

**REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT**

TABLE OF CONTENTS

	<u>Page #</u>
Higher Education, Department of	
Emergency Grants & Extra Help Pool	1
Reallocation Of Resources For Institutions Of Higher Education	2
Loans	4
Work Force 2000 Development Fund Procedures	5
Building Maintenance Fund	7
Refund To Expenditures	8
National Guard Tuition Incentive Program	9
Health Education Grants And Loans - Priorities	10
Financial Aid Programs Reporting	11
Audit/Review Of State Scholarship Funds	12
Audit Data	13
Funding For Salary Increases	14
Dhe Program Coordinator Funding	15
Transfer Provision	16
Transfer Of Higher Education Grants Fund Appropriations - Health Education Grants And Loans	17
Contingency Appropriations - Transfers And Reports	18
Student Undergraduate Research Fellowship (Surf) Program	20
Cooperation Agreements	21
Cost Allocation	22
Appropriation Transfer Procedures - Ar Geographical Critical Needs Minority Teacher Scholarship Program	23
Outcome-Centered Funding Awards	24
Administrative Fees	25
Dhe Workforce Initiative Act Funding	26

**REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT**

TABLE OF CONTENTS

	<u>Page #</u>
Higher Education, Department of	
Arkansas Works And Arkansas Health Insurance Marketplace Restrictions	27
Arkansas Workforce Challenge Scholarship Funds	31
Insurance Department	
Personal Services	32
Transfer Provision	33
Arkansas Works And Arkansas Health Insurance Marketplace Restrictions	34
Funding Restrictions	38
Insurance Building Construction Funding Provision	39
Spinal Cord Commission	
Line Item Transfer	40
Natural Resources Commission, Arkansas	
Transfer Provision	41
Carry Forward	42
Carry Forward	44
Parks & Tourism, Department of	
Park Budget Allocation	46
Special Maintenance	47
Cash Prizes - State Parks	49
Bronze Indian	50
Mississippi River Domestic - International Marketing Plan	51
Purchase Of Uniforms	52
Tourism Attraction Feasibility Grant Program	53
Employee Contracts	54

**REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT**

TABLE OF CONTENTS

	<u>Page #</u>
Parks & Tourism, Department of	
Small Festival Funding	55
Extra Help	56

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 20

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EMERGENCY GRANTS & EXTRA HELP POOL. An Institution of higher education that suffers an emergency/disaster event resulting in all or a significant portion of campus operations being interrupted, may request disaster assistance through the Arkansas Department of Higher Education. Upon the declaration of an emergency by the Governor, the institution may request, subject to the recommendation of the Director of the Department of Higher Education and approval of the Governor, a grant from the Disaster Relief Fund to assist in returning that campus to operation and/or to a sister campus providing services to the students from the affected campus. Certified law enforcement officers employed by an institution of higher education may be granted jurisdiction at the sister institution, upon agreement of both institutions.

The Department of Higher Education is authorized a pool of 500 extra help positions for use in such emergency situations. These positions may be assigned to the campus suffering the disaster event or to a sister campus providing services to the students from the affected campus. The Governor may waive the 1,500 hour limit of ACA 6-63-314 on these assigned extra help pool positions.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 21

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

REALLOCATION OF RESOURCES FOR INSTITUTIONS OF HIGHER EDUCATION.

Upon determination by the president or chancellor of an institution of higher education that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the institution is necessary for efficient and effective operations of the institution, the president or chancellor, with approval of the institution's board of trustees, may have the authority to transfer positions, appropriations and related funds between campuses, divisions, branches, and other budgetary units of the institution, after receiving prior approval of the Legislative Council or Joint Budget Committee. The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly. The transfers, consolidations, or reorganizations which involve academic programs shall be reviewed by the Department of Higher Education prior to submission to the Legislative Council or Joint Budget Committee. Provided, however, that the institution shall be limited to submitting no more than two (2) individual transaction transfer requests during any fiscal year and shall be further limited to no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, positions specific to each institution, and no Tobacco Settlement funds or appropriations may be reallocated pursuant to this section.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for institutions of higher education each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 21

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

act(s) for institutions of higher education and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that institutions of higher education may operate more efficiently if some flexibility is provided to institutions of higher education authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

LOANS. In order to provide timely payments under financial aid appropriations made in this Act, the Chief Fiscal Officer of the State is authorized to provide loans from the Budget Stabilization Trust Fund to make available all funds attributable to the financial aid programs under the then current official revenue estimates. In the event of an unanticipated state revenue shortfall, any such loans remaining at the end of a fiscal year shall be repaid from revenues distributed in the first two months of the next fiscal year. Funds for appropriations made in this Act for purposes other than financial aid shall not be affected by the application of this provision.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

WORK FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made available to the various technical colleges have been determined as set out in Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B), such documents as may be necessary shall be processed so that funds may be transferred from the Work Force 2000 Development Fund to the State Treasury fund or fund account from which the technical college draws its general revenue support. Such funds as may be transferred shall not exceed 93.691% of the total funds available from the Work Force 2000 Development Fund during the fiscal year.

In the event that a technical institute or comprehensive lifelong learning center which receives support from the Work Force 2000 Development Fund as determined by law transfers or merges into the Arkansas Technical College and Community College System for which Work Force 2000 Development Fund monies are determined by law, then the actual amount of support from the Work Force 2000 Development Fund in the preceding fiscal year for such educational institution shall be made available irrespective of any other provision of law which sets out maximum levels of support from such fund.

The funds distributed under Arkansas Code 26-51-205(d)(2)(C) in excess of those amounts collected and distributed prior to June 30, 2014 shall be deposited into the Skills Development Fund to be used only for personal services, grants, operation, support, and improvement of occupational, vocational, technical, and workforce development programs by the Department of Career Education - Office of Skills Development. The distributions of funds under Arkansas Code 26-51-205(d)(2)(C) in excess of

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

those amounts collected and distributed prior to June 30, 2014 shall not apply to proceeds allocated to schools, colleges and educational institutions under Arkansas Code 26-51-205(d)(2)(A) and 26-51-205(d)(2)(B).

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

BUILDING MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the Higher Education Building Maintenance Fund, any additional deposits are to be transferred to the Research Development Fund there to be used as provided by law.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

REFUND TO EXPENDITURES. Proceeds derived from the repayment of loans, grants, or scholarships funded by the Higher Education Grants Fund Account shall be deposited into the State Treasury fund from which it originated.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

NATIONAL GUARD TUITION INCENTIVE PROGRAM. In addition to any other provisions of law, any student who receives assistance from the appropriation made for the "National Guard Tuition Incentive Program" in this Act shall repay any loans and/or assistance if the student receives a discharge that is a less than Honorable Discharge. Priority for funding shall be given to students already receiving assistance from the National Guard Tuition Incentive Program.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

HEALTH EDUCATION GRANTS AND LOANS - PRIORITIES. The Arkansas Higher Education Coordinating Board, after consulting with the recognized associations of each of the applicable medical professions and other interested persons, shall determine the priorities for the applicable programs enumerated in the appropriation made for "Health Education Grants and Loans" in this Act. The Arkansas Department of Higher Education, if necessary, shall re-adjust the number of positions for entering students to be funded for each applicable program based upon the priorities determined by the board.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 28

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FINANCIAL AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall report by May 30 to the House and Senate Interim Committees on Education the budgeted allocation for each financial aid program funded through the Higher Education Grants Fund Account for the upcoming fiscal year and projections for the following year.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 29

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that receives state scholarship funds administered by the Arkansas Department of Higher Education shall be subject to audit/review of such funds by the Division of Legislative Audit, upon approval of the Legislative Joint Audit Committee.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 30

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

AUDIT DATA. All post-secondary institutions shall provide to the Arkansas Department of Higher Education a copy of the Integrated Post-Secondary Education Data System (IPEDS) data within three weeks following the IPEDS due date, which shall be subject to audit by the Arkansas Department of Higher Education.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUNDING FOR SALARY INCREASES. New funding through the Revenue Stabilization Act determined by the Arkansas Department of Higher Education to have been for salary increases for the fiscal year for Institutions of Higher Education shall be used exclusively for salary increases. New funding actually received for salary increases shall be spent exclusively for salary increases based upon the state general revenue portion of total unrestricted educational and general revenue. Funding received under this provision shall be used for no purpose other than to provide such salary increases. Any designated funds not used for salary increases shall be recouped at the end of each fiscal year and transferred to the General Revenue Allotment Reserve Fund.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 32

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE PROGRAM COORDINATOR FUNDING. The Chief Fiscal Officer of the State shall transfer sufficient funding for the fiscal year from the Higher Education Grants Fund Account to the Department of Higher Education Fund Account in order to finance the personal services costs of a DHE Program Coordinator.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 33

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. Upon certification by the Director of the Department of Higher Education that transfers are needed to make maximum utilization of funds and appropriations provided for financial aid programs, and with the approval of the Chief Fiscal Officer of the State and a review by the Arkansas Legislative Council or Joint Budget Committee, funds and appropriations may be transferred between financial aid programs to more adequately align the appropriation with the number of eligible students.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 34

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS - HEALTH EDUCATION GRANTS AND LOANS. Upon certification to and with the approval of the Chief Fiscal Officer of the State, surplus funds and appropriations may be transferred between the appropriations provided for "Health Education Grants and Loans" by this Act by the General Assembly for Dental Aid Grants and Loans, Optometry Aid Grants and Loans, Veterinary Aid, Veterinary Med. Loan Forgiveness Program, Podiatry Aid, and Chiropractic Aid.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 35

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CONTINGENCY APPROPRIATIONS - TRANSFERS AND REPORTS. (a) Upon approval by the Department of Higher Education and the Chief Fiscal Officer of the State, institutions of higher education may transfer appropriation from the cash contingency appropriation to any other appropriation made to the institution from cash funds including the establishment of commitment items, and may transfer appropriation from the contingency appropriation made payable from each institution's State Treasury Fund to the state operations appropriation made payable from each institution's State Treasury Fund including the establishment of commitment items, and may transfer appropriation from the contingency appropriation made payable from the Tobacco Settlement Program Fund Accounts to any other appropriation made to the institution from Tobacco Settlement Program Fund Accounts including the establishment of commitment items.

(b) Contingency appropriation transfers shall only establish and supplement commitment items that were recommended by the Higher Education Coordinating Board in the budget manuals presented to the Legislative Council and Joint Budget Committee.

(c) The Department of Higher Education shall report contingency appropriation transfers and the establishment of any commitment items authorized by this Section to the Legislative Council or Joint Budget Committee for review during its July meeting. The report shall include, by institution, the establishment of, and the amounts transferred to, each commitment item, the reasons therefor and the source of funds. Institutions shall submit contingency appropriation transfer and commitment item establishment requests authorized by this Section to the Department of

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 35

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Higher Education no later than July 1. Upon the failure of an institution to submit the required information by the July 1 deadline, the Department of Higher Education shall immediately notify by written notification the chairpersons of the Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 36

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

STUDENT UNDERGRADUATE RESEARCH FELLOWSHIP (SURF) PROGRAM. The focus of the Student Undergraduate Research Fellowship (SURF) Program is the continued development of undergraduate academic research efforts at Arkansas colleges and universities. The Arkansas Department of Higher Education shall adopt rules and regulations necessary for the proper administration of the Student Undergraduate Research Fellowship Program. Administrative functions and responsibilities may include, but not necessarily be limited to, the development of eligibility criteria, collection of applications, coordination of student evaluations, distribution of public notices, and funding of grants for academic research purposes. Staff of the Arkansas Department of Higher Education shall administer this program. The Arkansas Department of Higher Education shall be authorized to expense costs associated with the administration of the program, from funds made payable from the Higher Education Grants Fund Account for the Student Undergraduate Research Fellowship Program as authorized in the Student Assistance Grants and Various Scholarships appropriation section of this Act.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 37

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

COOPERATION AGREEMENTS. Any institution of Higher Education that has its main campus, satellite campus, or center located within a twenty five mile radius of any other main campus of an institution of higher education shall enter into a written agreement with that institution which must address duplication of services between the institutions.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 38

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

COST ALLOCATION. The Department of Higher Education may refund to the Higher Education Fund Account or the Higher Education Grants Fund Account such amounts determined by the Department to be reimbursements received from the Office of the Arkansas Lottery for costs related to the administration of the Arkansas Academic Challenge Scholarship Program.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 39

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of Higher Education shall determine the amount available, up to \$200,000 per fiscal year, to fund the Arkansas Geographical Critical Needs Minority Teacher Scholarships and shall certify to the Chief Fiscal Officer of the State and the State Treasurer such amount as is required to be transferred from the Higher Education Grants Fund Account. Upon receiving such certification, the Chief Fiscal Officer of the State and the State Treasurer shall cause to be transferred the necessary funds and appropriation to the fund account of the University of Arkansas at Pine Bluff for implementation of this program. The University of Arkansas at Pine Bluff may use up to twenty percent (20%) of the funds and appropriation for administration of the program.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 40

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~OUTCOME-CENTERED FUNDING AWARDS. Upon certification of the Director of the Department of Higher Education, the Chief Fiscal Officer of the State shall transfer to the Department of Higher Education Fund Account certified amounts based upon the outcome-centered funding policy of the Arkansas Higher Education Coordinating Board from the State Treasury funds of the Institutions of Higher Education. The Department of Higher Education will distribute funds from the Outcome-Centered Funding Awards Appropriation based upon the outcome-centered funding policy of the Arkansas Higher Education Coordinating Board.~~

~~The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019-2020.~~

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 41

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ADMINISTRATIVE FEES. The Department of Higher Education is authorized to recover non-refundable administrative fees related to the institutional certification and exemption process for out-of-state, non-public, and for-profit colleges and universities. These fees include a notification fee, an application processing fee, and travel expenses for the certification review teams.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 42

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DHE WORKFORCE INITIATIVE ACT FUNDING. The Chief Fiscal Officer of the State may transfer, on his or her books and those of the State Treasurer and the Auditor of the State, funding up to the amount authorized in the Workforce Initiative Act of 2015 appropriation section in this Act, from the Department of Higher Education Fund Account to the Workforce Initiative Act of 2015 Fund in order to finance the distribution of grants identified under §6-60-107.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in this section, "Arkansas Works Program" means the Arkansas Works Program established under the Identical Acts 2016 (2nd Ex. Sess.), Nos. 1 and 2, Arkansas Code § 23-61-1001 et seq.

(b)(1) Determining the maximum number of employees, the maximum amount of appropriation, for what purposes an appropriation is authorized, and general revenue funding for a publicly supported institution of higher education each fiscal year is the prerogative of the General Assembly.

(2) The purposes of subdivision (b)(1) of this section are typically accomplished by:

(A) Identifying the purpose in the appropriation act;

(B) Delineating such maximums in the appropriation act for a publicly supported institution of higher education; and

(C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, Arkansas Code § 19-5-101 et seq.

(3) It is both necessary and appropriate that the General Assembly restrict the use of appropriations authorized in the acts of publicly supported institutions of higher education.

(c)(1) Except as provided in this subsection, the publicly supported institutions of higher education shall not allocate, budget, expend, or utilize any appropriation authorized by the General Assembly for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or the

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Arkansas Works Program, including without limitation:

(A) Unsolicited communications mailed to potential recipients;

(B) Television, radio, or online commercials;

(C) Billboard or mobile billboard advertising;

(D) Advertisements printed in newspapers, magazines, or other print media; and

(E) Internet websites and electronic media.

(2) This subsection does not prohibit the publicly supported institutions of higher education from:

(A) Direct communications with licensed insurance agents;

(B) Solicited communications with potential recipients;

(C)(i) Responding to an inquiry regarding the coverage for which a potential recipient might be eligible, including without limitation providing educational materials or information regarding any coverage for which the individual might qualify.

(ii) Educational materials and information distributed under subdivision (c)(2)(C)(i) of this section shall contain only factual information and shall not contain subjective statements regarding the coverage for which the potential recipient might be eligible; and

(D) Using an Internet website for the exclusive purpose of enrolling individuals in the Arkansas Health Insurance Marketplace or the Arkansas Works Program.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(d) The publicly supported institutions of higher education shall not apply for or accept any funds, including without limitation federal funds, for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or the Arkansas Works Program.

(e)(1) Except as provided in subdivision (e)(2) of this section, the publicly supported institutions of higher education shall not:

(A)(i) Except as provided in subdivision (e)(1)(A)(ii) of this section, allocate, budget, expend, or utilize an appropriation authorized by the General Assembly for the purpose of funding activities of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

(ii) Subdivision (e)(1)(A)(i) of this section does not apply to regulatory and training responsibilities related to navigators, guides, certified application counselors, and certified licensed producers; and

(B) Apply for or accept any funds, including without limitation federal funds, for the purpose of funding activities of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

(2) Subdivision (e)(1) of this section does not apply to certified application counselors at health related institutions, including

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

without limitation the University of Arkansas for Medical Sciences.

(f) An appropriation authorized by the General Assembly shall not be subject to the provisions allowed through reallocation of resources or transfer of appropriation authority for the purpose of transferring an appropriation to any other appropriation authorized for a publicly supported institutions of higher education to be allocated, budgeted, expended, or utilized in a manner prohibited by this section.

(g) The provisions of this section are severable, and the invalidity of any subsection or subdivision of this section shall not affect other provisions of the section that can be given effect without the invalid provision.

(h) This section expires on June 30, ~~2019~~ 2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0700 Higher Education, Department of

ACT#: 197

SECTION#: 44

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS WORKFORCE CHALLENGE SCHOLARSHIP FUNDS. The Department of Higher Education may transfer Arkansas Workforce Challenge Scholarship funds to:

(1)(A) An Arkansas Academic Challenge Scholarship account in an amount necessary to fund scholarship awards for nontraditional students for the 2017-2018 academic year that were not funded due to the limitation on the scholarship award amount for nontraditional students under § 6-85-212(e)(2)(A) as it existed before the effective date of this act.

(B) The department may distribute scholarship awards to nontraditional students for the 2017-2018 academic year from funds transferred under subdivision (1)(A) of this section; and

(2)(A) The Office of the Arkansas Lottery in an amount not to exceed the amount required to fund scholarship awards to be distributed under § 6-85-201 et seq. for the 2018-2019 or 2019-2020 academic years without having to draw upon the Scholarship Shortfall Reserve Trust Account under § 23-115-802.

(B) If the transfer under subdivision (2)(A) of this section exhausts the department's Arkansas Workforce Challenge Scholarship funds and there remain insufficient funds for distribution as scholarship awards under § 6-85-201 et seq. for the 2018-2019 or 2019-2020 academic years without having to draw upon the trust account, then the trust account may be drawn upon as provided under § 23-115-802.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0425 Insurance Department

ACT#: 248

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~PERSONAL SERVICES. The Burial Association Board Executive Secretary and the Burial Association Board Administrative Specialist III shall also be responsible for the administrative activities of the State Board of Embalmers and Funeral Directors. The State Board of Embalmers and Funeral Directors shall pay to the Burial Association Board an amount equal to one half (1/2) of the salary of the Burial Association Board Executive Secretary, up to one half (1/2) of the salary of the Burial Association Board Administrative Specialist III, and the appropriate matching. This sum shall be paid during the first quarter of each fiscal year via fund transfer.~~

~~—The provisions of this section shall be in effect only from July 1, 2018-2019 through June 30, 2019-2020.~~

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0425 Insurance Department

ACT#: 248

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. In the event the State Insurance Department is unable to maintain a full roster of examination personnel, and upon approval of the Chief Fiscal Officer of the State, the resulting unused appropriations in Regular Salaries, Extra Help, and Personal Services Matching may be transferred to the Professional Services special line item for the purpose of contracting with qualified individuals or firms for examination assistance.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0425 Insurance Department

ACT#: 248

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in this section, "Arkansas Works" means Arkansas Works established under the Arkansas Works Act of 2016, Arkansas Code § 23-61-1001 et seq.

(b)(1) Determining the maximum number of employees, the maximum amount of appropriation, for what purposes an appropriation is authorized, and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly.

(2) The purposes of subdivision (b)(1) of this section are typically accomplished by:

- (A) Identifying the purpose in the appropriation act;
- (B) Delineating such maximums in the appropriation act for a state agency; and

(C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, Arkansas Code § 19-5-101 et seq.

(3) It is both necessary and appropriate that the General Assembly restrict the use of appropriations authorized in this act.

(c)(1) Except as provided in this subsection, the State Insurance Department shall not allocate, budget, expend, or utilize any appropriation authorized by the General Assembly for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas Works, including without limitation:

- (A) Unsolicited communications mailed to potential

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0425 Insurance Department

ACT#: 248

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

recipients;

(B) Television, radio, or online commercials;

(C) Billboard or mobile billboard advertising;

(D) Advertisements printed in newspapers, magazines, or other print media; and

(E) Internet websites and electronic media.

(2) This subsection does not prohibit the department from:

(A) Direct communications with:

(i) Licensed insurance agents; and

(ii) Persons licensed by the department;

(B) Solicited communications with potential

recipients;

(C)(i) Responding to an inquiry regarding the coverage for which a potential recipient might be eligible, including without limitation providing educational materials or information regarding any coverage for which the individual might qualify.

(ii) Educational materials and information distributed under subdivision (c)(2)(C)(i) of this section shall contain only factual information and shall not contain subjective statements regarding the coverage for which the potential recipient might be eligible; and

(D) Using an Internet website for the exclusive purpose of enrolling individuals in the Arkansas Health Insurance Marketplace or Arkansas Works.

(d) The State Insurance Department shall not apply for or accept any funds, including without limitation federal funds, for the purpose of

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0425 Insurance Department

ACT#: 248

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas Works.

(e)(1) Except as provided in subdivision (e)(2) of this section, the State Insurance Department shall not:

(A)(i) Except as provided in subdivision (e)(1)(A)(ii) of this section, allocate, budget, expend, or utilize an appropriation authorized by the General Assembly for the purpose of funding activities of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

(ii) Subdivision (e)(1)(A)(i) of this section does not apply to regulatory and training responsibilities related to navigators, guides, certified application counselors, and certified licensed producers; and

(B) Apply for or accept any funds, including without limitation federal funds, for the purpose of funding activities of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

(2) Subdivision (e)(1) of this section does not apply to certified application counselors at health related institutions, including without limitation the University of Arkansas for Medical Sciences.

(f) An appropriation authorized by the General Assembly shall not

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0425 Insurance Department

ACT#: 248

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

be subject to the provisions allowed through reallocation of resources or transfer of appropriation authority for the purpose of transferring an appropriation to any other appropriation authorized for the State Insurance Department to be allocated, budgeted, expended, or utilized in a manner prohibited by this section.

(g) The provisions of this section are severable, and the invalidity of any subsection or subdivision of this section shall not affect other provisions of the section that can be given effect without the invalid provision.

(h) This section expires on June 30, ~~2019~~2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0425 Insurance Department

ACT#: 248

SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUNDING RESTRICTIONS. The State Insurance Department shall not allocate, budget, expend or commit for expenditure any appropriation authorized by the General Assembly for final implementation of a state-based health insurance exchange by the Arkansas Health Insurance Marketplace Board as established in Arkansas Code § 23-61-803 et seq. until after the decision of the United States Supreme Court in King v. Burwell, 759 F.3d 358 (4th Cir.), cert. granted, U.S., 135 S. Ct. 475(2014).

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0425 Insurance Department

ACT#: 248

SECTION#: 28

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

INSURANCE BUILDING CONSTRUCTION FUNDING PROVISION. Upon request of the Commissioner, approval of the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the State Insurance Department may retain an amount above that which is set out in A.C.A. 23-61-710(c) for the purposes of providing funding for the construction and renovation of Department facilities, not to exceed eight million dollars (\$8,000,000) in a single biennium. The amount being requested must be submitted to the Chief Fiscal Officer of the State by April 1st of each fiscal year.

AGENCY REQUEST

The provisions of this section shall expire on June 30, ~~2019~~2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0295 Spinal Cord Commission

ACT#: 155

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

LINE ITEM TRANSFER. Any savings made in the State Appropriation may, after receiving advice and approval of the Department of Finance and Administration, be transferred to the Spinal Treatment Program.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 161

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the transfer of obligated water, sewer, and solid waste funds, as provided in the appropriation act for the Natural Resources Commission in the appropriation entitled "Water, Sewer and Solid Waste - State", from the Miscellaneous Agencies Fund Account, to the Water, Sewer and Solid Waste Revolving Fund.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 161

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the carry forward of funds to support the amount of obligated grants that are certified by the Natural Resources Commission for Matching Grants in the appropriation entitled "Water Quality Plan Implementation".

Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

- (1) Prior to June 30, ~~2019~~ 2020 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward from the first fiscal year to the second fiscal year, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 161

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 161

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. At the end of the fiscal year, the Chief Fiscal Officer of the State shall authorize the carry forward of funds to support the amount of obligated grants that are certified by the Natural Resources Commission for Water Quality Technicians in the appropriation entitled "Water Quality Plan Implementation".

Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

- (1) Prior to June 30, ~~2019~~ 2020 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward from the first fiscal year to the second fiscal year, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 161

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PARK BUDGET ALLOCATION. Prior to July 1 of each fiscal year, the Legislative Council or the Joint Budget Committee shall review the Parks and Tourism Department's plan for the upcoming year of amounts to be disbursed for each park or other entity from the funds appropriated for State Operations of this Act. The request for review from the agency shall include amounts to be disbursed for each entity for the upcoming fiscal year compared to the current fiscal year's anticipated expenditures and the previous fiscal year's actual expenditures with any additional detail as may be required by the reviewing body. The Parks and Tourism Department shall also prepare a semiannual status report for the reviewing body comparing six-month and fiscal year actual expenditures to intended disbursements reviewed under this Section.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL MAINTENANCE. The funds appropriated in the Conservation Tax Appropriation Section of this Act for Parks and Tourism Special Maintenance shall be expended, after receiving prior approval by the Arkansas Legislative Council or Joint Budget Committee, for a special maintenance program for the Park System. The funds provided will be used for repair and upkeep of parks and museum facilities that have been deferred due to lack of funds in the individual budgets of the parks and museums.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Parks and Tourism may operate more efficiently if some flexibility is provided to the Department of Parks and Tourism authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section or the Special Maintenance line item. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section and the Special Maintenance line

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

item in the Conservation Tax Appropriation Section is void.

The provisions of this section shall be in effect only from July 1, ~~2018~~
2019 through June 30, ~~2019~~ 2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CASH PRIZES - STATE PARKS. The Department of Parks & Tourism is hereby authorized to award merchandise, gift certificates and cash prizes to contestants in various special events authorized by the Director of State Parks. Such prizes may be awarded to the 1st, 2nd and 3rd prize winners and shall be payable from the maintenance and operation line item of the Parks Cash Fund. The cash prizes, in aggregate, for all contests, shall not exceed \$10,000 per fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

BRONZE INDIAN. The Department of Parks & Tourism is hereby authorized to utilize Maintenance and General Operation appropriations in the State Operations Appropriation Section of this Act for the care and upkeep of the Bronze Indian erected on the Caddo River.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

MISSISSIPPI RIVER DOMESTIC - INTERNATIONAL MARKETING PLAN. Of the funds appropriated to the Department of Parks and Tourism - Great River Road for operating expenses in the State Operations Appropriation Section of this Act, up to \$15,000 each year is authorized to be utilized for the implementation of the Mississippi River Domestic - International Marketing Plan.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PURCHASE OF UNIFORMS. The Department of Parks and Tourism is hereby authorized to purchase from "Maintenance and General Operations" appropriations provided by this Act, uniforms for Parks personnel, Museum Services personnel, Tourist Information Center personnel, and uniforms and blazers to be used by employees of the Department of Parks and Tourism who are staffing sports shows, travel shows and other special promotional programs and special theme costumes or uniforms for state parks. Provided further, that any clothing purchased under the provisions stated in this section shall remain the property of the Department of Parks and Tourism and shall be surrendered upon request of the Department or upon termination of employment of the individual to whom the clothing was issued.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 28

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TOURISM ATTRACTION FEASIBILITY GRANT PROGRAM. Of the funds appropriated to the Department of Parks and Tourism for Tourism/Museum grants in the State Operations Appropriation Section of this Act, the Department is authorized to make grants to cities and counties on a one to one dollar matching basis, up to \$15,000 in state funds per grant, for the purpose of feasibility studies for tourism attractions. The Department is authorized to promulgate rules and regulations for the administration of this tourism attraction feasibility grant program. The Department of Parks and Tourism shall notify House and Senate Legislators representing the district of the award recipient.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 29

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EMPLOYEE CONTRACTS. The Department of Parks and Tourism is hereby authorized to enter into contracts with Department employees for the provision of golf lessons at the Department's golf courses, outside of the employees' normal working hours. Employees shall be Class A members and/or apprentices of the Professional Golfers' Association of America or the Ladies Professional Golf Association. The Director of Arkansas State Parks shall authorize all contracts in accordance with department standards and procedures for concession and operating contracts. Compensation to employees is not retirement eligible.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 30

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SMALL FESTIVAL FUNDING. The General Assembly acknowledges the economic benefits of festivals which attract visitors and stimulate the growth of tourism and businesses statewide.

Notwithstanding any other provision of law or rules and regulations promulgated by the Department of Parks and Tourism to the contrary, the Department of Parks and Tourism shall dedicate, commit and budget annually one hundred fifty thousand dollars (\$150,000) from the 2% tourism tax credited to the Tourism Development Trust Fund for expense, advertising, marketing or grants for small festivals in Arkansas communities of less than 10,500 people. Any funds not granted out in a fiscal year shall be available for other tourism promotion efforts.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0900 Parks & Tourism, Department of

ACT#: 235

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXTRA HELP. The War memorial Stadium Commission may utilize their authorized extra-help positions and contract labor event staff up to a maximum of one thousand eight hundred (1,800) hours during seasonal events. The rates of pay may not exceed those provided in the Uniform Classification Act, or its successor, for the appropriate classification. The provisions of this section shall be in effect from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST