

**REQUEST FOR SPECIAL LANGUAGE  
IN APPROPRIATION ACT**

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**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9912 Department of Parks, Heritage & Tourism**

**ACT#: 0018**

**SECTION#: 031**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SHARED SERVICES.

AGENCY REQUEST

(a)(1)(A) The Chief Fiscal Officer of the State may create paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses by the Department of Parks, Heritage, and Tourism.

(B) Upon prior approval of the Arkansas Legislative Council, or if meeting in Legislative Session the Joint Budget Committee, the Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act and the transfer of positions to the Regular Salaries - Shared Services appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The transfer authority provided in subdivision (a)(1) of this section for efficiencies and to eliminate duplication of services are limited only to those services that are provided for multiple divisions of a department, including without limitation to administration, human resources, procurement, communications, fleet operations, and information services.

(3) The transfer authority provided to the department in subdivision (a)(1) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(b)(1) Each department utilizing the Shared Services Paying Account section or Regular Salaries - Shared Services section of this act shall submit a report to be included in the Budget Manuals for hearings,

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9912 Department of Parks, Heritage & Tourism**

**ACT#: 0018**

**SECTION#: 031**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

conducted by the General Assembly, listing all shared services transfers of positions, funds, and appropriation under this section, which shall be submitted as instructed by the Department of Finance and Administration - Office of Budget for uniformity.

(2) A report submitted under subdivision (b)(1) of this section shall include the following:

(A) The position number, authorized position title, class code, grade, business area, and name of the division, section, or unit for the position being transferred to the Regular Salaries - Shared Services section of this act; and

(B) The fund center, appropriation, appropriation amount, commitment item or items, business area, and name of the division, section, or unit for the fund or appropriation being transferred to the Shared Services Paying Account.

~~(c)(1) It is the intent of the Ninety-Second General Assembly that the authority under this section to transfer positions is intended for use for the time period prior to Fiscal Year 2022 to allow cabinet-level departments to establish a centralized Regular Salaries - Shared Services section, with the recommendation that the position transfer authority granted under this section be discontinued after that time.~~

~~(2) The Bureau of Legislative Research shall bring the recommendation in subdivision (c)(1) of this section to the attention of the chairs conducting the 2021 Regular Session pre-session budget hearings, the chairs of the Special Language Subcommittee, and the members of the Special Language Subcommittee during pre-session budget hearings.~~

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9912 Department of Parks, Heritage & Tourism**

**ACT#: 0018**

**SECTION#: 031**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(~~d~~ c) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a cabinet-level department each fiscal year is the prerogative of the General Assembly and is usually accomplished by delineating the maximums in the appropriation act or acts and establishing authorized positions 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 cabinet-level departments created under Acts 2019, No. 910, may operate more efficiently if some flexibility is provided as authorized 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, if the General Assembly is in session, the 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.

(e ~~d~~) The provisions of this section shall be in effect from the date of passage through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0865 DPHT - Division of Heritage**

**ACT#: 0018**

**SECTION#: 029**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PROMOTIONAL AND EDUCATIONAL MATERIALS. The ~~Department~~Division of Arkansas Heritage is hereby authorized to purchase from Maintenance and General Operations appropriations provided by this Act, up to an amount not to exceed \$40,000 each fiscal year, promotional and educational merchandise, authorized by the Division Director of the ~~Department~~Division of Arkansas Heritage, to inform the public of the ~~Department~~Division's programs, to promote the functions of the ~~Department~~Division, and to inform the public regarding the services provided by the ~~Department~~Division.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0865 DPHT - Division of Heritage**

**ACT#: 0018**

**SECTION#: 030**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~ARKANSAS~~ NATURAL AND CULTURAL RESOURCES COUNCIL. The ~~Director~~  
~~Secretary~~ of the Department of ~~Parks, Heritage and Tourism~~ ~~Arkansas~~  
~~Heritage~~ shall be the disbursing officer for the ~~Arkansas~~ Natural and  
Cultural Resources Council appropriation and the Main Street Program  
appropriation provided by this Act. Further, if grants are made to state  
agencies from the ~~Arkansas~~ Natural and Cultural Resources Council  
appropriation, and the Main Street Program appropriation provided herein,  
the corresponding amount of appropriation and funding of such grant may  
be transferred to such state agency for use in classifications of  
expenditures as determined by conditions of the grant and the state agency

AGENCY REQUEST

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June  
30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 019**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PARKS BUDGET ALLOCATION. Prior to July 1 of each fiscal year, the Legislative Council or the Joint Budget Committee shall review the Division of Arkansas State Parks and Tourism Department 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 Division of Arkansas State 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 020**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SPECIAL MAINTENANCE. The funds appropriated in the Conservation Tax Appropriation Section of this Act for the Division of Arkansas State 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~~ Division of Arkansas State Parks and Tourism may operate more efficiently if some flexibility is provided to the Department of Parks, Heritage 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

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 020**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

and the Special Maintenance line item in the Conservation Tax Appropriation Section is void.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 021**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CASH PRIZES - STATE PARKS. The ~~Department of~~ Division of Arkansas State Parks and Tourism is hereby authorized to award merchandise, gift certificates and cash prizes to contestants in various special events authorized by the Division Director of the Division of Arkansas 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 022**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

MISSISSIPPI RIVER DOMESTIC - INTERNATIONAL MARKETING PLAN. Of the funds appropriated to the ~~Department~~Division of Arkansas State 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 023**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PURCHASE OF UNIFORMS. The ~~Department~~ Division of Arkansas State 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~~ Division of Arkansas State 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~~ Division of Arkansas State 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 024**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TOURISM ATTRACTION FEASIBILITY GRANT PROGRAM. Of the funds appropriated to the Department of Parks, Heritage 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, Heritage 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 025**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EMPLOYEE CONTRACTS. The Department of Parks, Heritage 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 Division Director of the Division 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 026**

**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, Heritage and Tourism to the contrary, the Department of Parks, Heritage 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0900 DPHT - Parks & Tourism Division**

**ACT#: 0122**

**SECTION#: 027**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP. The ~~War Memorial Stadium Commission~~ Department of Parks, Heritage and Tourism 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 at War Memorial Stadium. 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9906 Department of Finance & Administration**

**ACT#: 0095**

**SECTION#: 030**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SHARED SERVICES.

AGENCY REQUEST

(a)(1)(A) The Chief Fiscal Officer of the State may create paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses by the Department of Finance and Administration.

(B) Upon prior approval of the Arkansas Legislative Council, or if meeting in Legislative Session the Joint Budget Committee, the Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act and the transfer of positions to the Regular Salaries - Shared Services appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The transfer authority provided in subdivision (a)(1) of this section for efficiencies and to eliminate duplication of services are limited only to those services that are provided for multiple divisions of a department, including without limitation to administration, human resources, procurement, communications, fleet operations, and information services.

(3) The transfer authority provided to the department in subdivision (a)(1) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(b)(1) Each department utilizing the Shared Services Paying Account section or Regular Salaries - Shared Services section of this act shall submit a report to be

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9906 Department of Finance & Administration**

**ACT#: 0095**

**SECTION#: 030**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

all shared services transfers of positions, funds, and appropriation under this section, which shall be submitted as instructed by the Department of Finance and Administration - Office of Budget for uniformity.

(2) A report submitted under subdivision (b)(1) of this section shall include the following:

(A) The position number, authorized position title, class code, grade, business area, and name of the division, section, or unit for the position being transferred to the Regular Salaries - Shared Services section of this act; and

(B) The fund center, appropriation, appropriation amount, commitment item or items, business area, and name of the division, section, or unit for the fund or appropriation being transferred to the Shared Services Paying Account.

~~(c)(1) It is the intent of the Ninety-Second General Assembly that the authority under this section to transfer positions is intended for use for the time period prior to Fiscal Year 2022 to allow cabinet-level departments to establish a centralized Regular Salaries - Shared Services section, with the recommendation that the position transfer authority granted under this section be discontinued after that time.~~

~~(2) The Bureau of Legislative Research shall bring the recommendation in subdivision (c)(1) of this section to the attention of the chairs conducting the 2021 Regular Session pre-session budget hearings, the chairs of the Special Language Subcommittee, and the members of the Special Language Subcommittee during pre-session budget hearings.~~

~~(d c) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a cabinet-level department~~

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9906 Department of Finance & Administration**

**ACT#: 0095**

**SECTION#: 030**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

each fiscal year is the prerogative of the General Assembly and is usually accomplished by delineating the maximums in the appropriation act or acts and establishing authorized positions 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 cabinet-level departments created under Acts 2019, No. 910, may operate more efficiently if some flexibility is provided as authorized 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, if the General Assembly is in session, the 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.

(e d) The provisions of this section shall be in effect from the date of passage through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9906 Department of Finance & Administration**

**ACT#: new**

**SECTION#: new**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DEPARTMENT OF FINANCE AND ADMINISTRATION - ARKANSAS TOBACCO CONTROL - PROMOTIONAL ITEMS. The Department of Finance and Administration - Arkansas Tobacco Control is hereby authorized to purchase from Maintenance & General Operations Classifications in the Operations Appropriation and Sales to Minors Enforcement - Cash Appropriation provided by this Act, up to an amount not to exceed \$5,000 each fiscal year for promotional items, authorized by the Director of the Agency, and with the approval of the Chief Fiscal Officer of the State, to meet the Department of Finance and Administration - Arkansas Tobacco Control Merchant Education needs.

The provisions of this section shall be in effect only from July 1, 2021 through June 30, 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0610 DFA - Management Services Division**

**ACT#: 0095**

**SECTION#: 031**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

BUDGET AND MANAGEMENT SERVICES - DEPARTMENT OF JUSTICE NON-VICTIM ASSISTANCE GRANTS. The funds appropriated in this Act for Department of Justice Non-Victim Assistance Matching Grants shall be used for matching funds for administering the Federal Grants provided in this Act for the Department of Justice Non-Victim Assistance Grants. The Department of Finance and Administration - Management Services Division is hereby authorized to call upon all state agencies to assist in the implementation of the Department of Justice Non-Victim Assistance Grants. However, if no Federal Grants are available to be matched with these funds, the funding provided from the Miscellaneous Agencies Fund Account may be used to provide funding for Drug Task Force operations across the State. The funds appropriated in this Act for Department of Justice Non-Victim Assistance Matching Grants may be used to provide one hundred percent (100%) of the required matching funds for state agencies and to provide up to sixty percent (60%) of the required matching funds for local governments should Federal Grants be available. Such funds and appropriation may be transferred to eligible state agencies or paid to local governments to be used for matching federal funds for administration of the Department of Justice Non-Victim Assistance Grants or paid to local governments to be used to fund Drug Task Force operations in such amounts as determined by the Arkansas Alcohol and Drug Abuse Coordinating Council or other oversight agency as designated by the Governor. Any unobligated balances in funds in this Act for the Department of Justice Non-Victim Assistance Grants may be used by state agencies as matching funds for other U.S. Department of Justice Grants in an amount

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0610 DFA - Management Services Division**

**ACT#: 0095**

**SECTION#: 031**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

determined by the Chief Fiscal Officer of the State.

Any unexpended balances in funds provided for Department of Justice Non-Victim Assistance Matching Grants in this act remaining on June 30, ~~2020~~ 2021, may be carried forward and used for the same purpose during the fiscal year ending June 30, ~~2021~~ 2022.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0630 DFA - Revenue Services Division**

**ACT#: 0095**

**SECTION#: 032**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

REVENUE SERVICES DIVISION - APPROPRIATION TRANSFERS. The ~~Director~~ Secretary of the Department of Finance and Administration is authorized to transfer appropriation between refund line item appropriations in this Act. The ~~Director~~ Secretary of the Department of Finance and Administration shall immediately report any such transfers to the Arkansas Legislative Council or Joint Budget Committee. Such report shall contain the amounts transferred and the reasons for the same.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0630 DFA - Revenue Services Division**

**ACT#: 0095**

**SECTION#: 033**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

REVENUE SERVICES DIVISION - EXTRA HELP EXEMPTION. Extra Help positions authorized herein are specifically exempt from limitation of hours, either by act or regulation. Provided, however, when a temporary or part-time employee is employed by the Department of Finance and Administration - Revenue Services Division for a period of time exceeding seven (7) months, a report of such shall be filed with the Arkansas Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0630 DFA - Revenue Services Division**

**ACT#: 0095**

**SECTION#: 034**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

REVENUE SERVICES DIVISION - AUTHORITY TO EMPLOY CERTIFIED LAW ENFORCEMENT OFFICERS. The ~~Director~~ Secretary of the Department of Finance and Administration is authorized to employ certified law enforcement officers and specialized police personnel as certified under § 12-9-101 et seq. The certified law enforcement officers and specialized police personnel employed under this section shall be responsible for maintaining order and providing for the security, protection, and safety of the Department of Finance and Administration buildings, grounds, property, employees and customers. The certified law enforcement officer shall have the powers, duties, privileges, and immunities of a certified law enforcement officer.

AGENCY REQUEST

The following two classifications shall be used by the agency for security, protection, and safety personnel:

Item	Class	Maximum No. of Employees	Salary Rate Fiscal Year <del>2020-2021</del> 2021-2022
(1)	T106C DFA REVENUE		
	SECURITY SUPERVISOR	1	GRADE GS09
(2)	T032C DFA REVENUE		
	SECURITY COORDINATOR	<u>4</u>	GRADE GS07
	MAX. NO. OF EMPLOYEES	5	

Department of Finance and Administration Alcoholic Beverage Control Enforcement Division will manage training and certification of the certified law enforcement officers and specialized police personnel and maintain all

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0630 DFA - Revenue Services Division**

**ACT#: 0095**

**SECTION#: 034**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

required documentation.

The provisions of this section shall be in effect only from July 1, ~~2020~~  
2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0630 DFA - Revenue Services Division**

**ACT#: 0095**

**SECTION#: 035**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

REVENUE SERVICES DIVISION - CONTINGENT POSITIONS. There is hereby established for the Department of Finance and Administration - Revenue Division - Contingent Positions for the ~~2020-2021~~ 2021-2022 fiscal year, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code § 21-5-201 et seq.), or its successor, and all laws amendatory thereto. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code § 21-5-101), or its successor.

AGENCY REQUEST

CONTINGENT POSITIONS - DATA ENTRY

ITEM CLASS NO. CODE TITLE	MAXIMUM	SALARY RATE	
	NO. OF EMPLOYEES	<del>2020-2021</del>	2021-2022
(1) CO42C DFA REVENUE SUPERVISOR	2		GRADE GS05
(2) C059C DFA SERVICE REPRESENTATIVE	8		GRADE GS03
(3) C076C DFA TECHNICIAN	<u>40</u>		GRADE GS02
MAX CONTINGENT EMPLOYEES	50		

If it has been determined by the ~~Director~~ Secretary of the Department of Finance and Administration that the Department cannot continue a contract with a private provider and the ~~Director~~ Secretary deems it necessary to utilize Department staff to provide the required services, the Department is allowed, after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, to utilize the contingent positions for data entry contained in this Section and make the appropriate transfers from the various Maintenance and Operations, Professional Fees and Services or

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0630 DFA - Revenue Services Division**

**ACT#: 0095**

**SECTION#: 035**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Data Processing line items contained in the Revenue Services Division - Operations Appropriation Section of this Act to Regular Salaries and Personal Services Matching.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0611 DFA - Alcoholic Beverage Control Administration Division**

**ACT#: 0090**

**SECTION#: 021**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ABC ADMINISTRATION - CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The Chief Fiscal Officer of the State shall transfer appropriation as needed from the Contingency Appropriation authorized in this Act to the Alcoholic Beverage Control Division of the Department of Finance and Administration, the Department of Health and/or any other state agency incurring expenses for the implementation, administration, or enforcement of the Arkansas Medical Marijuana Amendment of 2016, to pay for personal services, operating expenses, professional fees, equipment, monitoring, auditing, and other miscellaneous expenses.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0261 Tobacco Control Board, Arkansas**

**ACT#: 0090**

**SECTION#: 023**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~DEPARTMENT OF FINANCE AND ADMINISTRATION — ARKANSAS TOBACCO CONTROL — PROMOTIONAL ITEMS. The Department of Finance and Administration — Arkansas Tobacco Control is hereby authorized to purchase from Maintenance & General Operations Classifications in the Operations Appropriation and Sales to Minors Enforcement — Cash Appropriation provided by this Act, up to an amount not to exceed \$5,000 each fiscal year for promotional items, authorized by the Director of the Agency, and with the approval of the Chief Fiscal Officer of the State, to meet the Department of Finance and Administration — Arkansas Tobacco Control Merchant Education needs.~~

~~The provisions of this section shall be in effect only from July 1, 2020-2021 through June 30, 2021-2022.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0631 DFA - Racing Commission**

**ACT#: 0090**

**SECTION#: 022**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DIVISION OF RACING - EXTRA HELP. There is hereby authorized, for the Department of Finance and Administration - Division of Racing for the ~~2020-2021~~ 2021-2022 fiscal year, the maximum number of thirty-one (31) part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes, such employees shall be authorized to work over 1,000 hours per year.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

Agency Request

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0490 DFA - Assessment Coordination Division**

**ACT#: 0158**

**SECTION#: 007**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUND TRANSFER. To provide funding for the appropriations authorized herein, the Director of the Department of Finance and Administration - Assessment Coordination ~~Department~~ Division of the State of Arkansas shall certify monthly to the Chief Fiscal Officer of the State, the amount of funding needed each month to pay counties and professional reappraisal companies for the reappraisal of real property as required by law. Upon receipt of such certification the Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer 76% of the amounts certified from the Department of Education Public School Fund Account, 16% of the amount certified from the County Aid Fund, and 8% of the amount certified from the Municipal Aid Fund to the Arkansas Real Property Reappraisal Fund. In no event shall the total amount of funds transferred as authorized herein exceed fourteen million two hundred fifty thousand dollars (\$14,250,000) in a single fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0490 DFA - Assessment Coordination Division**

**ACT#: 0158**

**SECTION#: 008**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

MAXIMUM ANNUAL FUNDING FOR REAPPRAISALS/REVIEWS. Whether a county's reappraisal of real property is simply a review of existing data, or a more extensive reappraisal where every improvement is measured, funding to any county, provided through the Department of Finance and Administration - Assessment Coordination Department Division, will be for the actual appraisal cost, up to a maximum of seven dollars per parcel, per year. Counties must use other taxing unit sources of revenue to provide for the cost of real property reappraisals if the cost to complete the reappraisal exceeds seven dollars per parcel.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0490 DFA - Assessment Coordination Division**

**ACT#: 0158**

**SECTION#: 009**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUND TRANSFERS. After receiving approval from the Chief Fiscal Officer of the State, the Director of the Department of Finance and Administration - Assessment Coordination ~~Department~~ Division is authorized to transfer funds during the ~~2019-2020~~ 2020-2021 fiscal year from the Miscellaneous Agencies Fund Account designated for support of the Department of Finance and Administration - Assessment Coordination ~~Department~~ Division to the Real Property Reappraisal Fund. The total of all transfers shall not exceed \$1,500,000.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0490 DFA - Assessment Coordination Division**

**ACT#: 0158**

**SECTION#: 010**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, the Director of the Department of Finance and Administration - Assessment Coordination ~~Department~~ Division is authorized to transfer appropriation from the Operating Expenses line item in the State Operations Program to the Assessor's School special line item to assure sufficient resources are available to provide required training for assessment personnel.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0634 DFA - Child Support Enforcement, Office of**

**ACT#: 0042**

**SECTION#: 004**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP EXEMPTION. Extra Help positions authorized herein are specifically exempt from limitation of hours, either by act or regulation. Provided, however, when a temporary or part-time employee is employed by the Department of Finance and Administration - Office of Child Support Enforcement for a period of time exceeding seven (7) months, a report of such shall be filed with the Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 040**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROCEDURES - APPROPRIATION - C.A.R.E.S.. (i) In the event that sufficient appropriation is not provided by the General Assembly, any state agency, constitutional office, or institution may request a transfer of appropriation, as provided in the C.A.R.E.S. Appropriation Section of this Act, from the Chief Fiscal Officer of the State, stating clearly the amount requested, purpose and any additional information requested by the Chief Fiscal Officer of the State.

(ii) After reviewing a request, the Chief Fiscal Officer of the State may deny, modify or approve the request based on the estimated amount of appropriation needed and currently available, purpose, estimated funding available and preferred spending priority. Upon approval or modification of a request by the Chief Fiscal Officer of the State and after meeting the requirements of subsection (iii) herein, the Department of Finance and Administration shall establish the transfer of appropriation on the books of the Department of Finance and Administration and the State Auditor, in compliance with the applicable classifications of appropriations as enumerated in Arkansas Code 19-4-521 through 19-4-525.

(iii) Any request approved as authorized in subsection (ii) herein, including requests that establish a new commitment item or new appropriation shall require prior approval by the Arkansas Legislative Council or if meeting in Regular or Fiscal Session the Joint Budget Committee.

(iv) Determining the maximum amount of appropriation each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s). Further, the General Assembly has determined that a state agency, constitutional office,

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 040**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

or institution may operate more efficiently if some flexibility is provided to the state agency, constitutional office, or institution 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 or 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 from the date of passage through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 041**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~TRANSFER PANDEMIC UNEMPLOYMENT COMPENSATION PROGRAM. Should it be determined by the Governor that this program should be administered by a department other than the Department of Finance and Administration, the Chief Fiscal Officer of the State shall transfer any remaining Appropriation and fund balances to that Department.~~

~~The provisions of this section shall be in effect from the date of passage through June 30, 2021.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 044**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CLASSIFICATION AND USE OF APPROPRIATIONS. The appropriations authorized in the Marketing and Redistribution Section, hereof which are transferred to the various agencies, as authorized in the Transfer Provision - Marketing and Redistribution Section hereof, are to be used for the maintenance and general operation of the benefiting agency and shall only be expended under the provisions cited in Arkansas Code § 19-4-522, the same being the General Accounting and Budgetary Procedures Law of Arkansas. Provided, however, no appropriation authorized herein shall be expended for Conference and Travel Expenses or Professional Fees and Services.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 045**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION - MARKETING AND REDISTRIBUTION. The Department of Finance and Administration shall, upon transfer to the agencies or institutions fund or fund account of the proceeds derived from disposal of property by the Marketing and Redistribution division for the benefit of various agencies, transfer appropriation, as provided in the Marketing and Redistribution Section, hereof in such amount as funds are deposited into the Property Sales Holding Fund and transferred therefrom for the benefit of such agencies.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 046**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

RESTRICTIONS - MISCELLANEOUS TRANSFERS. Nothing in this Act is to be construed as an authority to transfer a like amount of current general revenues to fund appropriations provided for in the Miscellaneous Transfers Section of this Act.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 047**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

RESTRICTIONS - TRANSFER PROVISIONS. The Department of Finance and Administration shall transfer appropriation as provided in the Refund to Expenditures line item of the Miscellaneous Transfers Section, hereof in such amounts as funds are deposited into the State Treasury or financial institutions for proceeds received from insurance policies for casualty losses, overpayment of obligations, overpayment of salaries, over-allocation of federal assistance, maturity or redemption of investments, and subrogation payments received for workers' compensation claims paid, for the benefit of various state agencies. Provided, however, that the Chief Fiscal Officer of the State is hereby authorized to promulgate such rules, regulations, procedures, and guidelines as he or she may deem necessary and proper in order to carry out the provisions of this Act.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 048**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROCEDURES - PERSONAL SERVICES OVERTIME. In the event that there is not sufficient appropriation provided for by the General Assembly for overtime compensation pursuant to Arkansas Code § 19-4-1612 and related personal services matching for any state agency for the period ending June 30, ~~2021~~ 2022, said agency shall request a transfer from appropriations provided for Overtime in the Miscellaneous Transfers Section, herein, from the Chief Fiscal Officer of the State, stating clearly the amount required. Upon approval of the Chief Fiscal Officer of the State, and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, the State Auditor shall be notified as to the amount and the purposes for which said appropriation is to be made. The appropriation shall be established upon the books of the Department of Finance and Administration and the State Auditor. Provided, further, that if desired, said appropriation shall be supplemental to those regularly appropriated for such purposes by the General Assembly for that agency.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 049**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CLASSIFICATION AND USE OF APPROPRIATIONS - REFUND TO EXPENDITURES. The appropriations authorized for Refund to Expenditures in the Miscellaneous Transfers Section, hereof which are transferred to the various agencies as authorized by the RESTRICTIONS - MISCELLANEOUS TRANSFERS and the RESTRICTIONS - TRANSFER POSITIONS Sections hereof are to be used for the same purposes and shall be expended under the same provisions as cited in Arkansas Code §§ 19-4-501 through 19-4-527, the same being the General Accounting and Budgetary Procedures Law of Arkansas, or its successor.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 050**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DISBURSING PROCEDURES. The Department of Commerce - Division of Workforce Services shall certify to the respective state agency at the end of each calendar quarter those unemployment compensation benefit payments made to former state employees who claimed and qualified for such benefits under the provisions of the Arkansas Employment Security Law. Upon satisfaction by the Chief Fiscal Officer of the State that the payments to individuals who had worked for the State of Arkansas were made in accordance with the provisions of the Arkansas Employment Security Law, he shall disburse funds from the appropriation in the Unemployment Compensation Claims Section of this Act to reimburse the Department of Commerce - Division of Workforce Services for benefits paid in the previous calendar quarter.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 051**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROCEDURES - CASH FUNDS. In the event that the appropriation is not provided by the General Assembly for Cash Fund expenditures for any state agency, pursuant to Arkansas Code § 19-4-801 et seq., said agency shall request a transfer of appropriation from the Chief Fiscal Officer of the State, stating clearly the amount required. Upon approval of the Chief Fiscal Officer of the State, and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, said cash fund appropriations shall be established upon the books of the Department of Finance and Administration, provided further, that upon request of the state agency and with the approval of the Chief Fiscal Officer of the State, the requested appropriations may be established upon the books of the Department of Finance and Administration in compliance with the applicable classifications of appropriations as enumerated in Arkansas Code §§ 19-4-521 through 19-4-527.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 052**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

MISCELLANEOUS FEDERAL PROGRAMS. The appropriations provided in the Various State Agencies - Cash Section herein shall not be used to establish spending authority for new or unanticipated Federal Funds or Programs as defined by the provisions of the Miscellaneous Federal Grant Programs Act, Arkansas Code § 19-7-501 et seq., and the provisions of the General Accounting and Budgetary Procedures Act, Arkansas Code § 19-4-101 et seq., or its successor. Funds subject to the above mentioned acts shall be deposited in the State Treasury.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 053**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SALARIES. No provisions as provided in the Various State Agencies - Cash Section herein shall be interpreted as the authority to create or establish new positions in addition to the positions established in the agency's Appropriation Act. In addition, salaries paid from appropriations transferred herein shall be subject to the provision of the Regular Salaries Procedures and Restrictions Act.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 054**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

REPORTING. The Chief Fiscal Officer of the State shall file with the Arkansas Legislative Council or Joint Budget Committee a cumulative report encompassing the prior two fiscal years summarizing all appropriations transferred and all additional positions authorized under the provisions of the Miscellaneous Federal Programs Section of this Act.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 055**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROCEDURES - PERSONAL SERVICES AND REGULAR SALARIES. In the event that the Chief Fiscal Officer of the State determines that the General Assembly has not provided sufficient appropriation for the payment of Personal Services for any office of an elected Constitutional Officer, including the Bureau of Legislative Research, Division of Legislative Audit or the Judicial Department, any state agency, office, board, commission, institution or institution of higher education due to the enactment of this Act or any other Act approved by the General Assembly which raises the compensation level or required benefit matching costs of state employees, the agency, office, board, commission, institution of higher education or other institution may request a transfer from the appropriation provided herein from the Chief Fiscal Officer of the State. Such request shall clearly state the amount required, the fund or fund account from which the employees are currently being paid, and such other information as may be required by the Chief Fiscal Officer of the State that he deems necessary to make a decision regarding the request. Upon the approval of the Chief Fiscal Officer of the State, and upon review by the Performance Evaluation and Expenditure Review Subcommittee of the Arkansas Legislative Council or Joint Budget Committee or upon processing the request for elected Constitutional Officers and their employees by the Chief Fiscal Officer of the State, the State Auditor shall be notified as to the amount and the purposes for which said appropriation is to be made. In the event that appropriation for the payment of Personal Services is not sufficient for the last payroll of the fiscal year, the Chief Fiscal Officer of the State may approve any transfers on an emergency basis and provide a report to the

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 055**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Performance Evaluation and Expenditure Review Subcommittee of the Arkansas Legislative Council or Joint Budget Committee. The appropriation shall then be added to the proper account on the books of the Department of Finance and Administration and the State Auditor payable from the fund or fund account from which the employees of the state agency, office, board, commission, institution of higher education or other institution are authorized to be paid by law. Such appropriation transfers shall be limited to Regular Salaries or Personal Services Matching or both.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 056**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUNDING TRANSFER - PERFORMANCE FUND. Funding of compensation increases provided by the General Assembly in the fiscal year ending June 30, ~~2020~~ 2021, and funding for the appropriation transfers authorized by the TRANSFER PROCEDURES - PERSONAL SERVICES AND REGULAR SALARIES Section of this Act for those state agencies, offices, boards, commissions, institutions and state institutions of higher education which are supported in whole or in part from general revenues shall, if required, be provided for by a transfer from the Performance Fund to the proper fund or fund account and in such amounts as may be determined by the Chief Fiscal Officer of the State and upon review by the Performance Evaluation and Expenditure Review Subcommittee of the Arkansas Legislative Council or Joint Budget Committee. The state agencies, offices, boards, commissions, institutions and state institutions of higher education shall, in addition to the funds provided in this section for Personal Services from the Performance Fund, make available any funding generated from its salary savings for such purposes as provided for herein, from the funds or fund accounts as prescribed by law.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 057**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PUBLIC DEFENDER. The appropriation provided in the Public Defender Reimbursement line item of the Miscellaneous Grants and Expenses Section herein shall be expended only for the purpose of reimbursing the Public Defender of Pulaski County to provide defense for the mentally ill.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 058**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CREDIT TO THE INDIGENT PATIENTS FUND. (b) All revenue derived from the pari-mutuel tax at the fifteen (15) additional days of racing authorized by subsection (a) of Ark. Code § 23-111-505 after monies have been remitted by the franchise holder to Arkansas State University - Mid-South as may be provided by law, shall be deposited with the Treasurer of State as special revenue for credit to the Indigent Patients Fund, to be used to defray the cost of hospitalization and other medical services of indigent Arkansas patients in health care facilities by Mississippi County, Poinsett County, Cross County, St. Francis County and Lee County for which the county has not received total reimbursement. Each county shall certify to the Chief Fiscal Officer of the State the amount of the unreimbursed medical expenses under such procedures and such detail as required by the Department of Finance and Administration. The amount available to each county shall be no more than one-fifth (1/5) of the total funds available or the amount certified of unreimbursed medical expenses, whichever is less.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 059**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SHERIFFS' ASSOCIATION. A lump sum monthly installment of at least one-twelfth (1/12) of the annual allocation provided for in the Arkansas Sheriffs' Association Section of this Act, or so much thereof as may be made available, shall be provided to the Arkansas Sheriffs' Association to be used exclusively for the establishment and operation of crime prevention and alcohol and drug abuse programs and for a grant to the Arkansas Sheriffs' Association to study ways to improve the administration of sheriffs' offices and developing and improving education programs designed for sheriffs' offices in Arkansas.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 060**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DISTRIBUTION OF ADMINISTRATION OF JUSTICE FUNDS. In the event that the fund balance in the Administration of Justice Fund is inadequate to fund the monthly allocation to State Agencies, the funds will be distributed as follows:

(a) The available revenue and remaining State Administration of Justice Fund balance shall be distributed first to fully fund the monthly allocations found in the ALLOCATION RESTRICTIONS Section of this Act for:

- (1) the Auditor of State to fund the Trial Court Administrative Assistants Fund,
- (2) the District Judges Association for the District Court Coordinator, and
- (3) the Court Reporter Fund.

(b) The total funds remaining in the State Administration of Justice Fund after the monthly distribution is made under subdivision (a) of this section shall be distributed to the remaining state programs and state agencies listed in the ALLOCATION RESTRICTIONS Section of this Act but not listed in subdivision (a) of this section shall be funded in the percentage of the total funds available in the Administration of Justice Fund; that is if less than 100% of the total monthly allocation is available for distribution, monthly allocations for the remaining agencies will be funded at an equal percentage consistent with the remaining available funds, provided that any of the allocations listed in the ALLOCATION RESTRICTIONS Section that have been fully pledged prior to January 1, 2001 to the repayment of a bond issue or bond issues shall not be reduced below the amount listed in the ALLOCATION RESTRICTIONS Section of this Act. Any shortage from one

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**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 060**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

month will be adjusted in future months' payments as funds become available.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 061**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ALLOCATION RESTRICTIONS. There is hereby allocated to state programs and agencies, as set out herein, the following allocations of funds appropriated for State Agencies Distribution Item in the Administration of Justice Fund Section, to the Department of Finance and Administration - Disbursing Officer, there to be used as provided by law.

AGENCY REQUEST

Item No.	Maximum Allocation	
	Fiscal Years	
	<del>2020-2021</del>	<u>2021-2022</u>
(1) Board of Trustees of the University of Arkansas for the purpose and as regulated by §§ 6-64-604 through 6-64-606		\$2,687,619
(2) Drug Abuse Prevention and Treatment Fund for use in the Drug Abuse Prevention and Treatment Program of the Bureau of Alcohol and Drug Abuse Prevention		342,000
(3) Highway Safety Special Fund for programs of the Arkansas Highway Safety Program within DHS		1,324,795
(4) <del>Department</del> <u>Division</u> of Arkansas State Police for the State Police Retirement Fund		1,499,256
(5) <del>Department</del> <u>Division</u> of Arkansas State Police Fund		400,000
(6) Crime Victims/Reparations Revolving Fund for the purpose and as regulated by Arkansas Code Annotated § 16-90-701 et seq.		2,089,723
(7) Prosecutor Coordinator's Office for		

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 061**

<b>CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)</b>		<b>EXECUTIVE RECOMMENDATION</b>
deposit in the Law Enforcement and		
Prosecutor Drug Enforcement Training Fund	70,660	
(8) Crime Information System Fund	98,064	
(9) Justice Building Construction Fund	990,000	
(10) District Court Judge and the		
District Court Clerk Education Fund	100,000	
(11) Arkansas Judicial Retirement System Fund	902,797	
(12) State Central Services Fund for the		
benefit of the Public Defender Commission	6,908,027	
(13) Court Reporter Fund	6,075,374	
(14) Justice Building Fund	83,528	
(15) Arkansas Counties Alcohol and Drug		
Abuse and Crime Prevention Fund	50,000	
(16) Trial Court Administrator Fund	8,312,527	
(17) Drug Abuse Prevention and Treatment		
Fund for use in the Drug Abuse Prevention		
and Treatment program of the Bureau of		
Alcohol and Drug Abuse Prevention	312,000	
(18) State Central Services Fund for the		
Benefit of the Administrative Office		
of the Courts Div. of Dependency-Neglect		
Representation	4,284,838	
(19) Miscellaneous Agencies Fund Account for		
the benefit of the State Crime Laboratory	576,988	
(20) District Judges Association for the		

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 061**

<b>CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)</b>		<b>EXECUTIVE RECOMMENDATION</b>
District Court Coordinator	67,028	
(21) Public Legal Aid Fund	855,432	
(22) Administrative Office of the Courts - County Reimbursements for Jurors	850,000	
(23) Administrative Office of the Courts - Drug Court Coordinator to reimburse the State Central Services Fund	66,320	
(24) Constitutional Officers Fund for District Judges Program	1,881,861	
(25) State Central Services Fund for Court Security by Administrative Office of the Courts	<u>362,791</u>	
<b>TOTAL AMOUNT ALLOCATED</b>	<b><u>\$41,191,628</u></b>	

The provisions of this section shall be in effect only from July 1, ~~2020~~  
2021 through June 30, ~~2021~~ 2022.

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**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 062**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

YEARLY FUND TRANSFERS. On July 1, 2010 and each July 1, thereafter, if the fund balance of the Crime Victims Reparation Revolving Fund falls below one million dollars (\$1,000,000), 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 a sum not to exceed one million dollars (\$1,000,000) or so much thereof as is available from fund balances that exceed seven million dollars (\$7,000,000) as determined by the Chief Fiscal Officer of the State, from the State Administration of Justice Fund to the Crime Victims Reparations Revolving Fund to provide funds for personal services, operating expenses and claims for the Office of the Attorney General - Crime Victims Reparations Program.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 063**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUNDING TRANSFER - FIRE AND POLICE PENSION. On or before June 15 of each fiscal year, the Arkansas Fire and Police Pension Review Board shall certify to the Chief Fiscal Officer of the State the amount of funding it recommends for disbursement in the ensuing fiscal year to under-funded municipal fire and police relief and pension plans as defined in Arkansas Code § 24-11-217. The Chief Fiscal Officer of the State shall then immediately transfer on his books and those of the State Treasurer amounts not to exceed the total amount recommended by the Board or the amount appropriated herein for the ensuing fiscal year, whichever is the lesser amount, from the Revenue Holding Fund Account to the Arkansas Firemen's and Police Officers' Pension ~~Guarantee Fund~~ and Relief Fund for distribution to the recommended under-funded plans.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 064**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUND RESTRICTIONS - FIRE AND POLICE PENSION. Funds distributed to under-funded local pension programs through the appropriation authorized in the Firemen's and Police Officers' Pension and Relief Fund Section of this Act shall not be used to enhance benefits of the recipients.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 065**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

WORK FORCE 2000 DISTRIBUTION. After the amount to be made available to a technical college, technical institute or comprehensive lifelong learning center has been determined, as provided by law, the Chief Fiscal Officer of the State shall process the documents necessary so that the funds may be transferred from the Work Force 2000 Development Fund to the State Treasury fund or fund account from which the technical college, technical institute, or comprehensive lifelong learning center draws its general revenue support.

The Chief Fiscal Officer of the State shall also cause an equal amount of the appropriation provided for Technical Colleges Accreditation and Vo-Tech Accreditation in the Work Force 2000 Section of this Act to be transferred to the institutions' appropriate line item appropriation or allocation, there to be supplemental and in addition to those appropriations or allocations provided by the General Assembly for personal services and operating expenses of the institution from the State Treasury Fund or fund account.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

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**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 066**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

JUVENILE DETENTION FACILITIES - ALLOCATION. There is hereby allocated to the local juvenile detention facilities, as set out herein, the following amounts as appropriated to the Department of Finance and Administration - Disbursing Officer for grants for operating expenses of local juvenile detention facilities for the fiscal year ending June 30, ~~2021~~ 2022:

AGENCY REQUEST

Item No.	Juvenile Detention Facility	Maximum Allocation	
		Fiscal Years	
		<del>2020-2021</del>	<u>2021-2022</u>
(01)	Arkansas County Juvenile Detention Center	31,167	
(02)	Benton County Juvenile Detention Center	22,082	
(03)	Craighead County Juvenile Detention Center		31,167
(04)	Crittenden County Juvenile Detention Center		31,167
(05)	Faulkner County Juvenile Detention Center	20,783	
(06)	Garland County Juvenile Detention Center	28,574	
(07)	Independence County Juvenile Detention Center		31,167
(08)	Jefferson County Juvenile Detention Center	31,167	
(09)	Miller County Juvenile Detention Center		31,167
(10)	Mississippi County Juvenile Detention Center		16,891
(11)	Pulaski County Juvenile Detention Center	31,167	
(12)	Sebastian County Juvenile Detention Center		31,167
(13)	Washington County Juvenile Detention Center		31,167
(14)	Yell County Juvenile Detention Center		<u>31,167</u>
Total Amount Allocated		<u>\$ 400,000</u>	

The amount of funds distributed to the local juvenile detention facilities shall be adjusted as necessary on a pro-rata basis depending upon the

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 066**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

actual amount of funding provided for this purpose in each fiscal year. If during the fiscal year any of the Juvenile Detention Facilities ceases operations, the facilities' remaining funds will be distributed to the remaining Juvenile Detention Facilities in a proportional basis.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 067**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER OF FUNDS FOR THE PROGRAM - CA/R/DV - UAMS. The Department of Human Services may provide funding in an amount not to exceed \$300,000 for each fiscal year for expansion of services by the Child Abuse/Rape/Domestic Violence Section of the University of Arkansas - Medical Sciences. The ~~Director~~ Secretary of the Department of Human Services shall certify the amount of available funds for this purpose for each year. The Chief Fiscal Officer of the State shall transfer the amount of certified funds available from an account designated by the ~~Director~~ Secretary of the Department of Human Services to the Miscellaneous Agencies Fund Account to expand services provided by the Child Abuse/Rape/Domestic Violence Section of the University of Arkansas - Medical Sciences.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 068**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKADELPHIA 2025 COMMISSION. (a) There is hereby created the Arkadelphia 2025 Commission to be composed of the Mayor, City Manager, and Chairman of the City Planning Commission of Arkadelphia, the Superintendent of the Arkadelphia Public School District, the member of the Arkansas House of Representatives representing the Arkadelphia area, the member of the Arkansas Senate representing the Arkadelphia area, the County Judge of Clark County, the Presidents of Ouachita Baptist University and Henderson State University, the President and Executive Secretary of the Arkadelphia Chamber of Commerce, and at least an equal number of citizens of the Arkadelphia area to be appointed by the members just named. The Commission shall be as broadly based as possible to represent all the diverse interests and to represent every race, gender, income level, and geographic area.

(b) The Commission shall have the following powers and duties:

(1) Determine the immediate needs of Arkadelphia and its surrounding area;

(2) Determine the long-range needs and opportunities of the Arkadelphia area;

(3) Seek and expend funds from all sources, both public and private;

(4) Coordinate the activities of the various federal, state, and local agencies as well as the private sector in providing for the economic, social, and physical needs of the area;

(5) To serve as the lead agency in the rebuilding and revitalization of the Arkadelphia area;

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 068**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(6) Adopt bylaws and establish goals; and  
(7) Perform all other powers and functions necessary to fulfill its duties.  
(c) The Commission shall be subject to audit by the Division of Legislative Audit.  
The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 069**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

STATE'S CONTRIBUTIONS. The ~~Director~~ Secretary of the Department of Finance and Administration is authorized to transfer Appropriation and Funding between State's Contributions line items authorized in the State's Contributions Section. Any unexpended balances in funds provided for State's Contributions in this Act remaining June 30, ~~2020~~ 2021, shall be carried forward during the fiscal year ending June 30, ~~2021~~ 2022.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 070**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROCEDURES - PERSONAL SERVICES STIPENDS. If there is not sufficient appropriation, from funds deposited in the State Treasury or Cash Accounts of an agency, for personal services, or personal services matching for any state agency for the period ending June 30, ~~2021~~ 2022, for State agencies that process payroll through the Arkansas Administrative Statewide Information System for federal and state tax reporting as necessary to comply with the payment of stipends under United States Internal Revenue Code (IRC), 2001-Code-Vol, Sec 3401 and Treasury Regulations §31.3401(c)-1(a) and §1.1402(c)-2(b), and others which govern the reporting of income and payment of withholding and matching taxes for personal services, the agency shall request a transfer from appropriation provided for Personal Services and Personal Services Matching in the appropriation for Various State Agencies - U.S. IRC and Treasury Regulations herein, from the Chief Fiscal Officer of the State, stating clearly the amounts required for each item. Upon approval of the Chief Fiscal Officer of the State, the State Auditor shall be notified as to the amount and the purposes for which the appropriation is to be made and such appropriation as needed shall be established upon the books of the Department of Finance and Administration and the State Auditor. Provided, however, that in the event the total amount of transfer requested in any fiscal year exceeds Ten Thousand Dollars (\$10,000), the Chief Fiscal Officer of the State shall seek prior review by the Arkansas Legislative Council or Joint Budget Committee before the transfer shall be made.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 071**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

POSITION ESTABLISHMENT. The Chief Fiscal Officer of the State shall have the authority to establish such positions as necessary for State agencies to process payroll through the Arkansas Administrative Statewide Information System for federal and state tax reporting purposes as necessary to comply with the United States Internal Revenue Code (IRC), 2001-Code-Vol, Sec 3401 and Treasury Regulations §31.3401(c)-1(a) and §1.1402(c)-2(b), and others which govern the reporting of income and payment of withholding and matching taxes for personal services. The positions established shall not be considered as part of the total number of authorized positions for an agency and shall only be considered as placeholders for payments to individuals who are board or commission members or elected officials of the State that do not otherwise receive salaries or wages as defined in Arkansas Code § 19-4-521 for their personal services. Further, none of the positions established under this section shall imply eligibility for state retirement or state health insurance benefits. The establishment of such positions shall not exceed 250 positions in any fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 072**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER AUTHORIZED - ARKANSAS CHILDREN'S HOSPITAL. The Arkansas Children's Hospital may request the Chief Fiscal Officer of the State to transfer funds made available for the following by this Act sums not to exceed \$1,000,000 for the Arkansas Children's Hospital Burn Center, \$700,000 for the Children's Hospital Payments, \$600,000 for the Reproductive Health Monitoring, and \$233,600 for the Intensive Care Nursery each fiscal year from the Miscellaneous Agencies Fund Account to the Department of Human Services Grants Fund Account. The transferred funds shall be used to match federal funds used for supplemental Medicaid payments to Arkansas Children's Hospital.

The Arkansas Children's Hospital may also request the Chief Fiscal Officer of the State to transfer the sum not to exceed \$1,000,000 each fiscal year from the Miscellaneous Agencies Fund Account from funds made available by this Act for the Intensive Care Nursery to the Department of Human Services Grants Fund Account. The transferred funds shall be used to match federal Medicaid funds for cost-based reimbursement for helicopter patient transport.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 073**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

INNOVATION AND PROJECT DEVELOPMENT FUND TRANSFERS. The Department of Transformation & Shared Services - Division of Information Systems is a cost recovery agency subject to the requirements of the United States Office of Management and Budget Circular A-87 Cost Principles for State, Local and Indian Tribal Government (A-87) and Cost Principles for Developing Cost Allocation Plans and Indirect Cost Rates for Agreements with the Federal Government Implementation Guide for the Office of Management and Budget Circular A-87 (ASMBC-10). To comply with these federal rules, it is necessary to establish an Innovation and Project Development appropriation and general revenue fund account within the Department of Finance and Administration - Disbursing Officer for the Department of Transformation & Shared Services - Division of Information Systems. This fund shall be used for state enterprise innovation projects that would enhance the technology operations of the State that cannot be cost allocated to federal programs. The Department Transformation & Shared Services - Division of Information Systems will maintain documentation for projects billed for these purposes. Fund transfers may be made from the General Revenue Fund Account, upon the approval of the Chief Fiscal Officer of the State and prior review of the Arkansas Legislative Council or Joint Budget Committee, to reimburse the Department of Information Systems for the amounts billed.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 074**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

WORK FORCE 2000 DISTRIBUTION. After the amounts to be made available to the various technical institutes or comprehensive lifelong learning centers 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 institute or comprehensive lifelong learning center draws its general revenue support. Such funds as may be transferred shall not exceed 6.309% of the total funds available from the Work Force 2000 Development Fund during each fiscal year.

In the event that a technical college, community college or educational institution which receives support from the Work Force 2000 Development Fund as determined by law transfers from 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~~ Commerce - Office of Skills

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**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 074**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Development. The distributions of funds under Arkansas Code § 26-51-205 (d)(2)(C) in excess of 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

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**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 075**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROCEDURES - PERSONAL SERVICES EXTRA HELP. In the event that there is not sufficient appropriation provided for by the General Assembly for payment of personal services related to Extra Help for any state agency for the period ending June 30, ~~2021~~ 2022, said agency may request a transfer from appropriations provided for Personal Services Extra Help in the Miscellaneous Transfers Section herein, from the Chief Fiscal Officer of the State, stating clearly the amount required. Upon approval of the Chief Fiscal Officer of the State, and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, the State Auditor shall be notified as to the amount and the purposes for which said appropriation is to be made. The appropriation shall then be established upon the books of the Department of Finance and Administration and the State Auditor. Provided further, that if desired, said appropriation shall be supplemental to those regularly appropriated for such purposes by the General Assembly for the agency.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 076**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

INTRASTATE METRO PLANNING GRANTS. As referenced in Section 9 of Act 637 of 1995, the authorized funding for Intrastate Metro Planning Grants that are evenly distributed among planning and development districts under the Miscellaneous Grants and Expenses Section of this Act shall include the West Central Arkansas Economic Development District.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 077**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUND USAGE AUTHORIZED. The Arkansas Children’s Hospital President and C.E.O. may request the Department of Human Services-Division of Medical Services to retain in the Department of Human Services Grant Fund account an amount not to exceed \$1,000,000 for funds made available by the act to be used to match federal funds used for supplemental Medicaid payments to Arkansas Children’s Hospital.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 078**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROCEDURES - MEDICAL MARIJUANA IMPLEMENTATION AND REGULATION. In the event that sufficient appropriation is not provided by the General Assembly for expenditures resulting from the implementation and regulation of the Arkansas Medical Marijuana Amendment of 2016 for any state agency, pursuant to Arkansas Code § 19-4-701 et seq., said agency shall request a transfer of appropriation from the Chief Fiscal Officer of the State, stating clearly the amount required. Upon approval of the Chief Fiscal Officer of the State said appropriations shall be established upon the books of the Department of Finance and Administration in compliance with the applicable classifications of appropriations as enumerated in Arkansas Code §§ 19-4-521 through 19-4-527.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 079**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUND TRANSFER AUTHORITY. From time to time, the Chief Fiscal Officer of the State may transfer from his or her books and those of the Treasurer of State and the Auditor of State from the Medical Marijuana Implementation and Operations Fund to various state agencies' funds the amounts necessary to fund the expenses for the implementation, administration, and/or enforcement of the Arkansas Medical Marijuana Amendment of 2016.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 080**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

BLANKET BOND PROGRAM. The ~~Director~~ Secretary of the Department of Finance and Administration is authorized to transfer Appropriation between the Blanket Surety Bond Program appropriations authorized for State Employees (Appropriation 2DM), County Employees (Appropriation 2DN), Municipal Employees (Appropriation 2DP) and Public School Employees (Appropriation 2DQ).

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 081**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROCEDURES - VARIOUS TEMPORARY APPROPRIATION FOR STATE AGENCIES AND INSTITUTIONS. (i) In the event that sufficient appropriation is not provided by the General Assembly for any state agency or institution, an agency or institution may request a transfer of appropriation, as provided in the Various Temporary Appropriation for State Agencies and Institutions Appropriation Section of this Act, from the Chief Fiscal Officer of the State, stating clearly the amount requested, purpose and any additional information requested by the Chief Fiscal Officer of the State.

(ii) After reviewing a request the Chief Fiscal Officer of the State may deny, modify or approve the agencies or institutions request based on the estimated amount of appropriation needed and currently available, purpose, estimated funding available and preferred spending priority. Upon approval or modification of a request by the Chief Fiscal Officer of the State and after meeting the requirements of subsection (iii) herein, the Department of Finance and Administration shall establish the transfer of appropriation on the books of the Department of Finance and Administration and the State Auditor, in compliance with the applicable classifications of appropriations as enumerated in Arkansas Code 19-4-521 through 19-4-525.

(iii) Any request approved as authorized in subsection (ii) herein, including requests that establish a new commitment item or new appropriation shall require prior approval by the Arkansas Legislative Council or if meeting in Regular or Fiscal Session the Joint Budget Committee.

(iv) Any appropriation approved as authorized in this Section shall not be carried forward to the next fiscal year and shall be identified as a change

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0620 DFA - Disbursing Officer**

**ACT#: 0002**

**SECTION#: 081**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

level increase by the state agency or institution, if requested.

(v) Determining the maximum amount of appropriation for a state agency or institution 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 or institution. Further, the General Assembly has determined that a state agency or institution may operate more efficiently if some flexibility is provided to the state agency or institution 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 or 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9902 Department of Commerce**

**ACT#: 0180**

**SECTION#: 052**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~FUNDING TRANSFER. The Arkansas Economic Development Commission shall transfer from time to time as needed and at the discretion of the Director, an amount not to exceed \$100,000 annually from the Skills Development Fund to the Department of Career Education Fund Account to provide for the expenses and reimbursement costs for non-legislative task force members of the Legislative Task Force on Workforce Education Excellence as provided under § 25-16-902 and as appropriated in this Act. The provisions of this section shall be in effect only from July 1, 2020 2021 through June 30, 2021-2022.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9902 Department of Commerce**

**ACT#: 0180**

**SECTION#: 053**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SHARED SERVICES.

(a)(1)(A) The Chief Fiscal Officer of the State may create paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses by the Department of Commerce.

(B) Upon prior approval of the Arkansas Legislative Council, or if meeting in Legislative Session the Joint Budget Committee, the Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act and the transfer of positions to the Regular Salaries - Shared Services appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The transfer authority provided in subdivision (a)(1) of this section for efficiencies and to eliminate duplication of services are limited only to those services that are provided for multiple divisions of a department, including without limitation to administration, human resources, procurement, communications, fleet operations, and information services.

(3) The transfer authority provided to the department in subdivision (a)(1) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(b)(1) Each department utilizing the Shared Services Paying Account section or Regular Salaries - Shared Services section of this act shall submit a report to be included in the Budget Manuals for hearings,

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9902 Department of Commerce**

**ACT#: 0180**

**SECTION#: 053**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

conducted by the General Assembly, listing all shared services transfers of positions, funds, and appropriation under this section, which shall be submitted as instructed by the Department of Finance and Administration - Office of Budget for uniformity.

(2) A report submitted under subdivision (b)(1) of this section shall include the following:

(A) The position number, authorized position title, class code, grade, business area, and name of the division, section, or unit for the position being transferred to the Regular Salaries - Shared Services section of this act; and

(B) The fund center, appropriation, appropriation amount, commitment item or items, business area, and name of the division, section, or unit for the fund or appropriation being transferred to the Shared Services Paying Account.

~~(c)(1) It is the intent of the Ninety-Second General Assembly that the authority under this section to transfer positions is intended for use for the time period prior to Fiscal Year 2022 to allow cabinet-level departments to establish a centralized Regular Salaries - Shared Services section, with the recommendation that the position transfer authority granted under this section be discontinued after that time.~~

~~(2) The Bureau of Legislative Research shall bring the recommendation in subdivision (c)(1) of this section to the attention of the chairs conducting the 2021 Regular Session pre-session budget hearings, the chairs of the Special Language Subcommittee, and the members of the Special Language Subcommittee during pre-session budget hearings.~~

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9902 Department of Commerce**

**ACT#: 0180**

**SECTION#: 053**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(~~d~~ c) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a cabinet-level department each fiscal year is the prerogative of the General Assembly and is usually accomplished by delineating the maximums in the appropriation act or acts and establishing authorized positions 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 cabinet-level departments created under Acts 2019, No. 910, may operate more efficiently if some flexibility is provided as authorized 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, if the General Assembly is in session, the 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.

(~~e~~ d) The provisions of this section shall be in effect from the date of passage through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 032**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUND TRANSFER PROVISION. As requested from time to time by the Director of the Arkansas Economic Development Commission, the Chief Fiscal Officer may transfer on his books and those of the State Treasurer and the Auditor of the State, the sum not to exceed five hundred thousand dollars (\$500,000) from the Arkansas Economic Development Commission Fund Account to the Minority and Women-Owned Business Loan Mobilization Revolving Fund, to provide funds for the Minority and Women-Owned Business Enterprise Loan Mobilization appropriation herein.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 033**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - MINORITY AND WOMEN-OWNED BUSINESS LOAN MOBILIZATION REVOLVING FUND. Any unexpended balance of funds for the Minority and Women-Owned Business Enterprise Loan Mobilization appropriation which remain at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 034**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION - STATE OPERATIONS. After receiving approval from the Chief Fiscal Officer of the State and prior review by the Legislative Council or Joint Budget Committee, the Director of the Arkansas Economic Development Commission is authorized to transfer appropriation from any line item appropriation authorized in the State Operations Section of this Act to any other line item authorized in the State Operations Section of this Act.

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 Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior review of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of review by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of review by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

AGENCY REQUEST

The provisions of this section shall be in effect only from July 1,

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 034**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 035**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

INDUSTRY TRAINING PROGRAM EXPENSES. The Arkansas Economic Development Commission (AEDC) may utilize Industry Training Program (ITP) appropriation and funds for personal services, operating expenses, grants and aid, capital acquisition, and other appropriate purposes to provide industry-specific training opportunities. AEDC shall submit a quarterly report of industry training activities to the Governor and the Legislative Council or Joint Budget Committee.

The provisions of this section shall be effect only from July 1, ~~2020~~ 2021 through July 1, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 036**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FOREIGN OFFICE OPERATIONS. The Arkansas Economic Development Commission is hereby authorized to enter into contractual arrangements with private and/or public companies, corporations, individuals or organizations for the purpose of operating foreign offices. Arkansas Code 15-4-210 shall not be deemed restrictive in its language so as to preclude the use of standard Professional Services Contracts for the operation of the foreign offices and/or payment of such contracts from the special line items as established by legislative appropriation for the operation of said foreign offices.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 037**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

RURAL DEVELOPMENT. From the funds appropriated for Community Development Grants within the Community Development Program in this Act for Community Assistance (CDBG)- Federal, the Arkansas Economic Development Commission (AEDC) shall allocate at least \$500,000 per fiscal year to the Rural Development Set-Aside from the annual Community Development Block Grant, as defined in AEDC's Consolidated Plan filed with the federal Department of Housing and Urban Development. Funds allocated to the Rural Development Set-Aside are to be used exclusively for grants to rural communities as defined in the Consolidated Plan.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 038**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

GRANT REVIEW. The Arkansas Economic Development Commission (AEDC) shall review all applications for grant funds and shall certify those applications eligible for grant funds under AEDC and federal guidelines. The Rural Services Division of the Arkansas Economic Development Commission alone shall recommend which grant applications will be funded, and AEDC shall disburse grant funds from the Rural Development Set-Aside to those applicants receiving final approval by the Rural Services Division of the Arkansas Economic Development Commission. AEDC and the Rural Services Division of the Arkansas Economic Development Commission shall promulgate rules and regulations governing the application for and disbursement of grant funds from the Rural Development Set-Aside, and an annual report of the disposition of these grant funds shall be made to the Legislative Joint Auditing Committee.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 039**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION - COMMUNITY ASSISTANCE (CDBG) - FEDERAL.  
After receiving approval from the Chief Fiscal Officer of the State and prior approval by the Legislative Council or Joint Budget Committee, the Director of the Arkansas Economic Development Commission is authorized to transfer appropriation from any line item appropriation authorized in the Community Assistance (CDBG) - Federal Section of this Act to any other line item authorized in the Community Assistance (CDBG) - Federal Section of this Act.

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 Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission 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.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 039**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

The provisions of this section shall be in effect only from July 1, ~~2020~~  
2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 040**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FLEXIBILITY RESTRICTIONS. The transfer flexibility provided to the Arkansas Economic Development Commission within this Act relating to the appropriation in the Community Assistance (CDBG) - Federal Section shall be used only when necessary to carry out the Community Development Block Grant Program and shall require approval by the Arkansas Legislative Council or Joint Budget Committee.

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 Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 041**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ADDITIONAL PAYMENTS AUTHORIZED. The Arkansas Industrial and Economic Development Foundation is hereby authorized to make additional payments to the Director of the Arkansas Economic Development Commission, from private funding sources, and upon prior approval from the Arkansas Economic Development Commission, the Arkansas Industrial and Economic Development Foundation, and the Governor. Such additional payments to the Director of the Arkansas Economic Development Commission shall not be considered salary and shall not be deemed or construed to exceed the maximum salaries established for unclassified employees by the General Assembly. Nothing in this section may be construed to reduce or eliminate the authority granted elsewhere in the Arkansas statute for the payment of allowances or bonuses to unclassified employees.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 042**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - INDUSTRY TRAINING PROGRAM. Any unexpended balance of funds for the Industry Training Program in the Arkansas Economic Development Commission Fund Account which remain at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law.

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

- (1) Prior to June 30, ~~2020~~ 2021 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, 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 Committee; and

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 042**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 043**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SEED CAPITAL INVESTMENTS. Notwithstanding any other law to the contrary regarding general revenue year end fund balances, any monies received from the repayment of Seed Capital Investments authorized by the Division of Science and Technology of the Arkansas Economic Development Commission, shall be deposited into the State Treasury to the credit of the Arkansas Economic Development Commission Fund Account and shall remain in the Arkansas Economic Development Commission Fund Account to be made available solely for the benefit of the Division of Science and Technology of the Arkansas Economic Development Commission to provide additional Seed Capital Investments.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 044**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - TECHNOLOGY DEVELOPMENT. The Division of Science and Technology of the Arkansas Economic Development Commission is authorized to carry forward an amount of up to \$150,000 of any obligated but unexpended funds in the Technology Development line item in the Division of Science and Technology - State Operations Section of this Act for basic or applied research grants which remains at the end of the fiscal year ~~2021~~ 2022 to be used for the same purpose.

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

(1) Prior to June 30, ~~2021~~ 2022 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, 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

**AGENCY REQUEST**

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

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**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

presents its budget request to the Arkansas Legislative Council/Joint Budget 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 ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 045**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~FUND BALANCE TRANSFER. Upon the effective date of this act, the available balances received by the Division of Science and Technology of the Arkansas Economic Development Commission from Client Services provided through the Arkansas Manufacturing Extension Network - Federal appropriation, shall be transferred to the Arkansas Manufacturing Extension Network - Cash Fund Account.~~  
~~The provisions of this section shall be in effect only from July 1, 2019 2020 through June 30, 2020-2021.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 046**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

APPROPRIATION AND FUND TRANSFERS. After receiving approval from the Chief Fiscal Officer of the State, the Director of the Arkansas Economic Development Commission is authorized to transfer appropriation and funds from the Division of Science and Technology State Operations - Arkansas Acceleration Fund Programs line item within the Arkansas Economic Development Commission Fund Account to the Arkansas Acceleration Fund. The total of all transfers shall not exceed \$3,500,000.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 047**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish, upon request from the Arkansas Economic Development Commission, a special appropriation line item to be used in the acquisition of promotional items. When the Arkansas Economic Development Commission wishes to transfer from its operating expenses to promotional items, the request shall be forwarded to the Chief Fiscal Officer of the State for processing after prior approval by the Arkansas Legislative Council or Joint Budget Committee.

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 Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission 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.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 047**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

The provisions of this section shall be in effect only from July 1, ~~2020~~  
~~2021~~ through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 048**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

COUNTY FAIR GRANTS. The Rural Services Division of the Arkansas Economic Development Commission shall develop the necessary rules and regulations for the disbursement of matching fund grants to county fairs for the construction, renovation and/or improvements to county fairgrounds. The grants shall be matched on a 50/50 basis. The match may be cash or in-kind. No county fair shall receive more than \$30,000 for the biennium.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 049**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

GRANT AWARD CRITERIA. The Rural Services Division of the Arkansas Economic Development Commission shall promulgate regulations establishing the criteria to be utilized in determining to whom grants will be made under this Act. Subject to the approval of the Governor, and approval by the Arkansas Legislative Council or the Joint Budget Committee, the Rural Services Division of the Arkansas Economic Development Commission shall distribute the grants.

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 Rural Services Division of the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Rural Services Division of the Arkansas Economic Development Commission 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.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 049**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

The provisions of this section shall be in effect only from July 1, ~~2020~~  
2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 050**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER OF FUNDS. In the event that revenue is available for transfer to and in support of the Arkansas Acceleration Fund Act, the Executive Director of the Arkansas Economic Development Commission shall certify to the Chief Fiscal Officer of the State the amount needed for transfer from the Arkansas Economic Development Commission Fund Account to the Arkansas Acceleration Fund. Upon the approval of the Chief Fiscal Officer of the State, the amount certified shall be transferred. The Chief Fiscal Officer of the State shall initiate the necessary transfer documents to reflect all such transfers upon the fiscal records of the State Auditor, the State Treasurer and the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 051**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - MILITARY AFFAIRS GRANT PROGRAM. Any unexpended balance of funds allocated for the Military Affairs Grant Program in the Arkansas Economic Development Commission Fund Account which remain at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law. Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

- (1) Prior to June 30, ~~2021~~ 2022 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, 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 Committee; and

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: 0180**

**SECTION#: 051**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: NEW**

**SECTION#: NEW**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - ARKANSAS ACCELERATION FUND PROGRAM. Any unexpended balance of funds for the Arkansas Acceleration Fund Program line item in the Division of Science and Technology - State Operations Section of this Act which remain at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law.

AGENCY REQUEST

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

- (1) Prior to June 30, 2022 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 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, 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

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0790 DOC - Economic Development Commission**

**ACT#: NEW**

**SECTION#: NEW**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

\_\_\_\_\_ the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget 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, 2021 through June 30, 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0425 DOC - Insurance Department**

**ACT#: 0171**

**SECTION#: 025**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0425 DOC - Insurance Department**

**ACT#: 0171**

**SECTION#: 026**

**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 conduct outreach and education activities that meet the standards of 45 C.F.R. § 155.200(c), as existing on January 1, 2019, to educate consumers about the Arkansas Health Insurance Marketplace and insurance affordability programs to encourage participation, including without limitation the use of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0425 DOC - Insurance Department**

**ACT#: 0171**

**SECTION#: 026**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, § 23-64-601 et seq.

(2) The department shall not advertise, promote, or engage in other activities designed to promote or encourage enrollment in the Arkansas Works Program established by the Arkansas Works Act of 2016, § 23-61-1001 et seq., including without limitation:

(A) Unsolicited communications mailed to potential recipients;

(B) Television, radio, or online commercials;

(C) Billboard or mobile billboard advertising;

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

(E) Advertisements on websites or other electronic media.

(3) Subdivision (c)(2) of this section does not prohibit the department from:

(A) Engaging in direct communications with:

(i) Licensed insurance agents; and

(ii) Persons licensed by the department;

(B) Engaging in 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 potential recipient might qualify.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0425 DOC - Insurance Department**

**ACT#: 0171**

**SECTION#: 026**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(ii) Educational materials and information distributed under subdivision (c)(3)(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 a website for the exclusive purpose of enrolling individuals in the program.

(d) The department 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 program.

(e)(1) Biannually, the department shall report to the Legislative Council regarding the use of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, § 23-64-601 et seq.

(2) The report shall include without limitation:

(A) The number of navigators, guides, certified application counselors, and certified licensed producers;

(B) The number of recipients assisted by the navigators, guides, certified application counselors, and certified licensed producers to obtain coverage; and

(C) The number of recipients assisted by the navigators, guides, certified application counselors, and certified licensed producers to obtain coverage and who obtained coverage through the program.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0425 DOC - Insurance Department**

**ACT#: 0171**

**SECTION#: 026**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(f) This section expires on June 30, ~~2020~~ 2021.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0425 DOC - Insurance Department**

**ACT#: 0171**

**SECTION#: 027**

**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, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0410 DOC - State Securities Department**

**ACT#: 0068**

**SECTION#: 006**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

QUARTERLY REPORTS. The State Securities Department shall on a quarterly basis provide to the Arkansas Legislative Council or Joint Budget Committee a report of all funds received or any external fund transactions recognized or required through court orders or settlement agreements. The report shall include:

- a) The case name of the court order or settlement agreement.
- b) The amount of funds received or transaction recognized or required by the State Securities Department for each court order or settlement agreement.
- c) A plan for disbursement of the received funds. If funds received from a court order or settlement agreement are expended for any purpose, including investor education and enforcement activities, the report must itemize specific activities subject to the exclusions provided in Ark. Code Ann. 25-1-403(1)(B). The report shall also itemize the specific investor education and enforcement activities funded for the State Securities Department.
- d) An explanation of whether the funds received or transactions recognized or required from a court order or settlement are directed to a specific entity, and if so, the State Securities Department shall provide a summary of input regarding the drafting of the court order or settlement agreement.
- e) A report of the rationale for disbursing funds to a specific entity if the State Securities Department receives funds from a court order or settlement agreement that does not require disbursement of funds to a specific entity.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0410 DOC - State Securities Department**

**ACT#: 0068**

**SECTION#: 006**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

f) A report of current balances of all unappropriated fund holdings received by court order or settlement agreement by the State Securities Department.

g) The quarterly reports shall be provided no later than the 15<sup>th</sup> day of the month immediately following the end of each quarter.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0168**

**SECTION#: 004**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT. The Rehabilitation Act Amendments of 1992, commonly referred to as the Comprehensive System of Personnel Development (CSPD), requires State Vocational Rehabilitation (VR) agencies to establish qualified personnel standards for rehabilitation personnel, including Vocational Rehabilitation Counselors, that are consistent with any national or State approved or recognized certification, licensing, or registration that apply to a particular profession. In order to comply with the Rehabilitation Act and its State Plan requirements, there is hereby authorized for the Department of Commerce, Division of State Services for the Blind a general waiver of the Financial Management Guide, R1-19-4-522 Continuing Professional Education. This waiver allows the agency to provide college level coursework in degree programs for any eligible employees selected by the agency. This provision covers any and all formula and discretionary grants funded by the U.S. Department of Education Rehabilitation Services Administration, now or in the future, including, but not limited to, the Vocational Rehabilitation Program, Supported Employment, Independent Living, and the Staff Development Grant. No state general revenue shall be expended for the tuition in pursuit of a degree authorized herein.~~

~~The provisions of this section shall be in effect only from July 1, 2020 2021 through June 30, 2021-2022.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 023**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this Act for the New Hire Registry which remain on June 30, ~~2020~~ 2021, may be carried forward into the next fiscal year, to be used for the same purpose.

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

(1) Prior to June 30, ~~2021~~ 2022 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, 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 Committee; and

(4) Thereupon, the Department of Finance and Administration shall

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 023**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 024**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP. There is hereby authorized, for the ~~Department~~ Division of Workforce Services for the ~~2020-2021~~ 2021-2022 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four hundred thirty three (433) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. Any of these positions utilized in a manner which are funded by federal sources are specifically exempt from limitation of hours, either by Act or Regulation.

In order to comply with the timeliness requirements set forth by the Social Security Act, the Chairman of the Board of Review is authorized to utilize part-time or temporary employees from the pool of positions provided to the ~~Department~~ Division of Workforce Services in any occurrence where the number of appeals to the Board of Review or Appeal Tribunal increases above a level that can be resolved by the permanent staff in a timely manner. The ~~Department~~ Division of Workforce Services will determine the appropriate funding source within the ~~Department~~ Division for said positions.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 025**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

"REED ACT FUNDS". Funds received by the State may be used as specified in Section 903 of the Social Security Act, for the purpose of construction and improvement of buildings, rent/lease costs, acquisition of land, the payment of salaries and related benefits of central and local office staff, maintenance and operation of central and local offices, payment of unemployment insurance benefits, or as otherwise prescribed in Section 903 of the Social Security Act, as amended.

The amount obligated pursuant to this Act shall not exceed the amount by which (a) the aggregate of the amounts transferred to the account of this State pursuant to Section 903 of the Social Security Act exceeds (b) the aggregate of the amounts used by this State and charged against the amounts transferred to the account of this State.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 026**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ADDITIONAL POSITIONS. The Director of the ~~Department~~ Division of Workforce Services, after receiving the approval of the Office of Personnel Management, and after seeking the prior review by the Arkansas Legislative Council or Joint Budget Committee, shall have the authority to establish such new or additional full time positions as may become necessary to carry out the objectives of the program and/or to meet Federal requirements of new and/or expanded programs where such needs are financed by federal funds; provided that not more than two hundred persons may be employed in addition to those authorized in the salary schedule and that the rate of pay shall not exceed those set out in the salary schedule for comparable positions as authorized under the provisions of the Regular Salaries section of this Act.

If the agency requests continuation of a "Growth Pool" position(s) as established herein, the position(s) must be requested as a new position(s) in the agency's budget request.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 027**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER OF APPROPRIATION. Subject to such rules and regulations as may be implemented by the Chief Fiscal Officer of the State and after having sought the prior approval by the Arkansas Legislative Council or Joint Budget Committee, the Director of the ~~Department~~ Division of Workforce Services is hereby authorized to make transfers from any appropriation made by this Act to any other appropriation made by this Act with the exception of the "Reed Act Funds" appropriations set forth in the Reed Act Funds appropriation section of this Act, and of the appropriation made for Regular Salaries or Maintenance and General Operation. Such transfers may be made whenever it appears, by projecting the expenditures of any of the appropriations in this Act, that there will be a deficiency of appropriation in one item and that there will be a corresponding excess of appropriation in another item or items which may be transferred. The transfer of appropriation shall be effected only on approval of the Chief Fiscal Officer of the State. Provided, however, that no transfer of appropriations may be authorized to increase the total amount appropriated for Regular Salaries, or Maintenance and General Operations, except as may be authorized elsewhere by law.

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~~ Division

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 027**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

of Workforce Services may operate more efficiently if some flexibility is provided to the ~~Department~~ Division of Workforce Services 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 028**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

INTER-AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the ~~Director~~ Secretary of the Department of Human Services (DHS) and the Director of the ~~Department~~ Division of Workforce Services (DWS), the Chief Fiscal Officer of the State may approve up to three million six hundred forty thousand six hundred fifty dollars (\$3,640,650) each fiscal year in State General Revenue appropriated to DWS for the TANF program to be transferred to the DHS - Division of County Operations in support of Arkansas' TANF Programs or any related separate state programs.

The Director of the ~~Department~~ Division of Workforce Services shall provide a report of all transfers made to the DHS - Division of County Operations to the Performance Evaluation and Expenditure Review Committee of the Arkansas Legislative Council and Joint Budget Committee. The report must include the justification for and the amount of the completed transfers.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 029**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER OF TANF BLOCK GRANT FUNDS. Each fiscal year, the ~~Department~~ Division of Workforce Services shall transfer the sum of seven million five hundred thousand dollars (\$7,500,000) from the state's federal Temporary Assistance for Needy Families block grant to the Department of Education Division of Elementary and Secondary Education Public School Fund Account to be used solely for the Arkansas Better Chance Program.

If the state match for the Temporary Assistance for Needy Families grant or the state's Temporary Assistance for Needy Families grant is reduced, the amount to be transferred may be adjusted in proportion to the percentage change in the state match or the state's Temporary Assistance for Needy Families grant. The amount to be transferred may also be reduced proportionately if new cost requirements are imposed upon the state as a result of new or revised Temporary Assistance for Needy Families regulations at the federal level.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 030**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRAINING TRUST FUND TRANSFER. Immediately upon the effective date of this Act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and the Auditor of the State the sum of two million five hundred thousand dollars (\$2,500,000) from the Division of Workforce Services Training Trust Fund to the Skills Development Fund.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 031**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

RESTRICTIONS ON FINANCIAL ASSISTANCE UNDER THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM.

AGENCY REQUEST

(a)(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 subsection (a) 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.

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

(b)(1) Upon the request of the Governor or the General Assembly, the ~~Department~~ Division of Workforce Services shall request a waiver from the federal government to:

(A) Restrict the financial assistance granted to a recipient of the Temporary Assistance for Needy Families Program or its successor program to purchase goods and services that are considered essential and necessary for the welfare of the family, including without limitation:

- (i) Food;

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 031**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

- (ii) Clothing;
- (iii) Housing;
- (iv) Utilities;
- (v) Child care; and
- (vi) Incidentals, including without limitation

transportation and medicine or medical supplies or equipment not covered by either the Arkansas Medicaid Program or the health benefit plan of the individual; and

(b) Restrict the cash withdrawal from an electronic benefit transfer card account that receives financial assistance under the Temporary Assistance for Needy Families Program or its successor program by electronic benefit transfer system.

(2) If the federal government denies the waiver application, this section shall not be implemented.

(3) If the ~~department~~ division does not request a wavier under subdivision (b)(1) of this section, the ~~department~~ division shall not allocate, budget, expend, or utilize appropriations under this act for the participation of persons in the Temporary Assistance for Needy Families Program.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 032**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FEDERAL MATCHING. The funds appropriated in Sections for Adult Basic and General Adult Education of this Act may also be used to match any available federal funds from any agency in order to provide the maximum amount of money possible for the purposes enumerated in such Section.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 033**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ADULT EDUCATION DISTRIBUTION. All funds that become available for Adult Education shall be distributed to those administrative units determined to be operating efficient adult education programs, under criteria established by the Career Education and Workforce Development Board. The criteria shall include the relative efficiency of administration of the program in the counties served and achievement of federal performance indicators. The Career Education and Workforce Development Board shall promulgate rules and regulations for the distribution of funds in accordance with criteria to be determined by the Board. In the distribution of funds to local units the Board shall consider performance in meeting state and federal performance indicators. Unallocated funds will be redistributed based upon need as determined by the Career Education and Workforce Development Board.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 034**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER OF FUNDS - PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish, upon request from the ~~Department of Career Education~~ Division of Workforce Services, a special appropriation line item to be used in the acquisition of promotional items. When the ~~Department of Career Education~~ Division of Workforce Services wishes to transfer monies from its operating expenses appropriation to the Promotional Items line, the Career Education and Workforce Development Board shall approve the request and forward it after receiving prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, to the Chief Fiscal Officer of the State for processing.

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 Career Education~~ Division of Workforce Services may operate more efficiently if some flexibility is provided to the ~~Department of Career Education~~ Division of Workforce Services 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

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0810 DOC - Division of Workforce Services**

**ACT#: 0183**

**SECTION#: 034**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

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, ~~2020~~ 2021 through June 30, ~~2021-2022~~.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0520 DOC - Arkansas Rehabilitation Services**

**ACT#: 0071**

**SECTION#: 009**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT. Section 101(a)(7) of the Rehabilitation Act Amendments of 1992, commonly referred to as the Comprehensive System of Personnel Development (CSPD), requires State Vocational Rehabilitation (VR) agencies to establish qualified personnel standards for rehabilitation personnel, including VR counselors, that are consistent with any national or State-approved or recognized certification, licensing, or registration that apply to a particular profession. In order to comply with the Rehabilitation Act and its State Plan requirements, there is hereby authorized for the Arkansas Rehabilitation Services a general waiver of the Financial Management Guide, R1-19-4-522 Continuing Professional Education. This waiver allows the agency to provide college level coursework in degree programs for any eligible employees selected by the agency. This provision covers any and all formula and discretionary grants funded by the U.S.D.O.E. Rehabilitation Services Administration, now or in the future, including, but not limited to, the Vocational Rehabilitation Program, Supported Employment, Independent Living, and the Staff Development Grant. The waiver applies to federal financial participation (FFP), state general revenue share, and program income.

The provisions of this section shall be in effect from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0520 DOC - Arkansas Rehabilitation Services**

**ACT#: 0071**

**SECTION#: 010**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~FORGIVENESS OF STUDENT LOAN PROGRAM. The Forgiveness of Student Loan Program shall be available to counselors employed by Arkansas Rehabilitation Services that have been determined eligible by rules promulgated by Arkansas Rehabilitation Services as required by Arkansas Code §25-30-206. These rules shall be submitted to the Arkansas Legislative Council or Joint Budget Committee under § 10-3-309 and receive review and approval. These rules must include the following eligibility requirements:~~

- ~~— (1) Satisfactory completion of any probationary period;~~
- ~~— (2) Proof of a student loan that remains unpaid, including the name and address of the creditor;~~
- ~~— (3) An executed employment contract in which the counselor agrees to the following:
  - ~~— (a) work for Arkansas Rehabilitation Services for a term that equals two (2) years for each year that the program makes a payment on the counselor's student loan and~~
  - ~~— (b) reimburse the program the full amount of any loan payments made under this program in the event that the counselor resigns or is terminated for cause before the term of the contract terminates.~~~~
- ~~— The amount of payment to be made directly to the counselor's student loan creditor may not exceed:
  - ~~— (1) Two thousand dollars (\$2,000) per year; or~~
  - ~~— (2) Ten thousand dollars (\$10,000) per employee.~~~~
- ~~— The Arkansas Rehabilitation Services agency shall pay for the Forgiveness of Student Loan Program from the Rehabilitation Program~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0520 DOC - Arkansas Rehabilitation Services**

**ACT#: 0071**

**SECTION#: 010**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~Grants — Grants and Aid line item authorized for the appropriation entitled Rehabilitation Services — Operations in an amount not to exceed eighty thousand dollars (\$80,000) per fiscal year.~~

~~— In addition, the Arkansas Rehabilitation Services agency shall provide a formal, written notification to all counselors employed by Arkansas Rehabilitation Services of the availability of the Forgiveness of Student Loan Program by July 1 of each fiscal year. The agency shall include with the notification, the promulgated rules which shall outline the eligibility requirements for participation.~~

~~— The agency shall submit a copy of this notification to the Arkansas Legislative Council or Joint Budget Committee by July 1 of each fiscal year. In addition, Arkansas Rehabilitation Services shall report bi-annually, by the 15th day of the month following the end of each six month period, to the Arkansas Legislative Council or Joint Budget Committee the number of employees participating in the program.~~

~~— The provisions of this section shall be in effect only from July 1, 2020 2021 through June 30, 2021-2022.~~

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0520 DOC - Arkansas Rehabilitation Services**

**ACT#: NEW**

**SECTION#: NEW**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

**Division of Services for the Blind**

AGENCY REQUEST

COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT. The Rehabilitation Act Amendments of 1992, commonly referred to as the Comprehensive System of Personnel Development (CSPD), requires State Vocational Rehabilitation (VR) agencies to establish qualified personnel standards for rehabilitation personnel, including Vocational Rehabilitation Counselors, that are consistent with any national or State-approved or recognized certification, licensing, or registration that apply to a particular profession. In order to comply with the Rehabilitation Act and its State Plan requirements, there is hereby authorized for the Department of Commerce, Division of State Services for the Blind a general waiver of the Financial Management Guide, R1-19-4-522 Continuing Professional Education. This waiver allows the agency to provide college level coursework in degree programs for any eligible employees selected by the agency. This provision covers any and all formula and discretionary grants funded by the U.S. Department of Education Rehabilitation Services Administration, now or in the future, including, but not limited to, the Vocational Rehabilitation Program, Supported Employment, Independent Living, and the Staff Development Grant. No state general revenue shall be expended for the tuition in pursuit of a degree authorized herein.

The provisions of this section shall be in effect only from July 1, 2021 through June 30, 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0341 DOC - Arkansas Waterways Commission**

**ACT#: 0066**

**SECTION#: 005**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ASSOCIATION DUES. Of the amounts appropriated for regional contributions by the State Contributions line item in the Operations appropriation of this Act, three thousand dollars (\$3,000.00), or three-sevenths (3/7) whichever is less of the appropriated or funded amount, each fiscal year shall be allocated for membership dues for the Lower Mississippi Valley Flood Control Association and one thousand dollars (\$1,000.00), or one-seventh (1/7) whichever is less of the appropriated or funded amount, each fiscal year shall be allocated for membership dues for each of the following associations: Ouachita River Valley Association, Red River Valley Association, Arkansas Waterways Association, and White River Valley Coalition.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0341 DOC - Arkansas Waterways Commission**

**ACT#: 0066**

**SECTION#: 006**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PROMOTIONAL ITEMS. Upon approval of the Chief Fiscal Officer of the State, the Arkansas Waterways Commission is hereby authorized to transfer appropriation from Operating Expenses to Promotional Items in the Operations Appropriation provided by this Act in an amount not to exceed one thousand five hundred dollars (\$1,500) each fiscal year to meet the Commission's educational/outreach needs.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9913 Department of Public Safety**

**ACT#: 0097**

**SECTION#: 045**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SHARED SERVICES

AGENCY REQUEST

(a)(1)(A) The Chief Fiscal Officer of the State may create paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses by the Department of Public Safety.

(B) Upon prior approval of the Arkansas Legislative Council, or if meeting in Legislative Session the Joint Budget Committee, the Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act and the transfer of positions to the Regular Salaries - Shared Services appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The transfer authority provided in subdivision (a)(1) of this section for efficiencies and to eliminate duplication of services are limited only to those services that are provided for multiple divisions of a department, including without limitation to administration, human resources, procurement, communications, fleet operations, and information services.

(3) The transfer authority provided to the department in subdivision (a)(1) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(b)(1) Each department utilizing the Shared Services Paying Account section or Regular Salaries - Shared Services section of this act shall submit a report to be included in the Budget Manuals for hearings,

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9913 Department of Public Safety**

**ACT#: 0097**

**SECTION#: 045**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

conducted by the General Assembly, listing all shared services transfers of positions, funds, and appropriation under this section, which shall be submitted as instructed by the Department of Finance and Administration - Office of Budget for uniformity.

(2) A report submitted under subdivision (b)(1) of this section shall include the following:

(A) The position number, authorized position title, class code, grade, business area, and name of the division, section, or unit for the position being transferred to the Regular Salaries - Shared Services section of this act; and

(B) The fund center, appropriation, appropriation amount, commitment item or items, business area, and name of the division, section, or unit for the fund or appropriation being transferred to the Shared Services Paying Account.

~~(c)(1) It is the intent of the Ninety-Second General Assembly that the authority under this section to transfer positions is intended for use for the time period prior to Fiscal Year 2022 to allow cabinet-level departments to establish a centralized Regular Salaries - Shared Services section, with the recommendation that the position transfer authority granted under this section be discontinued after that time.~~

~~(2) The Bureau of Legislative Research shall bring the recommendation in subdivision (c)(1) of this section to the attention of the chairs conducting the 2021 Regular Session pre-session budget hearings, the chairs of the Special Language Subcommittee, and the members of the Special Language Subcommittee during pre-session budget hearings.~~

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9913 Department of Public Safety**

**ACT#: 0097**

**SECTION#: 045**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(~~d~~ c) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a cabinet-level department each fiscal year is the prerogative of the General Assembly and is usually accomplished by delineating the maximums in the appropriation act or acts and establishing authorized positions 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 cabinet-level departments created under Acts 2019, No. 910, may operate more efficiently if some flexibility is provided as authorized 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, if the General Assembly is in session, the 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.

(e ~~d~~) The provisions of this section shall be in effect from the date of passage through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0960 DPS - Division of Arkansas State Police**

**ACT#: 0097**

**SECTION#: 039**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ASP - PROMOTIONAL ITEMS. The Arkansas State Police is hereby authorized to purchase from Maintenance & General Operations Classifications in the Operations Appropriation provided by this Act, up to an amount not to exceed \$2,500 each fiscal year, promotional items, authorized by the ~~Director~~ Secretary of the Department to meet requirements of the Arkansas State Police Strategic Recruitment Plan.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0960 DPS - Division of Arkansas State Police**

**ACT#: 0097**

**SECTION#: 040**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ASP - OVERTIME. The Arkansas State Police is hereby authorized to make overtime payments from such funds and appropriations provided for overtime payments to those officers or other employees that are currently assigned or may be assigned by the ~~Director~~ Secretary of the Department of Public Safety - Division of Arkansas State Police to Special Law Enforcement Task Forces and other special programs reimbursable to Arkansas State Police by federal or local authorities as approved by the ~~Director~~ Secretary of the Department of Public Safety - Division of Arkansas State Police. All such overtime payments shall be processed through the State Accounting System and shall be in addition to the Regular Salaries and benefits accruing to the employee. Payment of overtime is the preferred method of implementing the provisions of this section.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0960 DPS - Division of Arkansas State Police**

**ACT#: 0097**

**SECTION#: 041**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ASP - MOTOR VEHICLE PURCHASE. The Arkansas State Police is hereby authorized to purchase motor vehicles from the appropriations authorized for Capital Outlay in the State Police Operations and/or Confiscated Funds Transfer appropriation in this Act. Motor vehicles donated to Arkansas State Police and confiscated vehicles used for Arkansas State Police operations shall not be included in the maximum number of authorized passenger vehicles.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0960 DPS - Division of Arkansas State Police**

**ACT#: 0097**

**SECTION#: 042**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ASP - UNIFORM EMPLOYEE HEALTH INSURANCE PROGRAM REPORTING. The Arkansas State Police shall report monthly to the Governor, the Chief Fiscal Officer of the State and to the Arkansas Legislative Council or Joint Budget Committee regarding the activity and condition for the uniformed employee health insurance plan. The report shall include, but not limited to, the beginning reserve fund balance, contributions made during the month, claims paid, and the ending fund balance of the month. In the event it is determined that the cost to adequately maintain the uniform employee health insurance plan is not feasible within the existing resources available to the department, the 92<sup>nd</sup> General Assembly shall study the feasibility and desirability of discontinuing the self-insurance program and instead provide medical and hospital insurance to uniform employees through the public employees insurance program.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0960 DPS - Division of Arkansas State Police**

**ACT#: 0097**

**SECTION#: 043**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ASP - EXTRAORDINARY EXPENSES. The Arkansas State Police is hereby authorized to purchase from Maintenance & Operations Classifications in the Operations Appropriation provided by this Act, ~~up to an amount not to exceed two thousand five hundred dollars (\$2,500) each fiscal year,~~ for emergency purchases for food, drinks and other essential items during emergency operations only when authorized by the Agency ~~Director~~ Secretary. During an emergency, an ASP employee may be designated and authorized, by the ~~Director~~ Secretary, to incur expenses for all deployed personnel.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0960 DPS - Division of Arkansas State Police**

**ACT#: 0097**

**SECTION#: 044**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ASP - QUARTERLY REPORTING. The Arkansas State Police shall on a quarterly basis provide to the Arkansas Legislative Council or Joint Budget Committee a report detailing expenditures from the Court Awards Fund of the Confiscated Funds Transfer appropriation of this Act. The report shall include the State Police division, purpose and amount of expenditures.

The quarterly reports shall be provided no later than the 15th day of the month immediately following the end of each quarter.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0955 DPS - State Crime Laboratory**

**ACT#: NEW**

**SECTION#: NEW**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CRIME LAB. MEDICAL EXAMINER SALARIES. In order to recruit and retain employees that meet the licensure requirements for Medical Examiners established in A.C.A. §12-12-307(a)(2), the Department of Public Safety - Division of Arkansas State Crime Laboratory, may exceed the maximum salary level by no more than fifty percent (50%) for the following authorized classifications:

(1) L001N Crime Lab Director Medical Examination Division  
Grade MP10

(2) L004N Crime Lab Associate Medical Examiner  
Grade MP09

Increases in accordance with this special language shall only be implemented after receiving approval from the Arkansas Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, 2021 through June 30, 2022.