

**REPORT OF THE SPECIAL LANGUAGE SUBCOMMITTEE
OF THE
JOINT BUDGET COMMITTEE**

Tuesday, March 21, 2017

Mr. Chairman:

Your Special Language Subcommittee met on Thursday, March 16, 2017 and makes the following recommendations listed below to the Joint Budget Committee.

1. The following amendments are recommended for approval and the amendments are RELEASED from the Subcommittee:

- A. Governor's Letter #23 - SB267 - Arkansas Agriculture Department (Attachment 1– KCS061)
- B. Governor's Letter #26 - SB106 - Arkansas Economic Development Commission
(Attachment 2 – MAH088)
- C. Governor's Letter #29 - HB1438 - DHS – Director's Office (Attachment 3 - LCW056)
SB196 – DHS – Division of Medical Services (Attachment 4 - LCW060)
SB198 - DHS - Division of Youth Services (Attachment 5 – LCW061)

2. The following bills are recommended for approval and are RELEASED from the Subcommittee.

- A. HB1712 – Arkansas State Police - Arkansas Wireless Information Network (AWIN)
Supplemental
- B. SB62 - Hearing Instrument Dispensers Board

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

DRAFT

Subtitle of Senate Bill No. 267

AN ACT FOR THE ARKANSAS AGRICULTURE DEPARTMENT APPROPRIATION FOR THE 2017-2018
FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 267

Amend Senate Bill No. 267 as engrossed, S2/22/17 (version: 02/22/2017 03:35:32 PM):

Page 2, delete Line 4 in its entirety and substitute the following:
" (11) G004C MANAGING ATTORNEY 1 GRADE GS13"

And

Page 2, line 6, delete "2" and substitute "1"

And

Page 2, line 11, delete "1" and substitute "6"

And

Page 2, delete line 15 in its entirety

And

Page 2, delete line 30 in its entirety

And

Page 2, line 33, delete "5" and substitute "6"

And

Page 2, line 36, delete "4" and substitute "1"

And

Page 3, line 4, delete "AFC" and substitute "AGRI"

And

DRAFT

KCS061 - 03-16-2017 13:27:35

Page 1 of 3

Page 3, line 5, delete "AREA LIVESTOCK INSPECTOR SUPV" and substitute "AGRI INSPECTOR SUPV"

And

Page 3, line 5, delete "C117" and substitute "GS07"

And

Page 3, line 11, delete "C117" and substitute "GS05"

And

Page 3, line 12, delete "4" and substitute "7"

And

Page 3, delete line 16 in its entirety

And

Page 3, delete line 19 in its entirety

And

Page 3, line 21, delete "2" and substitute "5"

And

Page 3, line 24, delete "ARLPC INSPECTOR/INVESTIGATOR 7 GRADE C115"
and substitute " AGRI INSPECTOR III 8 GRADE GS06"

And

Page 3, line 31, delete "EIA INSPECTOR" and substitute "AGRI INSPECTOR II"

And

Page 3, line 31, delete "C114" and substitute "GS05"

And

Page 3, line 34, delete "SENIOR" and substitute "AGRI"

And

Page 3, line 34, delete "4" and substitute "6"

And

Page 3, line 34, delete "C114" and substitute "GS04"

And

Page 3, line 36, delete "LIVESTOCK INSPECTOR 27 GRADE C113" and substitute "AGRI INSPECTOR I 51 GRADE GS04"

And

Page 4, delete line 2 in its entirety

And

Page 4, delete line 8 in its entirety

And

Appropriately renumber the Item Nnumbers in this SECTION

And

Page 25 immediately following SECTION 43 insert the following new SECTION:
" SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED SERVICES. The Chief Fiscal Officer of the State shall be authorized to create paying accounts, on his or her books and on the books of the Treasurer of the State and Auditor of State for the payment of all personal services and operating expenses of the Department, as well as grant programs as determined by the Secretary of the Arkansas Agriculture Department. The Chief Fiscal Officer of the state shall direct the transfer of positions, funds and appropriations to the paying accounts on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State for the efficient operations of the Department.

The provisions of this section shall be in effect only from July 1, 2017 through June 30, 2018."

And

Appropriately renumber the SECTION NUMBERS of the Bill.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Joint Budget Committee

KCS/KCS - 03-16-2017 13:27:35

KCS061

Secretary

ARKANSAS SENATE

91st General Assembly - Regular Session, 2017

Amendment Form

DRAFT

Subtitle of Senate Bill No. 106

AN ACT FOR THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION APPROPRIATION FOR THE
2017-2018 FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 106

Amend Senate Bill No. 106 as engrossed, S3/1/17 (version: 03/01/2017 03:41:49 PM):

I Page 4, delete lines 31 and 32 in their entirety and substitute the following:

"(10)	OFFICE OF TRANSFORMATION EXPENSES	1,000,000
"(11)	SMALL BUSINESS INNOVATIVE RESEARCH	
	MATCHING GRANT	<u>2,000,000</u>
	TOTAL AMOUNT APPROPRIATED	<u><u>516,600,840</u></u> "

AND

Page 13, line 35, delete "518,700.00" and substitute "530,000,000"

AND

Page 16, insert the following additional sections immediately following SECTION 30 to read as follows:

" SECTION 31. APPROPRIATION - ARKANSAS ECONOMIC DEVELOPMENT COMMISSION - RURAL SERVICES - FISH AND WILDLIFE CONSERVATION EDUCATION PROGRAM. There is hereby appropriated, to the Rural Services Division of the Arkansas Economic Development Commission, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for grants for the Fish and Wildlife Conservation Education Program of the Arkansas Economic Development Commission for the fiscal year ending June 30, 2018, the following:

ITEM NO.	FISCAL YEAR 2017-2018
(01) FISH AND WILDLIFE CONSERVATION EDUCATION GRANTS	<u>5800,000</u>

SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

DRAFT MAH022 - 03-14-2017 11:21:19

Page 1 of 3

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 either the Arkansas Economic Development Commission Fund Account or the Miscellaneous Agencies 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, 2017 through June 30, 2018.

SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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, 2018 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 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, 2017 through June 30, 2018."

AND

Appropriately renumber the subsequent SECTION numbers of the bill.]

The Amendment was read the first time, rules suspended and read the second time and _____

By: Joint Budget Committee

MAH083 - 03-14-2017 11:21:19

MAH083

Secretary

Hall of the House of Representatives

91st General Assembly - Regular Session, 2017

Amendment Form

DRAFT

Subtitle of House Bill No. 1438

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIRECTOR'S OFFICE APPROPRIATION FOR
THE 2017-2018 FISCAL YEAR.

Amendment No. ___ to House Bill No. 1438

Amend House Bill No. 1438 as originally introduced:

Page 3, line 34, delete "9" and substitute "8"

AND

Page 4, line 13, delete "3" and substitute "2"

AND

Page 4, line 15, delete "3" and substitute "2"

AND

Page 4, line 23, delete "10" and substitute "9"

AND

Page 4, line 29, delete "16" and substitute "14"

AND

Page 4, line 32, delete "4" and substitute "3"

AND

Page 4, line 35, delete "34" and substitute "30"

AND

Page 5, line 5, delete "5" and substitute "3"

AND

DRAFT

Page 5, line 6, delete "7" and substitute "6"

AND

Page 5, line 24, delete "8" and substitute "7"

AND

Page 5, line 25, delete "8" and substitute "7"

AND

Page 6, line 4, delete "29" and substitute "28"

AND

Page 6, line 5, delete "29" and substitute "27"

AND

Page 6, line 9, delete "4" and substitute "3"

AND

Page 6, line 11, delete "6" and substitute "3"

AND

Page 6, line 13, delete "2" and substitute "1"

AND

Page 6, line 14, delete "12" and substitute "9"

AND

Page 6, line 16, delete "705" and substitute "678"

AND

Page 11, delete lines 31 through 36 in their entirety and substitute the following:

~~"(e) YOUTH SERVICES HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The Division of Youth Services (DYS) is authorized to fulfill its responsibility to house offenders between the ages of 18 and 21 and to separate juvenile offenders by age and seriousness of offense by either employing additional state employees and providing the corresponding operating expenses or entering into professional services contracts. If the Division of Youth"~~

AND

Page 12, delete lines 1 through 6 in their entirety and substitute the following:

~~"Services determines that the Division needs to employ state employees to fulfill the housing and separation requirements, they may transfer up to the total amount appropriated for the DYS Residential Services Program appropriation to the appropriate DYS appropriation and line items, upon approval of the Chief Fiscal Officer of the State, and prior review by the Legislative Council or Joint Budget Committee; and"~~

AND

Page 12, line 7, delete "(d)" and substitute "~~(d)~~ (c)"

AND

Page 13, line 16, delete "two" and substitute "~~two~~ four".

The Amendment was read _____
By: Joint Budget Committee
LCW/LCW - 03-15-2017 14:46:39
LCW056

Chief Clerk

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

DRAFT

Subtitle of Senate Bill No. 196

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF MEDICAL SERVICES
APPROPRIATION FOR THE 2017-2018 FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 196

Amend Senate Bill No. 196 as originally introduced:

Page 3, line 4, delete "8" and substitute "7"

AND

Page 3, line 5, delete "___3" and substitute "___2"

AND

Page 3, line 6, delete "263" and substitute "261"

AND

Pages 10 through 12, delete SECTION 13 in its entirety

AND

Pages 14 through 18, delete SECTION 15 in its entirety

AND

Appropriately renumber the SECTIONs of the bill.

DRAFT

The Amendment was read the first time, rules suspended and read the second time and _____
By: Joint Budget Committee
LCW/LCW - 03-15-2017 14:37:05
LCW060

Secretary

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

DRAFT

Subtitle of Senate Bill No. 198

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF YOUTH SERVICES
APPROPRIATION FOR THE 2017-2018 FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 198

Amend Senate Bill No. 198 as originally introduced:

Page 2, line 6, delete "3" and substitute "2"

AND

Page 2, line 17, delete "6" and substitute "___5"

AND

Page 2, delete line 18 in its entirety

AND

Page 2, line 19, delete "65" and substitute "62"

AND

Pages 6 through 7, delete SECTION 12 in its entirety and substitute the following:

" SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RESIDENTIAL SERVICES CONTINGENCY. If it has been determined that the Department of Human Services - Division of Youth Services cannot continue to contract with private provider(s) for residential juvenile services, educational services, therapeutic services, and/or medical services and deems it necessary to utilize Department staff to provide all or parts of the required services above, the Department is authorized to seek the approval of the Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative Council or Joint Budget Committee to utilize the contingent residential services positions contained in this Act and to make the appropriate transfers from any line item authorized in the RESIDENTIAL SERVICES appropriation of this Act to any line item authorized in the

OPERATIONS appropriation of this Act. If it has been determined that the Department of Human Services - Division of Youth Services cannot continue to operate one or more of the various service components of a Residential Facility for residential juvenile services, educational services, therapeutic services, and/or medical services and deems it necessary to utilize a contract with private provider(s), the Department is authorized to seek the approval of the Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative Council or Joint Budget Committee to make the appropriate transfers from any line item authorized in the OPERATIONS appropriation of this Act to any line item authorized in the RESIDENTIAL SERVICES appropriation of this Act.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP SALARIES - CONTINGENT RESIDENTIAL SERVICES POSITIONS. There is hereby established for the Department of Human Services - Division of Youth Services - Contingent Residential Services Positions, the following maximum number of positions 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. Requests to use positions will be based upon the non-contracted services for residential juvenile services, educational services, therapeutic services, and/or medical services. If at such time a category(s) of services are contracted with private provider(s), identified positions associated with such service(s) shall be returned to the contingency pool. In order to ensure required staffing levels, Extra Help positions authorized herein are specifically exempt from limitation of hours, either by Act or regulation.

CONTINGENT POSITIONS - RESIDENTIAL SERVICES

<u>ITEM</u>	<u>CLASS</u>	<u>TITLE</u>	<u>MAXIMUM</u>
<u>NO.</u>	<u>CODE</u>		<u>NO. OF</u>
		<u>EXTRA HELP</u>	<u>EMPLOYEES</u>
<u>(01)</u>	<u>9999</u>		<u>320</u>
<u>GRAND TOTAL CONTINGENT POSITIONS</u>			<u>320</u>

The provisions of this section shall be in effect through June 30, 2018."

AND

PAGE 8, delete SECTION 15 in its entirety and substitute the following:

" SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2017 is essential to the operation of the agency for which the appropriations in this Act are provided; with the exception that Sections 12 and 13 in this Act shall be in full force and effect from and after the date of its passage and approval, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2017, with the exception that Sections 12 and 13 in this Act shall be in full force and effect from and after the date of its passage and approval, could work irreparable harm upon the proper

administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2017; with the exception that Sections 12 and 13 in this Act shall be in full force and effect from and after the date of its passage and approval."

AND

Appropriately renumber the SECTIONs of the bill.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Joint Budget Committee

LCW/LCW - 03-15-2017 14:48:03

LCW061

Secretary