

C



STATE OF ARKANSAS
ASA HUTCHINSON
GOVERNOR

March 9, 2017

Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair
Joint Budget Committee
Arkansas General Assembly
State Capitol Building
Little Rock, AR 72201

Dear Co-Chairs:

I respectfully request the following amendments to SB267, the 2017-2018 Annual Operations Appropriation Bill for the Arkansas Agriculture Department.

Please amend SECTION 1. REGULAR SALARIES – OPERATIONS as follows and renumber accordingly:

Item Class	Maximum	Maximum Annual
No. Code Title	No. of	Salary Rate
	Employees	Fiscal Year
		2017-2018
(11) N095N ARK BUREAU OF STANDARDS DIRECTOR	1	GRADE N904
G004C MANAGING ATTORNEY		GS13
(13) B010N VETERINARY VIROLOGIST	2 1	GRADE N904
(18) B010C AGRI DIVISION MANAGER	1 6	GRADE C127
(22) B029C AGRI PLANT BOARD DIVISION MGR	4	GRADE C123
(37) B062C FOREST HEALTH SPECIALIST	1	GRADE C119
(40) B058C STAFF FORESTER	5 6	GRADE C119
(43) C010C EXEC ASSISTANT TO THE DIRECTOR	4 1	GRADE C118
(47) X109C AFC AGRI INVESTIGATOR		GRADE C117
(48) X111C AREA LIVESTOCK AGRI		GRADE C117
INSPECTOR SUPV		GS07
(54) X097C PLANT BOARD AGRICULURE SPEC	34	GRADE C117
		GS05
(55) X132C AGRI COMMODITY	4 7	GRADE C116
COMPLIANCE INSPECTOR		
(59) X118C PLANT BOARD INSPECTOR SUPV	1	GRADE C116

(62) X114C	SR AGRI COMM COMPLIANCE INSP	3		GRADE C116
(64) C037C	ADMINISTRATIVE ANALYST	2	5	GRADE C115
(67) X146C	ARLPC AGRI	7	8	GRADE C115
	INSPECTOR/INVESTIGATOR III			GS06
(74) X157C	EIA AGRI INSPECTOR II		3	GRADE C114
				GS05
(77) B096C	SENIOR AGRI SEED ANALYST	4	6	GRADE C114
				GS04
(79) X165C	LIVESTOCK INSPECTOR	27	51	GRADE C113
	AGRI INSPECTOR I			GS04
(81) X164C	PLANT BOARD INSPECTOR		24	GRADE C113
(87) B104C	SEED ANALYST	2		GRADE C112

Please insert the following SECTION 44. SPECIAL LANGUAGE. SHARED SERVICES and renumber accordingly:

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 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.

I appreciate your consideration of this matter.

Sincerely,



Asa Hutchinson

AH:db:wkt

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 - 03-14-2017 10:21:09

Page 1 of 3

6

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 No. in this SECTION

And

Page 25 immediately following SECTION 43 insert the following:

" 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 - 03-14-2017 10:21:09

KCS061

Secretary

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

As Engrossed: S2/22/17
A Bill

SENATE BILL 267

4
5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS AGRICULTURE
10 DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2018;
11 AND FOR OTHER PURPOSES.
12

13
14 **Subtitle**

15 AN ACT FOR THE ARKANSAS AGRICULTURE
16 DEPARTMENT APPROPRIATION FOR THE 2017-
17 2018 FISCAL YEAR.
18

19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the Arkansas Agriculture Department for the 2017-2018 fiscal year, the
24 following maximum number of regular employees.
25

26			Maximum Annual
27			Salary Rate
28	Item Class	No. of	Fiscal Year
29	No. Code Title	Employees	2017-2018
30	(1) U072U SECRETARY OF AGRICULTURE	1	\$118,027
31	(2) U057U DEPUTY DIRECTOR OF AGRICULTURE	1	\$110,425
32	(3) U003U STATE FORESTER	1	\$109,953
33	(4) U044U PLANT BOARD DIRECTOR	1	\$107,074
34	(5) N045N DIRECTOR OF POULTRY DISEASES	1	GRADE N909
35	(6) N056N AGRI COORDINATOR OF LABORATORY	1	GRADE N908
36	(7) N058N DEPUTY DIRECTOR OF ARLPC	1	GRADE N908



1	(8)	B004N	STATE VETERINARIAN	1	GRADE N908
2	(9)	B006N	ARLPC BOARD CERTIFIED PATHOLOGIST	2	GRADE N907
3	(10)	G017C	PLANT BOARD ASSISTANT DIRECTOR	1	GRADE N906
4	(11)	N095N	ARKANSAS BUREAU OF STANDARDS DIRECTOR	1	GRADE N904
5	(12)	B020N	VETERINARY TOXICOLOGIST	1	GRADE N904
6	(13)	B010N	VETERINARY VIROLOGIST	2	GRADE N904
7	(14)	A010N	AGRICULTURE CHIEF FISCAL OFFICER	1	GRADE N903
8	(15)	B001C	DEPUTY STATE FORESTER	1	GRADE C130
9	(16)	B002C	AGRI DIRECTOR OF MARKETING	1	GRADE C129
10	(17)	N001C	DEPUTY CHIEF FINANCIAL OFFICER	1	GRADE C128
11	(18)	B010C	AGRI DIVISION MANAGER	1	GRADE C127
12	(19)	B014C	ASST STATE FORESTER	2	GRADE C126
13	(20)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
14	(21)	B022C	DISTRICT FORESTER	8	GRADE C124
15	(22)	B029C	AGRI PLANT BOARD DIVISION MGR	4	GRADE C123
16	(23)	B128C	METROLOGY LABORATORY MANAGER	1	GRADE C123
17	(24)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
18	(25)	B136C	ARLPC LAB QUALITY MANAGER	1	GRADE C122
19	(26)	B037C	CHEMIST SUPERVISOR	3	GRADE C122
20	(27)	B034C	MICROBIOLOGIST SUPERVISOR	5	GRADE C122
21	(28)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
22	(29)	S005C	AVIATION MANAGER	1	GRADE C121
23	(30)	G109C	GRANTS MANAGER	2	GRADE C121
24	(31)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
25	(32)	B038C	STATE FOREST MANAGER	1	GRADE C121
26	(33)	X058C	AGRI COMMODITY AREA SUPERVISOR	2	GRADE C120
27	(34)	B049C	AGRI PROGRAM MANAGER	23	GRADE C120
28	(35)	D057C	INFORMATION TECHNOLOGY MANAGER	1	GRADE C120
29	(36)	D056C	SYSTEMS COORDINATION ANALYST	1	GRADE C120
30	(37)	B062C	FOREST HEALTH SPECIALIST	1	GRADE C119
31	(38)	D061C	INFORMATION SYSTEMS COORDINATION SPEC	2	GRADE C119
32	(39)	B127C	SENIOR MICROBIOLOGIST	1	GRADE C119
33	(40)	B058C	STAFF FORESTER	5	GRADE C119
34	(41)	B072C	AGRI PROGRAM COORDINATOR	7	GRADE C118
35	(42)	R024C	ASSISTANT PERSONNEL MANAGER	2	GRADE C118
36	(43)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	4	GRADE C118

1	(44)	A074C	FISCAL SUPPORT SUPERVISOR	1	GRADE C118
2	(45)	A073C	PROGRAM/FIELD AUDITOR SUPERVISOR	1	GRADE C118
3	(46)	A082C	ACCOUNTANT II	1	GRADE C117
4	(47)	X109C	AFC INVESTIGATOR	2	GRADE C117
5	(48)	X111C	AREA LIVESTOCK INSPECTOR SUPV	5	GRADE C117
6	(49)	C015C	ARLPC ADMINISTRATIVE COORDINATOR	2	GRADE C117
7	(50)	B081C	CHEMIST	15	GRADE C117
8	(51)	B080C	FORESTER	36	GRADE C117
9	(52)	B078C	METROLOGIST	2	GRADE C117
10	(53)	B077C	MICROBIOLOGIST	10	GRADE C117
11	(54)	X097C	PLANT BOARD AGRICULTURE SPECIALIST	34	GRADE C117
12	(55)	X132C	AGRI COMMODITY COMPLIANCE INSPECTOR	4	GRADE C116
13	(56)	V014C	BUYER	5	GRADE C116
14	(57)	D076C	COMMUNICATIONS SYSTEMS SUPERVISOR	1	GRADE C116
15	(58)	B088C	COUNTY FOREST RANGER	61	GRADE C116
16	(59)	X118C	PLANT BOARD INSPECTOR SUPERVISOR	1	GRADE C116
17	(60)	A084C	PROGRAM/FIELD AUDIT SPECIALIST	2	GRADE C116
18	(61)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
19	(62)	X114C	SR AGRI COMMODITY COMPLIANCE INSPECTOR	3	GRADE C116
20	(63)	E046C	TRAINING INSTRUCTOR	1	GRADE C116
21	(64)	C037C	ADMINISTRATIVE ANALYST	2	GRADE C115
22	(65)	X149C	AGRI COMMODITY COMPLIANCE SPECIALIST	11	GRADE C115
23	(66)	X148C	AIRCRAFT PILOT	4	GRADE C115
24	(67)	X146C	ARLPC INSPECTOR/INVESTIGATOR	7	GRADE C115
25	(68)	S036C	AUTO/DIESEL MECHANIC SUPERVISOR	2	GRADE C115
26	(69)	A091C	FISCAL SUPPORT ANALYST	3	GRADE C115
27	(70)	D078C	GIS TECHNICIAN	1	GRADE C115
28	(71)	R032C	HUMAN RESOURCES PROGRAM REP	1	GRADE C115
29	(72)	X162C	AGRI COMMODITY GRADER II	14	GRADE C114
30	(73)	S040C	CALIBRATION TECHNICIAN	2	GRADE C114
31	(74)	X157C	EIA INSPECTOR	3	GRADE C114
32	(75)	B098C	FOREST RANGER II	114	GRADE C114
33	(76)	B097C	NATURAL RESOURCES PROGRAM SPECIALIST	3	GRADE C114
34	(77)	B096C	SENIOR SEED ANALYST	4	GRADE C114
35	(78)	D081C	TELECOMMUNICATIONS SPECIALIST	8	GRADE C114
36	(79)	X165C	LIVESTOCK INSPECTOR	27	GRADE C113

1	(80)	B101C	NATURAL RESOURCES PROGRAM TECHNICIAN	3	GRADE C113
2	(81)	X164C	PLANT BOARD INSPECTOR	24	GRADE C113
3	(82)	C057C	ADMINISTRATION SUPPORT SPECIALIST	1	GRADE C112
4	(83)	C056C	ADMINISTRATIVE SPECIALIST III	10	GRADE C112
5	(84)	S053C	AUTO/DIESEL MECHANIC	4	GRADE C112
6	(85)	A098C	FISCAL SUPPORT SPECIALIST	2	GRADE C112
7	(86)	C054C	LOCAL OFFICE ADMINISTRATIVE SPECIALIST	10	GRADE C112
8	(87)	B104C	SEED ANALYST	2	GRADE C112
9	(88)	B111C	LABORATORY TECHNICIAN	1	GRADE C110
10	(89)	C073C	ADMINISTRATIVE SPECIALIST II	<u>16</u>	GRADE C109
11			MAX. NO. OF EMPLOYEES	568	

13 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
14 Agriculture Department for the 2017-2018 fiscal year, the following maximum
15 number of part-time or temporary employees, to be known as "Extra Help",
16 payable from funds appropriated herein for such purposes: one hundred
17 seventy-one (171) temporary or part-time employees, when needed, at rates of
18 pay not to exceed those provided in the Uniform Classification and
19 Compensation Act, or its successor, or this act for the appropriate
20 classification.

22 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
23 to the Arkansas Agriculture Department, to be payable from the Department of
24 Agriculture Fund Account, for personal services and operating expenses of the
25 Arkansas Agriculture Department - Operations for the fiscal year ending June
26 30, 2018, the following:

28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2017-2018</u>
30	(01) REGULAR SALARIES	\$10,196,030
31	(02) EXTRA HELP	74,131
32	(03) PERSONAL SERVICES MATCHING	3,677,370
33	(04) OVERTIME	16,571
34	(05) UNIFORM ALLOWANCE	5,200
35	(06) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	2,858,438

12

1 approval of the Legislative Council or Joint Budget Committee as provided by
2 this section. The requirement of approval by the Legislative Council or
3 Joint Budget Committee is not a severable part of this section. If the
4 requirement of approval by the Legislative Council or Joint Budget Committee
5 is ruled unconstitutional by a court of competent jurisdiction, this entire
6 section is void.

7 The provisions of this section shall be in effect only from July 1, ~~2016~~
8 2017 through June 30, ~~2017~~ 2018.



9
10 SECTION 44. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
11 authorized by this act shall be limited to the appropriation for such agency
12 and funds made available by law for the support of such appropriations; and
13 the restrictions of the State Procurement Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, or their successors, and other fiscal
16 control laws of this State, where applicable, and regulations promulgated by
17 the Department of Finance and Administration, as authorized by law, shall be
18 strictly complied with in disbursement of said funds.

19
20 SECTION 45. LEGISLATIVE INTENT. It is the intent of the General
21 Assembly that any funds disbursed under the authority of the appropriations
22 contained in this act shall be in compliance with the stated reasons for
23 which this act was adopted, as evidenced by the Agency Requests, Executive
24 Recommendations and Legislative Recommendations contained in the budget
25 manuals prepared by the Department of Finance and Administration, letters, or
26 summarized oral testimony in the official minutes of the Arkansas Legislative
27 Council or Joint Budget Committee which relate to its passage and adoption.

28
29 SECTION 46. EMERGENCY CLAUSE. It is found and determined by the
30 General Assembly, that the Constitution of the State of Arkansas prohibits
31 the appropriation of funds for more than a one (1) year period; that the
32 effectiveness of this Act on July 1, 2017 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the legislative session, the delay in the
35 effective date of this Act beyond July 1, 2017 could work irreparable harm
36 upon the proper administration and provision of essential governmental



STATE OF ARKANSAS
ASA HUTCHINSON
GOVERNOR

March 9, 2017

Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair
Joint Budget Committee
Arkansas General Assembly
State Capitol Building
Little Rock, AR 72201

Dear Co-Chairs:

I respectfully request the following amendments to SB106, the 2017-2018 Operations Appropriation Bill for Arkansas Economic Development Commission:

Please amend SECTION 5. APPROPRIATION- STATE OPERATIONS as follows:

ITEM NO.		FISCAL YEAR 2017-2018
(11)	SMALL BUSINESS INNOVATIVE RESEARCH MATCHING GRANT	2,000,000
	TOTAL AMOUNT APPROPRIATED	\$14,600,840 \$16,600,840

This request for additional appropriation allows the Arkansas Economic Development Commission to implement the Small Business Innovative Research Matching Grants Program. This program helps foster technology based research growth in an under represented area, and is funded from general revenue.

Please amend SECTION 23. APPROPRIATION- DIVISION OF SCIENCE AND TECHNOLOGY-ARKANSAS ACCELERATION FUND as follows:

ITEM NO.		FISCAL YEAR 2017-2018
(01)	ACCELERATION GRANTS & INCENTIVES	\$18,700,000 \$30,000,000
	TOTAL AMOUNT APPROPRIATED	\$18,700,000 \$30,000,000

This appropriation increase request allows Arkansas Economic Development Commission to carry out all duties it's prescribed by the Arkansas Acceleration Fund Act of 2011. This funding consists of federal grants and incentives.

Please add a new section and renumber accordingly.

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 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
(01) FISH AND WILDLIFE CONSERVATION EDUCATION GRANT	2017-2018
TOTAL AMOUNT APPROPRIATED	\$800,000
	\$800,000

This request will eliminate the need for the Arkansas Economic Development Commission to submit a PEER request every fiscal year. This grant is awarded annually by the Game and Fish Commission.

Please add a new section and renumber accordingly.

SECTION 54. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF FUNDS. In the event that revenue is available for transfer to and in support of 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. 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 from July 1, 2017 through June 30, 2018.

Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair
Page 3

This language allows for additional sources of funds to be transferred in support of the Acceleration Program.

Please add a new section and renumber accordingly.

SECTION 55. 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 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.

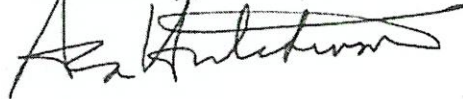
The provisions of this section shall be in effect only from July 1, 2017 through June 30, 2018.

Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair
Page 4

This language allows any unexpended balance of funds for the Military Affairs Grant to carry over into the next fiscal year and be used for the same intent and purpose.

I appreciate your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Asa Hutchinson". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Asa Hutchinson

AH:db:maw

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):

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>\$16,600,840"</u>

AND

Page 13, line 35, delete "\$18,700,00" and substitute "\$30,000,000"

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 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 GRANT	<u>\$800,000</u>

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

MAH/MAH - 03-14-2017 10:06:38

MAH088

Secretary

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: S3/1/17
A Bill

SENATE BILL 106

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS ECONOMIC
10 DEVELOPMENT COMMISSION FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2018; AND FOR OTHER PURPOSES.
12
13

14 **Subtitle**

15 AN ACT FOR THE ARKANSAS ECONOMIC
16 DEVELOPMENT COMMISSION APPROPRIATION FOR
17 THE 2017-2018 FISCAL YEAR.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Arkansas Economic Development Commission for the 2017-2018 fiscal year, the
24 following maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
30	(1) U055U	AEDC DIRECTOR	1	\$141,104
31	(2) U105U	AEDC DEP DIR FINANCE & ADMIN	1	\$121,037
32	(3) U059U	AEDC DEPUTY DIRECTOR	1	\$121,037
33	(4) U063U	ASTA DIRECTOR	1	\$108,628
34	(5) U099U	DIRECTOR OF RURAL SERVICES	1	\$91,102
35	(6) N180N	AEDC ARKANSAS ENERGY OFFICE DIR.	1	GRADE N908
36	(7) N062N	AEDC BUSINESS DEV DIV DIR	1	GRADE N908



1 time or temporary employees, to be known as "Extra Help", payable from funds
2 appropriated herein for such purposes: one (1) temporary or part-time
3 employees, when needed, at rates of pay not to exceed those provided in the
4 Uniform Classification and Compensation Act, or its successor, or this act
5 for the appropriate classification.

6

7 SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby
8 appropriated, to the Arkansas Economic Development Commission, to be payable
9 from the Arkansas Economic Development Commission Fund Account, for personal
10 services, operating expenses, grants and aid, and state matching funds of the
11 Arkansas Economic Development Commission - State Operations for the fiscal
12 year ending June 30, 2018, the following:

13

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2017-2018</u>
16 (01) REGULAR SALARIES	\$4,357,050
17 (02) EXTRA HELP	30,000
18 (03) PERSONAL SERVICES MATCHING	1,365,766
19 (04) MAINT. & GEN. OPERATION	
20 (A) OPER. EXPENSE	1,548,238
21 (B) CONF. & TRAVEL	141,486
22 (C) PROF. FEES	1,765,000
23 (D) CAP. OUTLAY	100,000
24 (E) DATA PROC.	0
25 (05) ECONOMIC INFRASTRUCTURE/REGIONALISM	
26 GRANTS	1,000,000
27 (06) GLOBAL BUSINESS INITIATIVES	600,000
28 (07) MILITARY AFFAIRS GRANT PROGRAM	750,000
29 (08) INDUSTRY TRAINING PROGRAM	1,714,800
30 (09) FOR STATE MATCHING OF FEDERAL FUNDS	228,500
31 (10) OFFICE OF TRANSFORMATION EXPENSES	<u>1,000,000</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$14,600,840</u>

33

34 SECTION 6. APPROPRIATION - COMMUNITY ASSISTANCE (CDBG) - FEDERAL.
35 There is hereby appropriated, to the Arkansas Economic Development
36 Commission, to be payable from the federal funds as designated by the Chief

1	GRANTS & AID	<u>2,909,850</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,132,830</u></u>

3
4 SECTION 22. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY - ENERGY
5 EFFICIENCY - CASH. There is hereby appropriated, to the Division of Science
6 and Technology of the Arkansas Economic Development Commission, to be payable
7 from the cash fund deposited in the State Treasury as determined by the Chief
8 Fiscal Officer of the State, for operating expenses and grants and aid by the
9 Division of Science and Technology of the Arkansas Economic Development
10 Commission - Energy Efficiency - Cash for the fiscal year ending June 30,
11 2018, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2017-2018</u>
15	(01) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	\$60,000
17	(B) CONF. & TRAVEL	0
18	(C) PROF. FEES	0
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	0
21	(02) WORKSHOPS, SEMINARS & OTHER GRANTS & AID	<u>90,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u><u>\$150,000</u></u>

23
24 SECTION 23. APPROPRIATION - DIVISION OF SCIENCE AND TECHNOLOGY -
25 ARKANSAS ACCELERATION FUND. There is hereby appropriated, to the Division of
26 Science and Technology of the Arkansas Economic Development Commission, to be
27 payable from the Arkansas Acceleration Fund, for grants and incentives to
28 accelerate the economy of the State through technology and knowledge-based
29 development of the Division of Science and Technology of the Arkansas
30 Economic Development Commission - Arkansas Acceleration Fund for the fiscal
31 year ending June 30, 2018, the following:

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2017-2018</u>
35	(01) ACCELERATION GRANTS & INCENTIVES	<u><u>\$18,700,000</u></u>

36

1 (01) ANIMAL RESCUE/SHELTERS GRANTS & AID \$5,328

2

3 SECTION 29. APPROPRIATION - RURAL SERVICES DIVISION - ADMINISTRATIVE
4 FEE. There is hereby appropriated, to the Rural Services Division of the
5 Arkansas Economic Development Commission, to be payable from the
6 Miscellaneous Agencies Fund Account, for maintenance and operating expenses
7 of the Rural Services Division of the Arkansas Economic Development
8 Commission for the fiscal year ending June 30, 2018, the following:

9

10 ITEM	FISCAL YEAR
11 NO.	<u>2017-2018</u>

12 (01) MAINT. & GEN. OPERATION	
13 (A) OPER. EXPENSE	\$45,395
14 (B) CONF. & TRAVEL	0
15 (C) PROF. FEES	0
16 (D) CAP. OUTLAY	0
17 (E) DATA PROC.	<u>0</u>
18 TOTAL AMOUNT APPROPRIATED	<u>\$45,395</u>

19

20 SECTION 30. APPROPRIATION - RURAL SERVICES DIVISION - ARKANSAS UNPAVED
21 ROADS PROGRAM. There is hereby appropriated, to the Rural Services Division
22 of the Arkansas Economic Development Commission, to be payable from the
23 Arkansas Unpaved Roads Program Fund, for grants or operating expenses of the
24 Rural Services Division of the Arkansas Economic Development Commission -
25 Unpaved Roads Program for the fiscal year ending June 30, 2018, the
26 following:

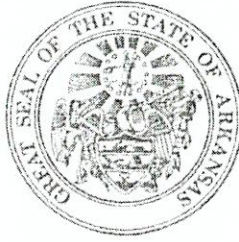
27

28 ITEM	FISCAL YEAR
29 NO.	<u>2017-2018</u>

30 (01) UNPAVED ROADS PROGRAM GRANTS & AIDS	
31 OR OPERATING EXPENSES	<u>\$250,000</u>

32

33 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDUSTRY
35 TRAINING PROGRAM EXPENSES. The Arkansas Economic Development Commission
36 (AEDC) may utilize Industry Training Program (ITP) appropriation and funds



GL.29

STATE OF ARKANSAS
ASA HUTCHINSON
GOVERNOR

March 15, 2017

Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair
Joint Budget Committee
Arkansas General Assembly
State Capitol Building
Little Rock, AR 72201

Dear Co-Chairs:

I respectfully request amendments to the following ten Department of Human Services appropriation bills.

I respectfully request amendment to HB1438 the 2017-2018 Operations Appropriation Bill for the Department of Human Services – Director’s Office.

Please amend SECTION 1. REGULAR SALARIES – OPERATIONS as follows:

Item Class	Maximum	Maximum Annual
No. Code Title	No. of	Salary Rate
	Employees	Fiscal Year
		2017-2018
(76) A056C DHS FINANCIAL SECTION MANAGER	9	8 GRADE C120
(91) A065C PAYROLL SERVICES COORDINATOR	3	2 GRADE C119
(93) X062C QUALITY ASSURANCE COORDINATOR	3	2 GRADE C119
(101) A074C FISCAL SUPPORT SUPERVISOR	10	9 GRADE C118
(107) R027C BUDGET SPECIALIST	16	14 GRADE C117
(110) D071C COMPUTER SUPPORT ANALYST	4	3 GRADE C117
(113) G180C GRANTS ANALYST	34	30 GRADE C117
(119) B076C RESEARCH PROJECT ANALYST	5	3 GRADE C117
(120) E040C STAFF DEVELOPMENT COORDINATOR	7	6 GRADE C117
(138) G202C VOLUNTEER PROGRAM COORDINATOR	8	7 GRADE C115
(139) X156C FRAUD INVESTIGATOR	8	7 GRADE C114
(154) C056C ADMINISTRATIVE SPECIALIST III	29	28 GRADE C112
(155) A098C FISCAL SUPPORT SPECIALIST	29	27 GRADE C112
(159) S054C PRINTER	4	3 GRADE C111
(161) R038C HUMAN RESOURCES ASSISTANT	6	3 GRADE C110

25

Senator Larry Teague, Co-Chair
 Representative Lane Jean, Co-Chair
 Page 2

(163) V025C WAREHOUSE SPECIALIST	2	1	GRADE C110
(164) C073C ADMINISTRATIVE SPECIALIST II	12	9	GRADE C109
MAX. NO. OF EMPLOYEES	705	678	

This request will reduce the Department's number of authorized positions by twenty-seven, providing for more efficient agency operations.

Please amend SECTION 11. SPECIAL LANGUAGE as follows:

Delete item (c) and renumber accordingly.

This request will delete Youth Services special language from the Director's Office appropriation bill, so that the appropriate special language can be added in the Division of Youth Services appropriation bill.

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

This request will permit the Department four reallocation of resources transfer requests in a fiscal year, which will allow the Department to make the most effective use of the resources allocated to it in order to better serve the citizens of Arkansas.

I respectfully request amendment to HB1283, the 2017-2018 Operations Appropriation Bill for the Department of Human Services – Division of Aging and Adult Services.

Please amend SECTION 1. REGULAR SALARIES – OPERATIONS as follows and renumber the item numbers accordingly:

Item Class	Maximum	Maximum Annual
No. Code Title	No. of	Salary Rate
	Employees	Fiscal Year
		2017-2018
(12) M016C DHS FIELD MANAGER	5	4 GRADE C120
(13) L038C REGISTERED NURSE	76	75 GRADE C120
(17) M025C PROGRAM ELIGIBILITY COORDINATOR I	2	1 GRADE C118
(18) M045C ADULT PROTECTIVE SERVICES WORKER	37	35 GRADE C117
(24) G198C DHS/DAAS PROGRAM SPECIALIST	10	9 GRADE C116
(25) M051C FAMILY SERVICE WORKER	1	GRADE C116
(29) M066C PROGRAM ELIGIBILITY SPECIALIST	75	74 GRADE C114
(31) C056C ADMINISTRATIVE SPECIALIST III	12	11 GRADE C112
MAX. NO. OF EMPLOYEES	300	291

26

Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair
Page 7

I respectfully request amendment to SB196, the 2017-2018 Operations Appropriation Bill for the Department of Human Services – Division of Medical Services.

Please amend SECTION 1. REGULAR SALARIES – OPERATIONS as follows:

Item Class		Maximum	Maximum Annual
No. Code	Title	No. of	Salary Rate
		Employees	Fiscal Year
			2017-2018
(45)	Co73C ADMINISTRATIVE SPECIALIST II	8	<u>7</u> GRADE C109
(46)	Co87C ADMINISTRATIVE SPECIALIST I	3	<u>2</u> GRADE C106
	MAX. NO. OF EMPLOYEES	263	<u>261</u>

This request will reduce the Department's number of authorized positions by two, providing for more efficient agency operations.

Please delete SECTION 13. SPECIAL LANGUAGE - REVIEW OF RULES IMPACTING STATE MEDICAID COSTS in its entirety.

This request will delete language that would be obsolete upon passage of House Bill 1919, concerning the process for the review of rules impacting State Medicaid costs.

Please delete SECTION 15. SPECIAL LANGUAGE – MEDICAID PRIMARY CARE CASE MANAGEMENT PROGRAM in its entirety and renumber the sections accordingly.

This request will delete language for an expired pilot program.

I respectfully request amendment to SB198, the 2017-2018 Operations Appropriation Bill for the Department of Human Services – Division of Youth Services.

Please amend SECTION 1. REGULAR SALARIES – OPERATIONS as follows and renumber the item numbers accordingly:

Item Class		Maximum	Maximum Annual
No. Code	Title	No. of	Salary Rate
		Employees	Fiscal Year
			2017-2018
(12)	Xo62C QUALITY ASSURANCE COORDINATOR	3	<u>2</u> GRADE C119
(23)	Co56C ADMINISTRATIVE SPECIALIST III	6	5 GRADE C112

~~(24) A098C FISCAL SUPPORT SPECIALIST~~ ~~1~~ ~~GRADE C112~~
MAX. NO. OF EMPLOYEES 65 62

This request will reduce the Department's number of authorized positions by three, providing for more efficient agency operations.

Please delete SECTION 12. SPECIAL LANGUAGE – REGULAR SALARIES – CONTINGENT EDUCATIONAL SERVICES POSITIONS in its entirety.

Please add the following two new special language sections and renumber the sections accordingly:

SECTION XX. 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 providers 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 Section 8 of this Act to any line item authorized in Section 3 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 Section 3 of this Act to any line item authorized in Section 8 of this Act.

SECTION XX. 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,

Senator Larry Teague, Co-Chair
Representative Lane Jean, Co-Chair
Page 9

therapeutic services, and/or medical services. If at such time a category(s) of services are contracted with private providers, 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. The provisions of this section shall be in effect through June 30, 2018.

CONTINGENT POSITIONS - RESIDENTIAL SERVICES

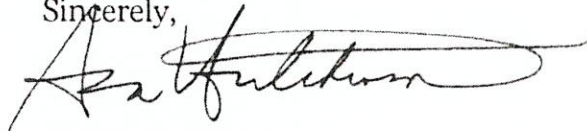
<u>ITEM</u>	<u>CLASS</u>		<u>MAXIMUM</u>
<u>NO.</u>	<u>CODE</u>	<u>TITLE</u>	<u>NO. OF</u>
			<u>EMPLOYEES</u>
(01)	9999	<u>EXTRA HELP</u>	<u>320</u>
<u>GRAND TOTAL CONTINGENT POSITIONS</u>			<u>320</u>

Please amend the Emergency Clause for Senate Bill 198 to reflect an effective date for the two new special language sections above from and after the date of its passage and approval.

These requests will provide the special language needed to address the evolving needs of the Division.

I appreciate your consideration of this matter.

Sincerely,



Asa Hutchinson

AH:db:car

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

LCW056 - 03-15-2017 14:46:39

Page 1 of 3

30

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

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

A Bill

HOUSE BILL 1438

4
5 By: Joint Budget Committee

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIRECTOR'S OFFICE FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2018; AND FOR OTHER PURPOSES.

Subtitle

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

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

22
23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Human Services - Director's Office for the 2017-2018
25 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
31	(1) U133U	DHS EXECUTIVE DIRECTOR	1	\$282,800
32	(2) A019N	DHS DEP CFO-MEDICAL SERVICES	1	GRADE N915
33	(3) L023N	DHS DEPUTY DIRECTOR	2	GRADE N915
34	(4) N011N	DFA CHIEF INFORMATION OFFICER	1	GRADE N912
35	(5) A020N	DHS DEP CHIEF FIN OFFICER-HUMAN SVCS	1	GRADE N912
36	(6) N016N	DHS DEP DIR ADMINISTRATIVE SVCS	2	GRADE N911



1	(151)	S045C	PRINTING ESTIMATOR/PLANNER	1	GRADE C113
2	(152)	C043C	RECORDS MANAGEMENT ANALYST	6	GRADE C113
3	(153)	L066C	REHABILITATION INSTRUCTOR	1	GRADE C113
4	(154)	C056C	ADMINISTRATIVE SPECIALIST III	29	GRADE C112
5	(155)	A098C	FISCAL SUPPORT SPECIALIST	29	GRADE C112
6	(156)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
7	(157)	V021C	SURPLUS PROPERTY AGENT	1	GRADE C112
8	(158)	S056C	FOOD PREPARATION SUPERVISOR	1	GRADE C111
9	(159)	S054C	PRINTER	4	GRADE C111
10	(160)	D090C	COMPUTER PUBLISHING OPERATOR	1	GRADE C110
11	(161)	R038C	HUMAN RESOURCES ASSISTANT	6	GRADE C110
12	(162)	C062C	LOCAL OFFICE ADMINISTRATIVE ASSISTANT	2	GRADE C110
13	(163)	V025C	WAREHOUSE SPECIALIST	2	GRADE C110
14	(164)	C073C	ADMINISTRATIVE SPECIALIST II	12	GRADE C109
15	(165)	C087C	ADMINISTRATIVE SPECIALIST I	<u>3</u>	GRADE C106
16			MAX. NO. OF EMPLOYEES	705	

17

18 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 19 the Department of Human Services - Director's Office for the 2017-2018 fiscal
 20 year, the following maximum number of part-time or temporary employees, to be
 21 known as "Extra Help", payable from funds appropriated herein for such
 22 purposes: thirty (30) temporary or part-time employees, when needed, at
 23 rates of pay not to exceed those provided in the Uniform Classification and
 24 Compensation Act, or its successor, or this act for the appropriate
 25 classification.

26

27 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 28 to the Department of Human Services - Director's Office, to be payable from
 29 the paying account as determined by the Chief Fiscal Officer of the State,
 30 for personal services and operating expenses of the Department of Human
 31 Services - Director's Office for the fiscal year ending June 30, 2018, the
 32 following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2017-2018</u>
36	(01) REGULAR SALARIES	\$31,069,481

1 by providing transfer authority in subsection (d) of this section, and since
 2 the General Assembly has granted the agency broad powers under the transfer
 3 authority concept, it is both necessary and appropriate that the General
 4 Assembly maintain oversight of the utilization of the transfer authority by
 5 requiring prior approval of the Legislative Council or Joint Budget Committee
 6 in the utilization of this transfer authority. Therefore, the requirement of
 7 approval by the Legislative Council or Joint Budget Committee is not a
 8 severable part of this section. If the requirement of approval by the
 9 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
 10 court of competent jurisdiction, this entire section is void.

11 The provisions of this section shall be in effect only from July 1, 2016
 12 2017 through June 30, ~~2017~~ 2018.

13

14 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 16 AUTHORITY. The Director of the Department of Human Services shall have
 17 transfer authority provided by the following:

18 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the
 19 Department of Human Services is authorized to request fund transfers
 20 according to the provisions established by Arkansas Code Ann. 19-5-1020,
 21 Department of Human Services Renovation Fund, as amended herein; and

22 (b) MATCH TRANSFER. The Director of the Department of Human Services,
 23 with the approval of the Chief Fiscal Officer of the State, is authorized to
 24 effect inter-agency and inter-divisional fund transfers for the purpose of
 25 providing the State's matching share for payments made to that Division or
 26 Office or its service providers for services eligible for federal
 27 reimbursement under programs administered by the Department of Human
 28 Services. The Department of Human Services shall report to the Legislative
 29 Council or Joint Budget Committee on a quarterly basis all fund transfers
 30 made in accordance with the authority granted by this section; and

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

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

7 (d) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS)
 8 provides hundreds of different services to over 1 million Arkansans. The
 9 specific mix of service needs and the funding and staffing required to
 10 provide them can vary significantly based on many factors, including natural
 11 disasters, changing federal mandates and funding sources, demographic shifts,
 12 fluctuating court-ordered services, social trends, and job market variations
 13 such as nursing shortages. The impact of these factors through the course of
 14 any fiscal year make it very difficult for the Department to accurately
 15 predict the exact needs for funding, appropriation and positions in each of
 16 its over 100 different appropriations. To ensure that it can respond quickly
 17 to changing client needs and make the most effective use of the resources
 18 allocated to it, the Department of Human Services shall be authorized to
 19 utilize the reallocation of resource authority to make the proper adjustments
 20 to the budgets within the Department. Therefore, upon determination by the
 21 Director of the Department of Human Services that a reallocation of resources
 22 within the department is necessary for the efficient and effective operation
 23 of the department, the director, with approval of the Governor, shall have
 24 the authority to request, from the Chief Fiscal Officer of the State, a
 25 transfer of positions, appropriations, line item appropriations, and funds
 26 within or between existing and newly created divisions, offices, sections, or
 27 units of the department. Provided, however, that no transfer of funds or
 28 appropriation that provides direct support or matching support for the
 29 Arkansas Medicaid Program shall be made to any other fund account or
 30 appropriation that does not directly support the Arkansas Medicaid Program.
 31 Further, no positions, funds, or appropriation authorized during the budget
 32 process for the Division of Children and Family Services' compliance with
 33 initiatives established under the Angela R. consent decree shall be
 34 transferred to any other division. Nothing in this provision is intended to
 35 prevent the one-time transfers of savings in any other program to the
 36 Arkansas Medicaid Program, with the exception of the provisions previously

1 cited for the Division of Children and Family Services – Angela R. consent
2 decree. The Division of Developmental Disabilities – Grants to Community
3 Providers line item of the Developmental Disabilities Services - Grants-in-
4 Aid appropriation may not be decreased. The appropriation, funding, and
5 positions provided for the five Human Development Centers shall remain at a
6 level sufficient to ensure quality care for the Centers’ residents. The
7 exemptions provided in this subsection whereby certain DHS Programs and
8 Divisions are protected from appropriation, fund, or position transfers are
9 applicable only to the reallocation or transfer authority granted herein, and
10 not by any reductions which are applicable to all state programs.

11 The Director of the Department of Human Services shall submit any requests
12 for transfers to and must receive approval of the requests for transfers from
13 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
14 Legislative Council or Joint Budget Committee prior to the effective date of
15 the transfers. Provided, however, that the Department of Human Services shall

16 be limited to submitting no more than two reallocation of resources transfer
17 requests during any fiscal year. In each Departmental request no single
18 division will request reallocation for more than one purpose as listed in
19 this section. Transfer authority for unforeseen purposes shall further be
20 limited to no more than 5% of the total appropriation, funding, and positions
21 authorized for the Department. Reallocation of resources transfers may
22 include multiple items but shall be limited to the following purposes:

- 23 i) Medicaid Program;
- 24 ii) Facilities and institutions costs, including operational expenses and
25 construction/renovation/equipping expenses;
- 26 iii) Departmental grants and contracts;
- 27 iv) Court ordered settlements and payments;
- 28 v) Payment of administrative expenses, including but not limited to, overtime
29 and other costs of personnel for critical services or functions necessary to
30 carry out the mission of the agency;
- 31 vi) Restructuring efforts as deemed necessary to comply with new and/or
32 unanticipated federal or state mandates; and/or
- 33 vii) Redirecting internal resources, both direct and/or indirect, to meet
34 client needs and services.

35 Determining the maximum number of employees and the maximum amount of
36 appropriation and general revenue funding for a state agency each fiscal year

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

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

A Bill

SENATE BILL 196

4
5 By: Joint Budget Committee

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF MEDICAL SERVICES FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2018; AND FOR OTHER
12 PURPOSES.

Subtitle

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

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
25 for the Department of Human Services - Division of Medical Services for the
26 2017-2018 fiscal year, the following maximum number of regular employees.

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2017-2018
32	(1) N181N	DIRECTOR OF MEDICAL SERVICES	1	GRADE N915
33	(2) L016N	REGISTERED PHARMACIST	6	GRADE N911
34	(3) N189N	DHS/DMS DEPUTY DIRECTOR	1	GRADE N908
35	(4) N080N	DHS/DMS ASSISTANT DIRECTOR - FISCAL	1	GRADE N907
36	(5) N099N	DHS/DMS ADD - LONG TERM CARE	1	GRADE N906



1 promulgated by the Arkansas Department of Health which shall establish a
 2 separate licensure category for the private care agencies for the provision
 3 of Medicaid reimbursable personal care services seven (7) days a week.

4 (g) The Arkansas Department of Health shall supervise the conduct of the
 5 personal care agencies defined herein.

6 (h) The purpose of this section is to insure the care provided by the
 7 private care agencies is consistent with the rules and regulations of the
 8 Arkansas Department of Health.

9 The provisions of this section shall be in effect only from July 1, 2016
 10 2017 through June 30, ~~2017~~ 2018.

11
 12 **SECTION 13** SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REVIEW OF
 14 RULES IMPACTING STATE MEDICAID COSTS. (a) In light of the rapidly rising
 15 potential costs to the State attributable to the Medicaid program and the
 16 importance of Medicaid expenditures to the health and welfare of the citizens
 17 of this State, the General Assembly finds it desirable to exercise more
 18 thorough review of future proposed changes to rules that might impact those
 19 costs or expenditures.

20 (b) As used in this section, "rule impacting state Medicaid costs" means
 21 a proposed rule, as defined by § 25-15-202(9) or a proposed amendment to an
 22 existing rule, as defined by § 25-15-202(9) that would, if adopted, adjust
 23 Medicaid reimbursement rates, Medicaid eligibility criteria, or Medicaid
 24 benefits, including without limitation a proposed rule or a proposed
 25 amendment to an existing rule seeking to accomplish the following:

- 26 (1) Reduce the number of individuals covered by Arkansas Medicaid;
 27 (2) Limit the types of services covered by Arkansas Medicaid;
 28 (3) Reduce the utilization of services covered by Arkansas Medicaid;
 29 (4) Reduce provider reimbursement;
 30 (5) Increase consumer cost-sharing;
 31 (6) Reduce the cost of administering Arkansas Medicaid;
 32 (7) Increase Arkansas Medicaid revenues;
 33 (8) Reduce fraud and abuse in the Arkansas Medicaid program;
 34 (9) Change any of the methodologies used for reimbursement of
 35 providers;
 36 (10) Seek a new waiver or modification of an existing waiver of any

1 provision under Title XIX of the Social Security Act, 42 U.S.C. § 1396-1 et.
2 seq., including a waiver that would allow a demonstration project;

3 (11) Participate or seek to participate in the waiver authority of
4 Section 1115(a)(1) of the Social Security Act, 42 U.S.C. § 1396-1(a)(1) that
5 would allow operation of a demonstration project or program;

6 (12) Participate or seek to participate in a request under Section
7 1115(a)(2) of the Social Security Act, 42 U.S.C. § 1396-1(a)(2) for the
8 Secretary of the Department of Health and Human Services to provide federal
9 financial participation for costs associated with a demonstration project or
10 program;

11 (13) Implement managed care provisions under Section 1932 of the Social
12 Security Act, 42 U.S.C. § 1396 u-2; or

13 (14) Participate or seek to participate in the Centers for Medicare and
14 Medicaid Services Innovation projects or programs.

15 (c)(1) In addition to filing requirements under the Arkansas
16 Administrative Procedure Act, § 25-15-201 et seq., and § 10-3-309, the
17 Department of Human Services shall, at least thirty (30) days before the
18 expiration of the period for public comment, file a proposed rule impacting
19 state Medicaid costs or a proposed amendment to an existing rule impacting
20 state Medicaid costs with the Senate Interim Committee on Public Health,
21 Welfare, and Labor and the House Interim Committee on Public Health, Welfare,
22 and Labor, or, when the General Assembly is in session, with the Senate
23 Committee on Public Health, Welfare, and Labor and the House Committee on
24 Public Health, Welfare and Labor.

25 (2) Any review of the proposed rule or proposed amendment to an
26 existing rule by the Senate and House Interim Committees on Public Health,
27 Welfare and Labor or the Senate and House Committees on Public Health,
28 Welfare, and Labor shall occur within forty-five (45) days of the date the
29 proposed rule or proposed amendment to an existing rule is filed with the
30 committees.

31 (d)(1) If adopting an emergency rule impacting state Medicaid costs,
32 in addition to the filing requirements under the Arkansas Administrative
33 Procedure Act, § 25-15-201 et seq. and § 10-3-309, the Department of Human
34 Services shall notify the Speaker of the House of Representatives, the
35 President Pro Tempore of the Senate, the chair of the Senate Committee on
36 Public Health, Welfare, and Labor, and the chair of the House Committee on

1 Public Health, Welfare and Labor of the emergency rule and provide each of
2 them a copy of the rule on the first day the emergency rule is effective.

3 (2) Any review of the emergency rule by the Senate and House
4 Interim Committees on Public Health, Welfare and Labor or the Senate and
5 House Committees on Public Health, Welfare, and Labor shall occur within
6 forty-five (45) days of the date the emergency rule is provided to the
7 chairs.

8 (e) This section expires on June 30, ~~2017~~ 2018.

9

10 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ~~HEALTH~~
12 ~~CARE INDEPENDENCE PROGRAM~~ ARKANSAS WORKS AND ARKANSAS HEALTH INSURANCE
13 MARKETPLACE RESTRICTIONS. (a) As used in this section, "~~Health Care~~
14 ~~Independence Program~~ Arkansas Works" means ~~the Health Care Independence~~
15 ~~Program~~ Arkansas Works established under the ~~Health Care Independence Act of~~
16 ~~2013, Arkansas Code § 20-77-2401 et seq.~~ Arkansas Works Act of 2016, Arkansas
17 Code § 23-61-1001 et seq.

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

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

24 (A) Identifying the purpose in the appropriation act;

25 (B) Delineating such maximums in the appropriation act for
26 a state agency; and

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

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

32 (c)(1) Except as provided in this subsection, the Department of Human
33 Services shall not allocate, budget, expend, or utilize any appropriation
34 authorized by the General Assembly for the purpose of advertisement,
35 promotion, or other activities designed to promote or encourage enrollment in
36 the Arkansas Health Insurance Marketplace or ~~the Health Care Independence~~

1 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

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

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

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

14 (f) An appropriation authorized by the General Assembly shall not be
15 subject to the provisions allowed through reallocation of resources or
16 transfer of appropriation authority for the purpose of transferring an
17 appropriation to any other appropriation authorized for the Department of
18 Human Services to be allocated, budgeted, expended, or utilized in a manner
19 prohibited by this section.

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

24 (h) This section expires on June 30, ~~2017~~ 2018.

25
26 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID
28 PRIMARY CARE CASE MANAGEMENT PROGRAM.

29 (a) The General Assembly finds that:

30 (1) The Arkansas Delta is an area that is medically underserved
31 and has some of the worst health outcomes in our state, with a large number
32 of recipients who are in the top quartile of costs;

33 (2)(A) There has been much success in other states, particularly
34 in the Louisiana Delta with improvements in health outcomes and saving money
35 through the use of an intensive care-coordination, shared-savings model of
36 care.

1 (B) This success has come through contracting with private
2 companies that specialize in working with those individuals who meet certain
3 criteria and are at a minimum in the top quartile of costs to the Medicaid
4 program;

5 (3) Medicaid is one of the largest percentage expenditures of
6 Arkansas tax dollars, and there is a need for reforming approaches to the use
7 of these dollars; and

8 (4) The approach created in this section to dealing with this
9 population has never been implemented in Arkansas.

10 (b)(1)(A) The Department of Human Services shall contract with an
11 experienced vendor to implement a two-year Medicaid Primary Care Case
12 Management shared-savings pilot program in the Arkansas Delta region to begin
13 January 1, 2014.

14 (B) The department shall give preference to a vendor that:

15 (i) Demonstrates experience with the type of model
16 established under this section in the type of geographic area specified in
17 subsection (e) of this section;

18 (ii) Has demonstrated customer satisfaction as
19 documented through independent Consumer Assessment of Healthcare Providers
20 and Systems survey; and

21 (iii) Maintains a Utilization Review Accreditation
22 Commission accreditation for its Health Utilization Management and Case
23 Management programs.

24 (2) The pilot program shall encompass a minimum of five thousand
25 (5,000) recipients who:

26 (A) Are not currently in the Arkansas Patient-Centered
27 Medical Home Program, the federal Comprehensive Primary Care Initiative, or a
28 similar home health program;

29 (B)(i) Have catastrophic or chronic conditions as defined
30 by the Johns Hopkins Adjusted Clinical Groups System; or

31 (ii) Are women with a history of past high-risk
32 pregnancies, poor birth outcomes or preterm deliveries; and

33 (C) Whose estimated costs are in the top quartile for
34 their defined population.

35 (c) The vendor shall recruit an adequate number of primary care
36 clinics to initiate the program.

1 (d) The Medicaid Primary Care Case Management shared savings pilot
2 program shall exclude the Alternatives for Persons with Disabilities, the
3 Division of Developmental Disabilities Services Alternative Community
4 Services, ElderChoices, Living Choices Assisted Living waivers, and members
5 of the Program of All-Inclusive Care for the Elderly.

6 (e) The Medicaid Primary Care Case Management program shared savings
7 pilot program shall include without limitation the following Arkansas delta
8 counties:

- 9 (1) Arkansas;
- 10 (2) Ashley;
- 11 (3) Baxter;
- 12 (4) Bradley;
- 13 (5) Calhoun;
- 14 (6) Chicot;
- 15 (7) Clay;
- 16 (8) Cleveland;
- 17 (9) Crittenden;
- 18 (10) Cross;
- 19 (11) Dallas;
- 20 (12) Desha;
- 21 (13) Drew;
- 22 (14) Fulton;
- 23 (15) Grant;
- 24 (16) Greene;
- 25 (17) Independence;
- 26 (18) Izard;
- 27 (19) Jackson;
- 28 (20) Jefferson;
- 29 (21) Lawrence;
- 30 (22) Lee;
- 31 (23) Lincoln;
- 32 (24) Lonoke;
- 33 (25) Marion;
- 34 (26) Mississippi;
- 35 (27) Monroe;
- 36 (28) Ouachita;

- 1 (29) Phillips;
 2 (30) Poinsett;
 3 (31) Prairie;
 4 (32) Randolph;
 5 (33) Searcy;
 6 (34) Sharp;
 7 (35) St. Francis;
 8 (36) Stone;
 9 (37) Union;
 10 (38) Van Buren; and
 11 (39) Woodruff.

12 (f) The department shall require that a contracting vendor generate
 13 savings in comparison to a risk-adjusted Arkansas Fee-For-Service benchmark.

14 (g) The per-member monthly fee paid to the vendor shall not decrease
 15 the current primary care case management fee paid to the primary care
 16 providers.

17 (h)(1) Savings realized under the Medicaid Primary Care Case
 18 Management program shall be shared:

19 (A) Thirty-four percent (34%) with the department; and

20 (B)(i) Sixty-six percent (66%) with the Medicaid Primary
 21 Care Case Management shared-savings pilot program vendor up to a maximum
 22 sharing cap of five percent (5%) of the total cost of administrative and
 23 health service expenditures as defined by the Centers for Medicare and
 24 Medicaid Service.

25 (ii) Further, fifty percent (50%) of savings
 26 received by the vendor shall be shared with eligible contracted network
 27 primary care providers based upon meeting agreed upon performance standards.

28 (2) Twenty five percent (25%) of the Medicaid Primary Care Case
 29 Management shared-savings pilot program vendor's administrative per member
 30 per month fee shall be at risk and shall be paid back to the state if savings
 31 are not realized.

32 (i)(1) After the Medicaid Primary Care Case Management shared-savings
 33 pilot program has operated for fifteen (15) months, the department shall
 34 utilize an agreed upon savings algorithm to calculate savings based on the
 35 first twelve (12) months of operations, allowing three (3) months of run-out.

36 (2)(A) Savings shall be disbursed within thirty (30) calendar

1 days of final calculation.

2 (B) After the initial year of operation, savings shall be
3 calculated on a quarterly basis.

4 (j) This section does not conflict with or reduce the Medicaid
5 hospital access payments under section § 20-77-1901 et seq.

6 (k)(1) This section does not require a physician to participate in the
7 pilot program created under this section.

8 (2) A physician has the right to refuse to contract under the
9 pilot program created under this section or to terminate the contract at any
10 time without penalty.

11 (1) If requested, the vendor shall agree to support any contracted
12 physician in meeting the requirements of the Arkansas Patient-Centered
13 Medical Home model.

14 The provisions of this section shall be in effect only from July 1, 2016
15 2017 through June 30, ~~2017~~ 2018.

16

17 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
19 SEVERABILITY. If any provisions of this act or the application of this act
20 to any person or circumstance is held invalid, such invalidity shall not
21 affect other provisions or applications of the act which can be given effect
22 without the invalid provision or application, and to this end the provisions
23 of this act are declared to be severable.

24

25 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
26 authorized by this act shall be limited to the appropriation for such agency
27 and funds made available by law for the support of such appropriations; and
28 the restrictions of the State Procurement Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.

34

35 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General
36 Assembly that any funds disbursed under the authority of the appropriations

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>EMPLOYEES</u>
<u>(01)</u>	<u>9999</u>	<u>EXTRA HELP</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

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

A Bill

SENATE BILL 198

4
5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF YOUTH SERVICES FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2018; AND FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - DIVISION OF YOUTH SERVICES
16 APPROPRIATION FOR THE 2017-2018 FISCAL
17 YEAR.
18

19
20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Human Services - Division of Youth Services for the
25 2017-2018 fiscal year, the following maximum number of regular employees.
26

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
31	(1) N026N	DHS DEPUTY DIRECTOR OF DYS	1	GRADE N909
32	(2) N124N	DHS/DYS ASSISTANT DIVISION DIRECTOR	2	GRADE N904
33	(3) X007C	DHS/DYS ADMIN PROG COMPLIANCE	1	GRADE C127
34	(4) G255C	DYS ACADEMIC ADMINISTRATOR	1	GRADE C126
35	(5) E010C	DHS/DYS EDUCATION MANAGER	1	GRADE C125
36	(6) G082C	DHS/DYS ADMISSIONS EVALUATOR	1	GRADE C123



1 Department of Human Services, Division of Youth Services. The funds shall be
 2 held by the Department of Human Services, Division of Youth Services from the
 3 proceeds of the sale of timber that may be harvested from land owned by the
 4 Division of Youth Services. All funds deposited and all expenses shall be
 5 tracked separately. The harvesting of timber is specifically authorized to
 6 provide funds to finance capital improvements to the physical plant and for
 7 the purchase of major capital equipment by the Mansfield Facility from which
 8 the timber is sold.

9 The Division of Youth Services shall report all income derived from the
 10 sale of timber to the Chief Fiscal Officer of the State and the Arkansas
 11 Legislative Council or Joint Budget Committee. Any contracts initiated for
 12 the harvesting and sale of timber shall be submitted to the Review
 13 Subcommittee of the Arkansas Legislative Council or Joint Budget Committee
 14 for prior review. All expenditures of funds derived from the sale of timber
 15 will be expended in accordance with relevant state purchasing laws.

16 The provisions of this section shall be in effect only from July 1, ~~2016~~
 17 2017 through June 30, ~~2017~~ 2018.

18
 19 **SECTION 12** SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 21 SALARIES - CONTINGENT EDUCATIONAL SERVICES POSITIONS. If it has been
 22 determined by the Director of the Department of Human Services that the
 23 Division of Youth Services cannot continue a contract with a private provider
 24 for educational services and deems it necessary to utilize Division staff to
 25 provide the required educational services, the Division is authorized, to
 26 seek the approval of the Chief Fiscal Officer of the State, the Governor and
 27 the Arkansas Legislative Council or Joint Budget Committee, to utilize the
 28 contingent educational services positions contained in this Act and to make
 29 the appropriate transfers from the Residential Services Appropriation line
 30 item contained in this Act to Regular Salaries, Personal Services Matching,
 31 and various Maintenance and General Operations classifications.

32 There is hereby established for the Division of Youth Services -
 33 Contingent Educational Services Positions for the ~~2016-2017~~ 2017-2018 fiscal
 34 year, the following maximum number of regular employees whose salaries shall
 35 be governed by the provisions of the Uniform Classification and Compensation
 36 Act (Arkansas Code 21-5-201 et seq.), or its successor, and all laws

1 amendatory thereto. Provided, however, that any position to which a specific
 2 maximum annual salary is set out herein in dollars, shall be exempt from the
 3 provisions of said Uniform Classification and Compensation Act. All persons
 4 occupying positions authorized herein are hereby governed by the provisions
 5 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code 21-5-
 6 101), or its successor.

7 CONTINGENT POSITIONS - EDUCATIONAL SERVICES

				MAXIMUM ANNUAL		
				MAXIMUM	SALARY RATE	
ITEM	CLASS			NO. OF	FISCAL YEAR	
NO.	CODE	TITLE		EMPLOYEES	2016-2017	<u>2017-2018</u>
12	(01)	E004C	SCHOOL PRINCIPAL	1	GRADE C126	
13	(02)	E017C	ASSISTANT PRINCIPAL	2	GRADE C123	
14	(03)	E035C	CERTIFIED MASTERS TEACHER	80	GRADE C119	
15	(04)	E032C	EDUCATIONAL COUNSELOR	3	GRADE C119	
16	(05)	C058C	EDUCATION PARAPROFESSIONAL	<u>34</u>	GRADE C111	
17	GRAND TOTAL CONTINGENT EMPLOYEES			120		

18 If the Division requests continuation of a "Contingent Educational
 19 Services Position" position(s) as established herein during the next fiscal
 20 year, the position(s) must be requested as a new position(s) in the
 21 Division's budget request.

22 The provisions of this section shall be in effect only from July 1, 2016
 23 2017 through June 30, ~~2017~~ 2018.



25 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 26 authorized by this act shall be limited to the appropriation for such agency
 27 and funds made available by law for the support of such appropriations; and
 28 the restrictions of the State Procurement Law, the General Accounting and
 29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 30 Procedures and Restrictions Act, or their successors, and other fiscal
 31 control laws of this State, where applicable, and regulations promulgated by
 32 the Department of Finance and Administration, as authorized by law, shall be
 33 strictly complied with in disbursement of said funds.

35 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General
 36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.

7
8 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
9 General Assembly, that the Constitution of the State of Arkansas prohibits
10 the appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2017 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2017 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2017.

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1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

A Bill

HOUSE BILL 1712

4
5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR OPERATING
9 EXPENSES FOR THE DEPARTMENT OF ARKANSAS STATE POLICE
10 - ARKANSAS WIRELESS INFORMATION NETWORK, WHICH SHALL
11 BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS
12 APPROPRIATED BY ACT 265 OF 2016; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF ARKANSAS
17 STATE POLICE - ARKANSAS WIRELESS
18 INFORMATION NETWORK (AWIN) SUPPLEMENTAL
19 APPROPRIATION.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. APPROPRIATION - ARKANSAS WIRELESS INFORMATION NETWORK (AWIN)
26 - GENERAL REVENUE. There is hereby appropriated, to the Department of
27 Arkansas State Police, to be payable from the Department of Arkansas State
28 Police Fund, for operations, maintenance, equipment and various system
29 requirements and expenses of the Department of Arkansas State Police -
30 Arkansas Wireless Information Network, which shall be supplemental and in
31 addition to those funds appropriated in Section 12 of Act 265 of 2016, the
32 following:
33

ITEM	FISCAL YEAR
NO.	2016-2017
<hr/> (01) MAINT. & GEN. OPERATION	



1	(A) OPER. EXPENSE	\$500,000
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	<u>0</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$500,000</u></u>

7

8 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 10 TRANSFER. Any funds remaining in the Department of Arkansas State Police
 11 Fund collected for salvage auction buyer's identification cards pursuant to
 12 Arkansas Code Annotated § 23-112-614, repealed by Act 265 of 2011, may be
 13 used to fund the operating expenses and other costs associated with the
 14 Arkansas Wireless Information Network (AWIN) or the purchase and equipping of
 15 vehicles.

16 The provisions of this section shall be in effect from July 1, 2016
 17 through June 30, 2017.

18

19 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 20 authorized by this act shall be limited to the appropriation for such agency
 21 and funds made available by law for the support of such appropriations; and
 22 the restrictions of the State Procurement Law, the General Accounting and
 23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 24 Procedures and Restrictions Act, or their successors, and other fiscal
 25 control laws of this State, where applicable, and regulations promulgated by
 26 the Department of Finance and Administration, as authorized by law, shall be
 27 strictly complied with in disbursement of said funds.

28

29 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
 30 Assembly that any funds disbursed under the authority of the appropriations
 31 contained in this act shall be in compliance with the stated reasons for
 32 which this act was adopted, as evidenced by the Agency Requests, Executive
 33 Recommendations and Legislative Recommendations contained in the budget
 34 manuals prepared by the Department of Finance and Administration, letters, or
 35 summarized oral testimony in the official minutes of the Arkansas Legislative
 36 Council or Joint Budget Committee which relate to its passage and adoption.

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SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that funds provided by the General Assembly for the operations of the Department of Arkansas State Police are, due to unforeseen circumstances, insufficient for the Department of Arkansas State Police to continue to provide essential governmental services; that the provisions of this act will provide the necessary monies for the Department of Arkansas State Police to continue such services; and that a delay in the effective date of this Act 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 the date of its passage and approval.

If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.

57

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H2/28/11
A Bill

HOUSE BILL 1496

5 By: Representatives Williams, Allen, Baird, T. Baker, Barnett, Carnine, Dale, J. Edwards, Fielding,
6 Gaskill, Hall, Hickerson, Hobbs, Hyde, Ingram, Johnston, Kerr, Lea, Lindsey, Murdock, Pierce, Rice, T.
7 Rogers, Sanders, Steel, T. Steele, Stubblefield, T. Thompson, Vines, Walker, Westerman, B. Wilkins, H.
8 Wilkins, Woods, Wright, *Bell, Biviano, Carter, Eubanks, Leding, Word*

9 By: Senators J. Dismang, Bledsoe, L. Chesterfield, Elliott, Files, S. Flowers, M. Lamoureux, B. Sample,
10 D. Wyatt
11

12 **For An Act To Be Entitled**

13 AN ACT TO CONFORM THE SALVAGE AUCTION BUYER'S
14 IDENTIFICATION CARD LAW TO THE COMMERCE CLAUSE OF
15 ARTICLE 1, § 8 OF THE UNITED STATES CONSTITUTION; AND
16 FOR OTHER PURPOSES.
17
18

19 **Subtitle**

20 TO CONFORM THE SALVAGE AUCTION BUYER'S
21 IDENTIFICATION CARD LAW TO THE COMMERCE
22 CLAUSE OF ARTICLE 1, § 8 OF THE UNITED
23 STATES CONSTITUTION.
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code § 23-112-602(9), regarding definitions under
29 the used motor vehicle buyers protection law, is repealed.

30 ~~(9) "Salvage auction" means an auto auction that provides for~~
31 ~~the wholesale exchange or sale of wrecked, salvaged, damaged, or water-~~
32 ~~damaged motor vehicles using an auction format;~~
33

34 SECTION 2. Arkansas Code § 23-112-614 is amended to read as follows:
35 23-112-614. ~~Salvage auction buyer's identification card~~ Auto auction
36 fees for salvage-titled or parts-only titled vehicles.



1 (a) ~~On and after January 1, 2006, sales of motor vehicles at a salvage~~
2 ~~auction in the State of Arkansas shall be open only to persons who possess an~~
3 ~~Arkansas salvage auction buyer's identification card issued under this~~
4 ~~section.~~

5 (b)(1)(A) ~~The salvage auction buyer's identification card authorizing~~
6 ~~persons to bid or buy motor vehicles at a salvage auction shall be available~~
7 ~~to any person, business, or corporation, or an employee thereof, that:~~

8 (i) ~~Possesses a valid new motor vehicle dealer~~
9 ~~license under § 23-112-301, a used motor vehicle dealer license under § 23-~~
10 ~~112-607, a valid wrecker license under § 27-14-2001, or is a licensed motor~~
11 ~~vehicle dealer from another state under § 23-112-616; and~~

12 (ii) ~~Registers with the Department of Arkansas State~~
13 ~~Police.~~

14 (B) ~~Salvage auction buyer's identification cards shall be~~
15 ~~issued by the department on a form prescribed by the department and shall~~
16 ~~contain at a minimum:~~

17 (i) ~~The name, address, driver's license number, any~~
18 ~~dealer's or wrecker's license numbers, physical description, and signature of~~
19 ~~the applicant; and~~

20 (ii) ~~The name and address of the employer of the~~
21 ~~applicant.~~

22 (2) ~~The department shall issue the salvage auction buyer's~~
23 ~~identification card at a fee not to exceed:~~

24 (A) ~~Thirty-five dollars (\$35.00) for the first card issued~~
25 ~~to the cardholder and fifty dollars (\$50.00) for the second card issued to~~
26 ~~the cardholder if the cardholder is:~~

27 (i) ~~An Arkansas resident dealer or wrecker; and~~

28 (ii) ~~At least one (1) of the following:~~

29 (a) ~~A licensed new motor vehicle dealer;~~

30 (b) ~~A licensed used motor vehicle dealer; or~~

31 (c) ~~A wrecker licensed as required under § 27-~~
32 ~~14-2001; or~~

33 (B) ~~Three hundred fifty dollars (\$350) for the first card~~
34 ~~issued to the cardholder and two hundred fifty dollars (\$250) for the second~~
35 ~~card issued to the cardholder if the cardholder is:~~

36 (i) ~~An out-of-state resident; and~~

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1 ~~(ii) Licensed by another state as a motor vehicle~~
2 ~~dealer or wrecker and meets the requirements of the department.~~

3 ~~(3) A person or entity who is a cardholder under this section~~
4 ~~shall be limited to no more than two (2) salvage auction buyer's~~
5 ~~identification cards under this section.~~

6 ~~(4) The salvage auction buyer's identification card shall be~~
7 ~~renewable each year for a fee of the same amount.~~

8 ~~(5) The fees collected under this subsection shall be remitted~~
9 ~~as follows:~~

10 ~~(A)(i) A five-dollar (\$5.00) fee shall be charged to the~~
11 ~~buyer of each item at a salvage an auto auction that is regulated under the~~
12 ~~salvage auction buyer's identification card and sold on a certificate of~~
13 ~~title that is labeled "salvage" or "parts-only".~~

14 ~~(b) The fee shall be classified as is special revenues revenue and~~
15 ~~shall be deposited into the State Treasury.~~

16 ~~(ii)(c) The Treasurer of State shall transfer the special revenues~~
17 ~~received under subdivision ~~(b)(5)(A)(i)~~ of this section on the last business~~
18 ~~day of each month as follows:~~

19 ~~(a)(1) Fifty percent (50%) for the Arkansas Department of~~
20 ~~Environmental Quality to be used for inspection and oversight of auto~~
21 ~~auctions for the purpose of enforcing to enforce all laws and ~~regulations~~~~
22 ~~rules administered by the Arkansas Department of Environmental Quality; and~~

23 ~~(b)(2) Fifty percent (50%) for the Department of Arkansas State~~
24 ~~Police to be used for inspection and oversight of auto auctions; and.~~

25 ~~(B) The remaining amount to the State Treasury, there to~~
26 ~~be deposited as special revenues to the credit of the Department of Arkansas~~
27 ~~State Police Fund, to be used to offset the administrative costs for issuance~~
28 ~~of the salvage auction buyer's identification card under this section.~~

29 ~~(c)(1) The owner, manager, or person in charge of a salvage auction~~
30 ~~shall:~~

31 ~~(A) Prohibit the bidding by any person who does not~~
32 ~~possess a salvage auction buyer's identification card;~~

33 ~~(B) Refuse to sell a motor vehicle to any person if the~~
34 ~~person does not possess a valid salvage auction buyer's identification card;~~
35 ~~and~~

36 ~~(C) Prohibit any person who intends to purchase without a~~

1 ~~salvage auction buyer's identification card from being present at the salvage~~
2 ~~auction site during a sale, except as provided under subdivision (c)(2) of~~
3 ~~this section.~~

4 ~~(2) Each holder of a salvage auction buyer's identification card~~
5 ~~may be accompanied at the salvage auction by anyone in accordance with that~~
6 ~~salvage auction's guidelines.~~

7 ~~(d)(1) A salvage auction buyer's identification card may be cancelled~~
8 ~~if the person pleads guilty or nolo contendere to or has been found guilty~~
9 ~~of:~~

10 ~~(A) Unauthorized use of a vehicle;~~

11 ~~(B) Theft of property or theft by receiving if a stolen~~
12 ~~motor vehicle or stolen vehicle parts were involved; or~~

13 ~~(C) Violating any provision of this subchapter.~~

14 ~~(2) A salvage auction buyer's identification card issued to a~~
15 ~~licensed motor vehicle dealer or salesperson or to a licensed wrecker may be~~
16 ~~cancelled if:~~

17 ~~(A) The person's license is cancelled; or~~

18 ~~(B) The license is no longer valid.~~

19 ~~(e)(1) The owner, manager, or person in charge of a salvage auction~~
20 ~~shall keep a register of all sales of motor vehicles for three (3) years from~~
21 ~~the date of the sale.~~

22 ~~(2) The sales transaction register shall include:~~

23 ~~(A) A motor vehicle's:~~

24 ~~(i) Make;~~

25 ~~(ii) Model;~~

26 ~~(iii) Year;~~

27 ~~(iv) Body style; and~~

28 ~~(v) Vehicle identification number;~~

29 ~~(B) The name and address of the seller and buyer of the~~
30 ~~motor vehicle; and~~

31 ~~(C) The salvage auction buyer's identification card~~
32 ~~number.~~

33 ~~(3) The register shall be made available for inspection by law~~
34 ~~enforcement officers of the state, county, or municipality during regular~~
35 ~~business hours on business days at the salvage auction's business location.~~

SECTION 3. Arkansas Code §§ 23-112-615 and 23-112-616 are repealed.
~~23-112-615. Prohibition.~~

~~(a) It is unlawful for the owner, manager, or person in charge of a salvage auction to:~~

~~(1) Fail to prohibit the bidding by any person who does not possess a salvage auction buyer's identification card;~~

~~(2) Fail to refuse to sell a motor vehicle to any person if the person does not possess a valid salvage auction buyer's identification card; or~~

~~(3) Fail to prohibit any person who intends to purchase without a salvage auction buyer's identification card from being present at the salvage auction site during a sale, except as provided under § 23-112-614(e)(2).~~

~~(b) A violation of subsection (a) of this section is a Class B misdemeanor.~~

~~23-112-616. Dealers from other states.~~

~~Nothing in § 23-112-614 shall prohibit a motor vehicle dealer from another state from buying a motor vehicle at a salvage auction in the State of Arkansas if:~~

~~(1) The state in which the dealer is licensed extends the same privilege to a dealer licensed in Arkansas; and~~

~~(2) The out-of-state motor vehicle dealer obtains a salvage auction buyer's identification card as required in § 23-112-614.~~

SECTION 4. Arkansas Code § 19-6-301(226), regarding special revenues, is amended to read as follows:

(226) ~~Salvage auction buyer's identification card~~ Auto auction fees for salvage-titled or parts-only titled vehicles, § 23-112-614(b)(5);

/s/Williams

APPROVED: 03/10/2011