

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

B.1

Wednesday, March 2, 2022

Chairmen:

Your Special Language Subcommittee met on Tuesday March 1, 2022 and makes the following recommendations listed below to the Joint Budget Committee.

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

1. HB1028 - Dept. of Finance and Admin - Regulatory Division (Attachment 1 - JAP066)
2. HB1056 - DHS - Secretary's Office (Attachment 2 - LCW075)
3. SB54 - DHS - Division of Medical Services (Attachment 3 - LCW068)
4. SB12 - Arkansas State Game and Fish Commission (Attachment 4 - KCS062)
5. SB45 - Dept. of Transformation and Shared Services (Attachment 5 - JAP065)
6. SB23 - Administrative Office of the Courts - Court Personnel (Attachment 6 - JAR103)
7. HB1034 - Department of Corrections - Division of Correction (Attachment 7 - DJC050)

Respectfully submitted by Subcommittee Co-Chairs Senator Bart Hester and Representative Frances Cavanaugh

Hall of the House of Representatives

93rd General Assembly - Fiscal Session, 2022

Amendment Form

DRAFT

Subtitle of House Bill No. 1028

AN ACT FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - REGULATORY DIVISION
APPROPRIATION FOR THE 2022-2023 FISCAL YEAR.

Amendment No. ___ to House Bill No. 1028

Amend House Bill No. 1028 as originally introduced:

Page 9, immediately following SECTION 18, insert the following new SECTION to read as follows:

" SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. ASSESSMENT OF VEHICLES (a) For purposes of assessing the value of personal property, if a used vehicle was assessed in calendar year 2020 and is assessed in calendar year 2022, the value of the used vehicle as assessed in calendar year 2022 shall not be higher than its assessed value in calendar year 2020; and

(b) Subsection (a) of this section shall be in effect only from the effective date of this section through December 31, 2023."

AND

Page 10, delete SECTION 21 in its entirety and insert the following new SECTIONS to read as follows:

" SECTION 22. EFFECTIVE DATE. Sections 1-18, 20 and 21 are effective on and after July 1, 2022.

SECTION 23. EMERGENCY CLAUSE. It is found and determined by the

DRAFT

JAP066 - 03-01-2022 15:48:43

Page 1 of 2

General Assembly of the State of Arkansas that coronavirus 2019 (COVID-19) created significant financial and economic burdens on many Arkansans; that one such burden is the extraordinarily high rate of inflation, which is increasingly eroding Arkansans' buying power; that another such burden is artificially inflated values of used vehicles due, in part, to supply-chain issues associated with new production; that the artificially inflated value of used goods is causing some Arkansans, whose buying power has already been eroded, to pay higher personal property taxes than they have in prior years on the same used vehicles; and that Section 19 of this act is immediately necessary to mitigate the foregoing financial and economic burdens. Therefore, an emergency is declared to exist, and Section 19 of this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

AND

Appropriately renumber all SECTION numbers of the bill.

The Amendment was read _____
By: Representatives Eubanks, Wardlaw
By: Senators G. Stubblefield, Flipppo
JAP/JAP - 03-01-2022 15:48:43
JAP066

Chief Clerk

Hall of the House of Representatives

93rd General Assembly - Fiscal Session, 2022

Amendment Form

DRAFT

Subtitle of House Bill No. 1056

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - SECRETARY'S OFFICE APPROPRIATION
FOR THE 2022-2023 FISCAL YEAR.

Amendment No. ___ to House Bill No. 1056

Amend House Bill No. 1056 as originally introduced:

On page 16, immediately following SECTION 13, insert the following:

" SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYEE SURVEY.

(a) The Department of Human Services will develop and implement a plan for measuring and improving employee engagement among employees of the State's Human Development Centers for the purpose of:

(1) Receiving and acting on employee feedback on areas including without limitation:

(A) Employee engagement;

(B) Supervision;

(C) Strategy;

(D) Workplace community and climate;

(E) Information systems;

(F) Pay;

(G) Benefits;

(H) Employee development; and

(I) Job satisfaction;

(2) Assessing and systematically identifying problematic areas;

(3) Identifying areas to be improved;

(4) Developing improvement strategies and recommending changes to problematic areas; and

(5) Assessing management and leadership.

(b) The Department will develop the plan under this section with the intent of modeling and implementing employee engagement efforts in other divisions of the department.

(c) The Department may contract with an outside entity to aid in plan development, implement the plan, or assist with implementation of the plan under this section.

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LCW075 - 03-01-2022 11:15:11

Page 1 of 2

(d) The Department will adopt internal employment policies as necessary to implement the plan under this section.

(e) The Department will submit a written report of the plan under this section and ongoing implementation efforts to Legislative Council no later than December 1, 2022. The report will identify without limitation the data received, the issues identified, and the lessons learned to date. "

AND

Appropriately renumber subsequent SECTION numbers of the bill.

The Amendment was read _____
By: Joint Budget Committee
By: Senator K. Hammer
LCW/LCW - 03-01-2022 11:15:11
LCW075

Chief Clerk

ARKANSAS SENATE
93rd General Assembly - Fiscal Session, 2022
Amendment Form

DRAFT

Subtitle of Senate Bill No. 54

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF MEDICAL SERVICES
APPROPRIATION FOR THE 2022-2023 FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 54

Amend Senate Bill No. 54 as originally introduced:

On page 12, immediately following SECTION 13, insert the following SECTION:

" SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ASSISTED LIVING FACILITY REIMBURSEMENT - ACCOUNTING OF HOME AND COMMUNITY-BASED FUNDS.

(a)(1) The Department of Human Services shall take the necessary action to submit a waiver application to the Centers for Medicare and Medicaid Services to increase reimbursement rates for assisted living facilities under the Living Choices Assisted Living Waiver.

(2) The department shall study and explore methods to increase the reimbursement rates for assisted living facilities under the Living Choices Assisted Living Waiver, including without limitation setting the reimbursement rate for assisted living facilities under the Living Choices Assisted Living Waiver as a percentage of the reimbursement rate for nursing home facilities.

(b) The department shall provide an accounting of funds allocated to qualifying entities under home and community-based services to the Legislative Council.

(c)(1) The Secretary of the Department of Human Services shall provide, in person, a monthly update to the Legislative Council on the status of the actions listed in subsections (a) and (b) of this section until the

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LCW068 - 02-28-2022 08:14:44

Page 1 of 2

conclusion or resolution of these actions.

(2) If the General Assembly is in session, the secretary shall provide the updates described in subdivision (c)(1) of this section to the Joint Budget Committee. "

AND

Appropriately renumber subsequent SECTION numbers of the bill.

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

By: Senator Rice

By: Representative Jett

LCW/LCW - 02-28-2022 08:14:44

LCW068 Secretary

ARKANSAS SENATE
93rd General Assembly - Fiscal Session, 2022
Amendment Form

DRAFT

Subtitle of Senate Bill No. 12

AN ACT FOR THE ARKANSAS STATE GAME AND FISH COMMISSION APPROPRIATION FOR THE
2022-2023 FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 12

Amend Senate Bill No. 12 as originally introduced:

Page 2, line 2, delete "9" and substitute "11"

AND

Page 2, line 22, delete "22" and substitute "23"

AND

Page 2, line 31, delete "53" and substitute "54"

AND

Page 4, line 16, delete "630" and substitute "634"

AND

Page 5, line 5, delete "34,471,984" and substitute "35,471,984"

AND

Page 5, line 7, delete "4,309,003" and substitute "5,309,003"

AND

Page 5, line 8, delete "8,885,000" and substitute "12,885,000"

AND

Page 5, line 11, delete "13,000,000" and substitute "18,000,000"

AND

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KCS062 - 02-28-2022 14:34:52

Page 1 of 2

Page 5, line 12, delete "\$124,222,887" and substitute "\$135,222,887"

AND

Page 7, immediately following SECTION 9, insert a new SECTION to read as follows:

" SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS LOCAL AND TEMPORARY LAW. ENFORCEMENT SALARIES. In order to allow the Arkansas Game and Fish Commission to seek and employ qualified law enforcement officers and maintain sustainable staffing levels, the Arkansas Game and Fish Commission may exceed the maximum annual salary rate by no more than twenty percent (20%) for the following positions:

<u>Class</u>	<u>Title</u>
<u>0256U</u>	<u>AGFC COLONEL</u>
<u>0261U</u>	<u>AGFC MAJOR</u>
<u>0267U</u>	<u>AGFC CAPTAIN</u>
<u>0276U</u>	<u>AGFC LIEUTENANT</u>
<u>0284U</u>	<u>AGFC SERGEANT</u>
<u>0288U</u>	<u>AGFC CORPORAL</u>
<u>0299U</u>	<u>AGFC WILDLIFE OFFICER 1ST CLASS</u>
<u>0309U</u>	<u>AGFC WILDLIFE OFFICER</u>

The provisions of this section shall be in effect only from July 1, 2022, through June 30, 2023."

AND

Appropriately renumber the subsequent SECTIONS of the bill.

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

By: Joint Budget Committee
KCS/SK - 02-28-2022 14:34:52
KCS062

Secretary

ARKANSAS SENATE
93rd General Assembly - Fiscal Session, 2022
Amendment Form

DRAFT

Subtitle of Senate Bill No. 45

AN ACT FOR THE DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES APPROPRIATION
FOR THE 2022-2023 FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 45

Amend Senate Bill No. 45 as originally introduced:

Page 9, immediately following SECTION 13, insert a new SECTION to read as follows:

" SECTION 14. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 21-5-211 is amended to read as follows:

21-5-211. Implementation procedure for grade changes —~~Salary adjustments.~~

(a) The Office of Personnel Management has administrative responsibility for enforcing compliance by state agencies affected by this subchapter in implementing classification and grade changes.

~~(b)(1) The Governor may authorize a salary increase up to two percent (2%) each fiscal year if:~~

~~(A) The Chief Fiscal Officer of the State and the Secretary of the Department of Transformation and Shared Services determine that sufficient general revenues become available; and~~

~~(B) The salary increase does not result in an employee's compensation exceeding the maximum pay level amount set out for the position.~~

~~(2)(A) An employee compensated at the highest pay level rate authorized for his or her classification is eligible to receive the salary increase authorized in this section as a lump-sum payment.~~

~~(B) However, the increase shall be paid as a lump sum on the last pay period of the fiscal year of the year in which the increase is~~

~~to occur, and the payment shall not be construed as exceeding the maximum salary.~~

~~(e)(b)(1)~~ If the Chief Fiscal Officer of the State and the ~~secretary~~ Secretary of the Department of Transformation and Shared Services determine that general revenue funds are insufficient to implement the salary increases authorized in this subchapter or by any other law that affects salary increases for state employees, the Chief Fiscal Officer of the State and the secretary upon approval by the Governor may reduce the percentage of all authorized salary increases for all state employees covered by this subchapter without regard to whether or not the employees are compensated from general or special revenues, federal funds, or trust funds.

(2) However, if sufficient general revenues should then become available at any time during the year to provide the maximum additional salary increases for all state employees without regard to the source of revenues, salary increases for state employees provided for in this subchapter or by any other law may be fully implemented by the Chief Fiscal Officer of the State and the secretary.

(3) Any salary adjustments made by the Chief Fiscal Officer of the State and the secretary in accordance with this subsection shall be reported to the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

~~(d)(c)~~ All percentage calculations stipulated in this subchapter or any other law affecting salaries of state employees may be rounded to the nearest even-dollar amount by the Office of Personnel Management when making the percentage changes to state employee salaries."

AND

Appropriately renumber all 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
By: Senator J. Dismang
JAP/JAP - 02-25-2022 10:11:45
JAP065 _____
Secretary

ARKANSAS SENATE
93rd General Assembly - Fiscal Session, 2022
Amendment Form

DRAFT

Subtitle of Senate Bill No. 23

AN ACT FOR THE ADMINISTRATIVE OFFICE OF THE COURTS - COURT PERSONNEL
APPROPRIATION FOR THE 2022-2023 FISCAL YEAR.

Amendment No. ___ to Senate Bill No. 23

Amend Senate Bill No. 23 as originally introduced:

Page 3, line 18, delete "\$3,582,810" and substitute with "\$4,618,100"

AND

Page 4, immediately following SECTION 8, insert a new SECTION to read as follows:

"SECTION 9. Arkansas Code § 16-13-327(d), concerning juvenile court probation officers, is amended to read as follows:

(d)(1)(A) The salary of the probation officer shall be paid by the county or counties in which the probation officer works.

(B) Except as provided in subdivision (d)(3) of this section, the state shall pay a portion of the salary of a full-time probation officer:

(i) Who is certified according to the laws of this state; and

(ii) Whose salary has been paid by the county or counties for a period of one (1) year.

(2) The portion to be paid by the state shall be the lesser of:

(A) ~~Fifteen thousand dollars (\$15,000)~~ Twenty thousand dollars (\$20,000) per year; or

(B) One-half (1/2) the probation officer's average salary as calculated over the last twelve (12) months.

(3) For reimbursement under the requirements of this subsection, the state shall reimburse a county only for salaries paid to the number of probation officers that:

(A) Meet the requirements of subdivision (d)(1) of this section; and

(B) Do not exceed two hundred fifty (250) positions authorized by the counties for probation and intake officers, subject to state funding.

SECTION 10. Arkansas Code § 16-13-328(d), concerning juvenile court intake officers, is amended to read as follows:

(d)(1)(A) The salary of the intake officer shall be paid by the county or counties in which the intake officer works.

(B) Except as provided in subdivision (d)(3) of this section, the state shall pay a portion of the salary of a full-time intake officer:

(i) Who is certified according to the laws of this state; and

(ii) Whose salary has been paid by the county or counties for a period of one (1) year.

(2) The portion to be paid by the state shall be the lesser of:

(A) ~~Fifteen thousand dollars (\$15,000)~~ Twenty thousand dollars (\$20,000) a year; or

(B) One-half ($\frac{1}{2}$) the intake officer's average salary as calculated over the last twelve (12) months.

(3) The state shall reimburse a county only for a portion of salaries paid to the number of intake officers that:

(A) Meet the requirements of subdivision (d)(1) of this section; and

(B) For reimbursement under the requirements of this subsection, do not exceed two hundred fifty (250) positions authorized by the counties for probation and intake officers, subject to state funding.

(e) In order for the General Assembly to make an informed decision on any appropriation increase request, the Administrative Office of the Courts shall include with any request for an appropriation increase for Juvenile Court Probation Officers, which is over the previous fiscal year total appropriation, the following information:

(1) A letter explaining the purpose or reason for the requested appropriation increases along with a total dollar amount requested, the change level or increase requested and the funding source of the increase.

(2) For all Juvenile Court Probation Officers a report that includes:

(A) Current salaries and previous Fiscal Years salaries;

(B) Current years of service;

(C) Listing of salary increases received by an employee during the current or previous fiscal year.

SECTION 11. Arkansas Code § 16-13-331(d), concerning state reimbursement of state juvenile court personnel, is amended to read as follows:

(d)(1) A county may determine that part-time service of a juvenile officer is sufficient to meet the needs of the county.

(2)(A) Multiple counties in a judicial district may share the cost of the salary of the juvenile officer.

(B) One (1) county may be designated as the county to be reimbursed by the state, or each county shall designate the portion of the salary that it pays for juvenile services.

(3)(A) A county may contract with a service provider for full-time or part-time juvenile officer services, and the county shall indicate

the percentage of the contractor's time that is spent providing juvenile officer services for the county.

(B) The county or the contractor shall be reimbursed for one-half (1/2) of the portion of the salary that is used for such services, up to ~~fifteen thousand dollars (\$15,000)~~ twenty thousand dollars (\$20,000)."

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

By: Senator Irvin

JAR/JAR - 03-01-2022 09:46:37

JAR103

Secretary

Hall of the House of Representatives

93rd General Assembly - Fiscal Session, 2022

Amendment Form

DRAFT

Subtitle of House Bill No. 1034

AN ACT FOR THE DEPARTMENT OF CORRECTIONS - DIVISION OF CORRECTION APPROPRIATION
FOR THE 2022-2023 FISCAL YEAR.

Amendment No. ___ to House Bill No. 1034

Amend House Bill No. 1034 as engrossed, H2/22/22 (version: 2/22/2022 1:52:25 PM)

Page 32 insert a new section immediately following Section 44 to read as follows:

" SECTION 45. SPECIAL LANGUAGE. Arkansas Code Title 12, Chapter 27, Subchapter 1, is amended to add an additional section to read as follows:
12-27-150. Death benefit.

(a) Subject to the approval of the Board of Corrections, the Secretary of the Department of Corrections may authorize the payment of a death benefit from special revenues held by the Department of Corrections or its various divisions to any department employee killed in the line of duty.

(b) The amount of the death benefit shall not exceed five thousand dollars (\$5,000).

(c) The secretary shall promulgate any rules necessary to implement this section.

(d) Funds distributed under this section are subject to audit by Arkansas Legislative Audit."

AND

Appropriately renumber subsequent SECTION numbers of the bill.

DRAFT

The Amendment was read _____

By: Representative Wardlaw
DJC/DJC - 03-01-2022 14:19:58
DJC050

Chief Clerk