

**REPORT OF THE SUBCOMMITTEE ON PERFORMANCE EVALUATION
AND EXPENDITURE REVIEW (PEER)
OF THE
ARKANSAS LEGISLATIVE COUNCIL
April 22, 2022**

Dear Co-Chairs:

Your Subcommittee on Performance Evaluation and Expenditure Review (PEER) met on Tuesday, April 19, 2022, and after having reviewed the following items, reports that the Subcommittee's review and/or approval is complete unless otherwise noted. Subcommittee rules were suspended to take up items on the supplemental agenda. Items from the supplemental agenda will be noted with an asterisk (*).

Items for Approval

A. Various Temporary Appropriation Increase Requests

1. Department of Corrections-Division of Correction - \$10,000,000
2. Department of the Military – National Guard Armories - \$300,000
3. Department of the Military – Fort Chaffee - \$2,000,000
4. Department of Veterans Affairs - \$4,000
5. Administrative Office of the Courts - \$200,274.52
6. Department of Education – Arkansas School for the Deaf - \$407,000
7. Office of the Governor - \$60,000
8. Department of Transformation and Shared Services - \$17,000

B. American Rescue Plan Act Appropriation Increase Requests

1. Northwest Technical Institute - \$150,000
2. North Arkansas College – Reallocation - \$0
3. North Arkansas College – Strengthening Institutions - \$218,760
4. Department of Human Services – Division of Developmental Disabilities Services - \$1,892,642
5. Arkansas State University – Three Rivers – Reallocation - \$0
6. Department of Education – Educational Television - \$1,000,000
7. South Arkansas Community College - \$541,982
8. University of Arkansas – Pulaski Technical College – Reallocation - \$0
9. Department of Commerce – Division of Workforce Services - \$300,000
10. University of Arkansas Community College at Batesville - \$209,227

C. Infrastructure Investment and Jobs Act Appropriation Requests

1. Department of Energy and Environment – Division of Environmental Quality - \$809,945

D. *Arkansas Department of Transportation Appropriation Request for Infrastructure Investment and Jobs Act Funding - \$490,000,000

E. *Fund Transfer Request

1. Arkansas Department of Transportation - \$20,000,000 from the Arkansas Highway Transfer Fund to the State Highway and Transportation Department Fund

F. Reallocation of Resources Requests

1. Department of Corrections – Division of Community Correction – \$4,352,470 to Reallocate the Regional Jail funding from the Division of Corrections Inmate Care and Custody Fund to the Division of Community Correction Fund Account
2. Department of Human Services (See Attachment 1)

G. Restricted Reserve Fund Transfer Requests

1. Department of Transformation and Shared Services – Geographic Information Systems Office - \$1,200,000
2. Department of Commerce – Arkansas Economic Development Commission - \$453,000

H. Rainy Day Fund Transfer Requests

1. Department of Corrections – Division of Community Correction - \$1,091,585
2. Department of Commerce – Arkansas Rehabilitation Services - \$292,000

Items for Review

I. Cash Appropriation Increase Requests

1. Department of Education – Division of Higher Education – Norwest Technical Institute - \$130,000
2. Department of Education – Division of Higher Education – Student Information Systems - \$68,000
3. Department of Corrections - \$250,000
4. Department of Education – Division of Elementary and Secondary Education - \$1,500,000
5. Department of the Military - \$250,000
6. Department of Veterans Affairs – State Veterans Home - \$580,000
7. Department of Veterans Affairs – State Veterans Cemetery - \$400,000
8. Department of Agriculture - \$500,000
9. Arkansas Public Defender Commission - \$200,000
10. Department of Commerce – Arkansas Rehabilitation Services - \$292,000

J. Budget Classification Transfer Requests

1. Department of Public Safety – Division of Arkansas State Police - \$570,748 to Capital Outlay from Operating Expenses
2. Department of Agriculture – State Plant Board - \$250,000 to Operating Expenses from Professional Fees

3. Department of Agriculture – Forestry Operations - \$100,000 to Operating Expenses from Professional Fees
4. Department of Agriculture – Shared Services - \$100,000 to Operating Expenses from Professional Fees

K. Miscellaneous Federal Grant Appropriation Requests

1. Department of Veterans Affairs - \$6,500,975
2. Department of Public Safety – Arkansas State Crime Lab - \$29,719
3. Department of Public Safety – Division of Arkansas State Police - \$250,416
4. Department of Public Safety – Division of Emergency Management - \$88,097,748
5. Department of Commerce – Arkansas Economic Development Commission - \$34,816
6. Department of Commerce – Division of Workforce Services - \$823,200

L. Performance Fund/Pay Plan Holding Account Transfer Requests

1. Various Agencies (See Attachment 2)

Reports

M. Monthly Reports

1. Surplus Income and Distribution Report
2. Budget Stabilization Trust Fund Report
3. Tobacco Settlement Report
4. State Central Services Fund Report
5. American Rescue Plan Report

N. Emergency Action Report

1. Arkansas Public Defender Commission (See Attachment 3)

Respectfully submitted by Subcommittee Co-Chairs, Senator Jonathan Dismang and Representative Michelle Gray

Attachment 1

DEPARTMENT OF HUMAN SERVICES TRANSFER REQUEST SUMMARY FISCAL YEAR 2022

	SECRETARY'S OFFICE	AGING, ADULT & BEHAVIORAL SERVICES	CHILD CARE SERVICES	CHILDREN & FAMILY SERVICES	COUNTY OPERATIONS	DEV. DISABILITIES SERVICES	MEDICAL SERVICES	PROVIDER SRVS & QUALITY ASSURANCE	YOUTH SERVICES	TOTAL
APPROPRIATION TRANSFERS										
A. WITHIN DIVISIONS										
REGULAR SALARIES		1,000,000.00				(990,000.00)				10,000.00
EXTRA HELP					(500,000.00)					(500,000.00)
PERSONAL SERVICES MATCHING		1,000,000.00			500,000.00					1,500,000.00
OVERTIME		750,000.00		500,000.00		690,000.00				1,940,000.00
OPERATING EXPENSE			500,000.00							500,000.00
CONFERENCE FEES & TRAVEL										-
PROFESSIONAL FEES & SERVICES	(365,000.00)		(500,000.00)	4,000,000.00						3,135,000.00
CAPITAL OUTLAY	365,000.00									365,000.00
DATA PROCESSING SERVICES						300,000.00				300,000.00
DAABH OLDER WORKERS PROGRAM GRANT		30,000.00								
DAABH NURSING NOME CARE ALTER.		370,000.00								370,000.00
DAABH ALCOHOL&DRUG ABUSE PREVENTION		(3,150,000.00)								(3,150,000.00)
DCFS STATE RESIDENTIAL TREATMENT				(2,000,000.00)						(2,000,000.00)
DCFS TANF/FOSTER CARE				4,500,000.00						4,500,000.00
DCFS STATE FOSTER CARE				(7,000,000.00)						(7,000,000.00)
A. TOTAL	-	-	-	-	-	-	-	-	-	-
B. BETWEEN DIVISIONS										
REGULAR SALARIES	(500,000.00)	(113,014.00)			613,014.00					-
EXTRA HELP										-
PERSONAL SERVICES MATCHING		(25,959.00)			25,959.00					-
B. TOTAL	(500,000.00)	(138,973.00)	-	-	638,973.00	-	-	-	-	-
FUND TRANSFERS										
GENERAL REVENUE-OPERATIONS										-
DAS FUND										-
DAAS FUND										-
DCC FUND										-
DCF FUND										-
DBA FUND										-
DCO FUND										-
DDS FUND										-
DPQ FUND										-
DSB FUND										-
DYS FUND										-
DMS FUND										-
DGF FUND										-
TOTAL FUND TRANSFERS	-	-	-	-	-	-	-	-	-	-
POSITION TRANSFERS										
TRANSFERS OUT	(19)	(7)	(1)	0	(11)	(3)	(5)	(2)	(1)	(49)
TRANSFERS IN	2	6	0	0	25	10	2	4	0	49
TOTAL POSITION TRANSFERS	(17)	(1)	(1)	0	14	7	(3)	2	(1)	0
EXTRA HELP POSITION TRANSFERS										
TRANSFERS OUT										0
TRANSFERS IN										0
TOTAL POSITION TRANSFERS	0	0	0	0	0	0	0	0	0	0

TRANSFER 3 OF 4
Authority-Section 11(c), Act 457 of 2021

Attachment 2

THE PERFORMANCE FUND/PAY PLAN HOLDING ACCOUNT TRANSFERS FOR FY22 - APRIL PEER

<u>BUSINESS AREA</u>	<u>AGENCY</u>	<u>FISCAL YEAR</u>	<u>PERFORMANCE FUND</u>	<u>PAY PLAN HOLDING ACCOUNT</u>	<u>DATE OF TRANSFER</u>	<u>AMOUNT OF APPROPRIATION TRANSFER</u>	<u>EMERGENCY APPROVED BY CFO</u>	<u>PENDING JBC - PEER REVIEW</u>	<u>REASON FOR TRANSFER</u>
0034	Office of the Governor	22		X		\$ 2,700.00		X	This additional appropriation request is needed in Personal Services Matching due to salary and match adjustments.
0035	DIG - Medicaid Inspector General	22		X		\$ 25,000.00		X	This additional appropriation request is needed in Regular Salaries due to FY22 performance increases and other salary adjustments.
0236	DLL - Engineers & Land Surveyors Board	22		X		\$ 42,600.00		X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0238	Ethics Commission	22		X		\$ 44,492.00		X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0246	DOH - Physical Therapy Board	22		X		\$ 17,100.00		X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0248	DLL - Real Estate Commission	22		X		\$ 50,500.00		X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0254	DOH - Social Work Licensing Board	22		X		\$ 5,000.00		X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0255	DLL - Home Inspector Registration Board	22		X		\$ 5,500.00		X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0277	DOH - Nursing Board	22		X		\$ 15,000.00		X	This additional appropriation request is needed in Personal Services Matching due to FY22 performance increases and other salary adjustments.
0279	DOH - Dispensing Opticians Board	22		X		\$ 1,000.00		X	This additional appropriation request is needed in Personal Services Matching due to FY22 performance increases and other salary adjustments.
0283	DOH - Pharmacy Board	22		X		\$ 74,000.00		X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0292	DOH - Speech-Language Pathology & Audiology Board	22		X		\$ 3,000.00		X	This additional appropriation request is needed in Personal Services Matching due to FY22 performance increases and other salary adjustments.
0305	DLL - Manufactured Home Commission	22		X		\$ 16,500.00		X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0324	Public Defender Commission	22		X		\$ 437,600.00		X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0365	DVA - Disabled Veterans Service Office	22		X		\$ 1,000.00		X	This additional appropriation request is needed in Personal Services Matching due to FY22 performance increases and other salary adjustments.

0380	DVA - Veterans Child Welfare	22	X	\$ 13,500.00	X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0385	DVA - Veterans Affairs	22	X	\$ 35,000.00	X	This additional appropriation request is needed in Personal Services Matching due to FY22 performance increases and other salary adjustments.
0395	COM - Development Finance Authority	22	X	\$ 38,500.00	X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0400	DOA - Agriculture Division	22	X	\$ 437,400.00	X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0425	COM - Insurance Department	22	X	\$ 31,000.00	X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0430	DEE - Liquefied Petroleum Gas Board	22	X	\$ 34,000.00	X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0631	DFA - Racing Commission	22	X	\$ 50,000.00	X	This additional appropriation request is needed in Personal Services Matching due to FY22 performance increases, other salary adjustments and extended horse racing season.
0865	DPHT - Heritage Division	22	X	\$ 54,000.00	X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
0900	DPHT - Parks & Tourism Division	22	X	\$ 780,000.00	X	This additional appropriation request is needed in Personal Services Matching due to FY22 performance increases and other salary adjustments.
0975	Military Department	22	X	\$ 274,500.00	X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
9908	Department of Human Services	22	X	\$ 4,222.00	X	This additional appropriation request is needed in Regular Salaries due to FY22 performance increases and other salary adjustments.
9909	Department of Medicaid Inspector General	22	X	\$ 17,298.00	X	This additional appropriation request is needed in Regular Salaries and Personal Services Matching due to FY22 performance increases and other salary adjustments.
9912	Department of Parks, Heritage & Tourism	22	X	\$ 20,000.00	X	This additional appropriation is needed in Extra Help due to increased utilization in the current fiscal year.
				\$0.00		
						\$ 2,527,712.00

**ALC-Performance Evaluation and Expenditure Review (PEER)
ALC Subcommittee Report for
Emergency Action
April 18, 2022**

On April 18, 2022, Senator Terry Rice and Representative Jeff Wardlaw, Co-Chairs of the Legislative Council, and Senator Jonathan Dismang and Representative Michelle Gray, Co-Chairs of the PEER Subcommittee, received written notification from Larry Walther, the Chief Fiscal Officer of the State, requesting emergency review of a request for Pay Plan appropriation.

Under Rule 16 of the Rules of the Arkansas Legislative Council, on April 18, 2022, the Co-Chairs of the Legislative Council and PEER Subcommittee unanimously determined that emergency review was necessary to enable the agency to perform essential services. As such, the Co-Chairs of the Legislative Council and the Co-Chairs of the PEER subcommittee may act on behalf of the Legislative Council in regard to the request, and state herein that the request shall be filed as reviewed and reported to the Legislative Council at its next regularly scheduled meeting in accordance with Rule 16.

Below is a summary of the request given emergency review:

Pay Plan Appropriation Request

Arkansas Public Defender Commission - \$1,000


Respectfully Submitted,



Senator Terry Rice, Co-Chair
Arkansas Legislative Council



Representative Jeff Wardlaw, Co-Chair
Arkansas Legislative Council

 by B.P.

Senator Jonathan Dismang, Co-Chair
ALC PEER Subcommittee

 by B.P.

Representative Michelle Gray, Co-Chair
ALC PEER Subcommittee



STATE OF ARKANSAS
**Department of Finance
and Administration**

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April 18, 2022

Senator Terry Rice, Chair
Representative Jeff Wardlaw, Chair
Arkansas Legislative Council
State Capitol
Little Rock, AR 72201

RE: Emergency Action Procedures Request

Dear Co-Chairs:

This is to inform you that there is an item for Legislative Council review that requires your immediate attention. Because of the time-sensitive nature of this item, the Department of Finance and Administration respectfully requests an expedited review. The following request has received my approval as Chief Fiscal Officer of the State.

This item is a request for \$1000 in additional Personal Services Matching appropriation for the AR Public Defender Commission.

I ask that you please institute emergency action procedures for consideration of these matters and sign them out of Committee per Rule 16 of the Rules of the Arkansas Legislative Council.

Sincerely,


Larry W. Walther, Secretary

LWW:rb