the  
26 certification, shall transfer the amount so certified from the appropriation  
27 authorized for the fiscal year ending June 30, 1999 to the appropriate  
28 appropriations for the fiscal year ending June 30, 1998.

29  
30 SECTION 191. TRANSFER PROVISION - LINE ITEMS. The Speaker of the House  
31 of Representatives is hereby authorized to direct the Chief Fiscal Officer of  
32 the State to transfer appropriation between the appropriations made by this  
33 Act in such amounts as determined necessary in either fiscal year of the  
34 1997-99 biennium. In no event, however, shall the Regular Salaries line item  
35 in this act be increased or decreased by such transfers authorized herein,  
36 unless specifically approved by the Speaker of the Arkansas House of

1 Representatives.

2

3 SECTION 192. DISBURSING OFFICER. The Speaker of the Arkansas House of  
4 Representatives or his designee shall be the disbursing officer for the funds  
5 appropriated by this Act, including the Interim Committee Study Expenses and  
6 all expenditures from the appropriations provided by this Act shall be in  
7 accordance with procedures established by the Arkansas House of  
8 Representatives and in accordance with appropriate law.

9

10 SECTION 193. Employees of the Arkansas House of Representatives  
11 assigned to positions having a labor grade shall be eligible for cost-of-  
12 living increases on July 1, 1997 and July 1, 1998 in an amount equal to that  
13 granted to all other state agency, board, commission or institution of higher  
14 education employees on those dates. Any additional adjustments in annual  
15 salary rates for House employees, labor market adjustments, merit pay  
16 adjustments or employee retention or recruitment requirements shall be made at  
17 the discretion of the Speaker of the House of Representatives.

18

19 SECTION 194. The Chairman of the Arkansas Legislative Council shall  
20 appoint a member of the Senate Interim Committee on City, County and Local  
21 Affairs and the Speaker of the House shall appoint a member of the House  
22 Interim Committee on City, County and Local Affairs to serve as members of the  
23 Charitable, Penal and Correctional Institutions Subcommittee of the Arkansas  
24 Legislative Council.

25

26 SECTION 195. APPROPRIATIONS - EXCELLENCE IN ARKANSAS PUBLIC EDUCATION  
27 TASK FORCE EXPENSES. There is hereby appropriated, to the Arkansas House of  
28 Representatives, to be payable from the State Central Services Fund, for  
29 paying per diem, mileage and expenses for the non-legislative members of the  
30 Excellence in Arkansas Public Education Task Force, for the biennial period  
31 ending June 30, 1999, the following:

32

ITEM	FISCAL YEARS	
	1997-98	1998-99
NO.		
(01) PER DIEM, MILEAGE AND EXPENSES FOR NON-		
LEGISLATIVE MEMBERS OF THE EXCELLENCE		

36

1           IN ARKANSAS PUBLIC EDUCATION TASK FORCE           \$ 12,500           \$ 12,500

2

3           SECTION 196. EXCELLENCE IN ARKANSAS PUBLIC EDUCATION TASK FORCE. Non-  
4 legislative members of the Excellence in Arkansas Public Education Task Force  
5 shall receive per diem and mileage at the same rate authorized by law for  
6 attendance at meetings of interim committees of the General Assembly.

7

8           SECTION 197. The Joint Committee on Legislative Facilities shall  
9 determine the disposition of any and all equipment and other assets belonging  
10 to the Bureau of Legislative Research.

11

12          SECTION 198. CODE. All provisions of this Act of a general and permanent  
13 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
14 Code Revision Commission shall incorporate the same in the Code.

15

16          SECTION 199. SEVERABILITY. If any provision of this Act or the  
17 application thereof to any person or circumstance is held invalid, such  
18 invalidity shall not affect other provisions or applications of the Act which  
19 can be given effect without the invalid provision or application, and to this  
20 end the provisions of this Act are declared to be severable.

21

22          SECTION 200. GENERAL REPEALER. All laws and parts of laws in conflict  
23 with this Act are hereby repealed.

24

25          SECTION 201. EMERGENCY CLAUSE. It is hereby found and determined by  
26 the Eighty-First General Assembly, that the Constitution of the State of  
27 Arkansas prohibits the appropriation of funds for more than a two (2) year  
28 period; that the effectiveness of this Act on July 1, 1997 is essential to the  
29 operation of the agency for which the appropriations in this Act are provided,  
30 and that in the event of an extension of the Regular Session, the delay in the  
31 effective date of this Act beyond July 1, 1997 could work irreparable harm  
32 upon the proper administration and provision of essential governmental  
33 programs. Therefore, an emergency is hereby declared to exist and this Act  
34 being necessary for the immediate preservation of the public peace, health and  
35 safety shall be in full force and effect from and after July 1, 1997.

36

1  
2  
3

*/s/Rep. Beatty*