

**REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT**

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EXECUTIVE RECOMMENDATION

CARRY FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this Act for the New Hire Registry which remain on June 30, ~~2019~~ 2020, may be carried forward into the next fiscal year, to be used for the same purpose.

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

(1) Prior to June 30, ~~2019~~ 2020 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

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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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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EXECUTIVE RECOMMENDATION

EXTRA HELP. There is hereby authorized, for the Department of Workforce Services for the ~~2018-2019~~ 2019-2020 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: three hundred eighty (380) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. Any of these positions utilized in a manner which are funded by federal sources are specifically exempt from limitation of hours, either by Act or Regulation.

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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EXECUTIVE RECOMMENDATION

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

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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EXECUTIVE RECOMMENDATION

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

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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EXECUTIVE RECOMMENDATION

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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SECTION#: 20

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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SECTION#: 21

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

AGENCY REQUEST

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

(2) The purposes of subsection (a) of this section are typically accomplished by:

- (A) Identifying the purpose in the appropriation act;
- (B) Delineating such maximums in the appropriation act for a state agency; and

(C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the revenue stabilization law.

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

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

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

- (i) Food;

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

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

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0590 Career Education, Department of

ACT#: 156

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUNDING TRANSFER. The Department of Career Education shall transfer from time to time as needed and at the discretion of the Director, an amount not to exceed \$100,000 annually from the Skills Development Fund to the Department of Career Education Fund Account to provide for the expenses and reimbursement costs for non-legislative task force members of the Legislative Task Force on Workforce Education Excellence as provided under § 25-16-902 and as appropriated in this Act.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0590 Career Education, Department of

ACT#: 156

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FEDERAL MATCHING. The funds appropriated in Sections for Adult Basic and General Adult Education, Coordinated Career Education Services, Vocational Center Aid and Vocational Start-up Grants and Aid of this Act may also be used to match any available federal funds from any agency in order to provide the maximum amount of money possible for the purposes enumerated in such Section.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0590 Career Education, Department of

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SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

VOCATIONAL START-UP. The funds and appropriations contained herein for Vocational Start-Up shall be allocated in accordance with rules established by the Career Education and Workforce Development Board, after the rules have undergone a review and approval by the Arkansas Legislative Council or Joint Budget Committee under § 10-3-309.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0590 Career Education, Department of

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SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0590 Career Education, Department of

ACT#: 156

SECTION#: 28

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Career Education may operate more efficiently if some flexibility is provided to the Department of Career Education authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is

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void.

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0590 Career Education, Department of

ACT#: new

SECTION#: new

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

S SECTION XX. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. Upon approval from the Chief Fiscal Officer of the State, the Department of Career Education may make a one-time transfer in an amount not to exceed four hundred fifty thousand dollars (\$450,000) from the Alternative Retirement Program Cash Fund to the Public School Career Education Fund Account for Vocational start-up Grants and Aids.

Upon approval from the Chief Fiscal Officer of the State, the Department of Career Education may, from time to time, transfer an amount not to exceed fifty thousand dollars (\$50,000) from the Alternative Retirement Program Cash Fund to the Public School Career Education Fund Account for Vocational Start-up Grants and Aids.

The provisions of this section shall be in effect only from July 1, 2019 through June 30, 2020.

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0520 Department of Career Education - AR Rehabilitation Services

ACT#: 153

SECTION#: 10

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0520 Department of Career Education - AR Rehabilitation Services

ACT#: 153

SECTION#: 11

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

- (1) Satisfactory completion of any probationary period;
- (2) Proof of a student loan that remains unpaid, including the name and address of the creditor;
- (3) An executed employment contract in which the counselor agrees to the following:
 - (a) work for Arkansas Rehabilitation Services for a term that equals two (2) years for each year that the program makes a payment on the counselor's student loan and
 - (b) reimburse the program the full amount of any loan payments made under this program in the event that the counselor resigns or is terminated for cause before the term of the contract terminates.

The amount of payment to be made directly to the counselor's student loan creditor may not exceed:

- (1) Two thousand dollars (\$2,000) per year; or
- (2) Ten thousand dollars (\$10,000) per employee.

The Arkansas Rehabilitation Services agency shall pay for the Forgiveness of Student Loan Program from the Rehabilitation Program

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0520 Department of Career Education - AR Rehabilitation Services

ACT#: 153

SECTION#: 11

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EXECUTIVE RECOMMENDATION

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0645 Health, Arkansas Department of

ACT#: 157

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522, but only as provided by this act.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0645 Health, Arkansas Department of

ACT#: 157

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFERS OF APPROPRIATIONS. In the event the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request, upon forms provided for such purpose by the Chief Fiscal Officer of the State, a modification of the amounts of the budget classification. In that event, he shall set out on the forms the particular classifications for which he is requesting an increase or decrease, the amounts thereof, and his reasons therefor. In no event shall the total amount of the budget exceed either the amount of the appropriation or the amount of the funds available, nor shall any transfer be made from the capital outlay or data processing subclassifications unless specific authority for such transfers is provided by law, except for transfers from capital outlay to data processing when determined by the Department of Information Systems that data processing services for a state agency can be performed on a more cost-efficient basis by the Department of Information Systems than through the purchase of data processing equipment by that state agency. In considering the proposed modification as prepared and submitted by each state agency, the Chief Fiscal Officer of the State shall make such studies as he deems necessary. The Chief Fiscal Officer of the State shall, after obtaining the approval of the Legislative Council, approve the requested transfer if in his opinion it is in the best interest of the state.

The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

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between certain items of appropriation made by this act. Since the General Assembly has granted the agency broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0645 Health, Arkansas Department of

ACT#: 157

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

POSITIONS. (a) Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

(b) State funds will not be used to replace Tobacco Settlement funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor.

(c) A disclosure of the language contained in (a) and (b) of this Section shall be made available to all new hire and current positions paid from the proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.

(d) Whenever applicable the information contained in (a) and (b) of this section shall be included in the employee handbook and/or Professional Services Contract paid from the proceeds of the Tobacco Settlement.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0645 Health, Arkansas Department of

ACT#: 157

SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ADVERTISING. No advertising targeting the prevention or reduction of tobacco use shall include the name, voice, or likeness of any elected official or their immediate family.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

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0645 Health, Arkansas Department of

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TOBACCO FUND TRANSFER. The Arkansas Department of Health is authorized to transfer five hundred thousand dollars (\$500,000) for the fiscal year ending June 30, ~~2018~~ 2019 from the Prevention and Cessation Program Account to the Breast Cancer Control Fund in order to provide for the State's matching share for Medicaid services provided for breast and cervical cancer screening and treatment. The amount transferred annually shall be the only obligation of the Arkansas Department of Health for state match for these services.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriation contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0645 Health, Arkansas Department of

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SECTION#: 13

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

NUCLEAR DISASTER PLANNING GRANTS. The funds appropriated for Grants for Nuclear Planning shall be disbursed to those counties in this State which are required by state or federal regulation to maintain a Radiological Response Plan because of their close proximity to a nuclear electricity generating facility, and shall be issued solely for the purpose of defraying the cost of preparing for and participating in actual nuclear disaster incidents or practice nuclear disaster exercises. Each county shall be eligible for that proportion of these funds as is determined fair and necessary under guidelines to be developed by the Arkansas Department of Health. However, a minimum of \$5,000 per county of said funds shall be utilized to support and operate a County Emergency Management Office. These county offices shall be prepared to respond to any Arkansas Nuclear I emergency. These funds shall be equally distributed to each Emergency Management Office in the following counties: Pope County, Johnson County, Yell County, Conway County and Logan County.

The funds appropriated for Grants for Nuclear Planning shall be distributed in quarterly installments by the Arkansas Department of Health to the Arkansas Department of Emergency Management for the sole purpose of defraying costs associated with preparing for and participating in actual nuclear disaster incidents or practice nuclear disaster emergency exercises involving nuclear electricity generating facilities in this State.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

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SECTION#: 14

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PARKING FEES. On July 1 of each year the Arkansas Department of Health shall pay \$50,000 from the Operations appropriation provided herein from non-general revenue to the War Memorial Stadium Commission.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

INDIRECT COST ALLOCATION FUND TRANSFERS. Subject to such procedures as may be implemented by the Chief Fiscal Officer of the State, the disbursing officer for the Arkansas Department of Health is hereby authorized to transfer funds to the Public Health Fund from other program funds of the agency in order to reimburse for expenditures incurred for those programs.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0645 Health, Arkansas Department of

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DEVELOPMENT RESTRICTIONS. In reviewing the impact on public health and safety of a plan for improvements to a public water system or public sewer system through the addition of distribution lines to a subdivision or commercial development, the Division of Engineering of the Department of Health shall consider the effect of the plan on future development or zoning of adjoining properties.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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SECTION#: 17

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a Nursing/Direct Care Education Stipend Program for the Arkansas Department of Health (ADH) is hereby authorized to pay from funds appropriated in this Act. This program is for eligible nursing students who are attending accredited nursing institutions to become Advanced Practice Nurses.

The stipend is seven thousand five hundred (\$7,500) per person per year. Any student who is awarded and accepts a stipend is under an employment commitment to the ADH and is required to work in a full-time employee status effective immediately upon graduation. The student employment commitment is equal to the number of years the stipend was awarded and accepted. In the event of Employee/Student default of the employment commitment, the Employee/Student will be considered in breach of contract and repayment of the stipend will be required as specified in the Stipend Contract.

The ADH shall determine, on an annual basis, the number of student stipends available due to the availability of funds and the need for direct care services.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

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SECTION#: 18

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD OF FUNDS.

AGENCY REQUEST

(a) Except as authorized in subsection (c) of this section, the Department of Health is authorized to carry forward any unspent funds remaining in the Public Health Fund on June 30, ~~2019~~ 2020 allocated for the support of the Trauma System to be used for the same purposes in the next fiscal year.

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

(1) Prior to June 30, ~~2019~~ 2020, the agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Office of Budget of the Department of Finance and Administration;

(2) The Office of Budget of the Department of Finance and Administration shall report to the Legislative Council all amounts carried forward by the September meeting of the Legislative Council or the Joint Budget Committee meeting which report shall include the name of the agency, board, commission, or institution and the amount of funding carried forward, the program name or line item, the funding source and a copy of the written request set forth in subdivision (b)(1) of this section;

(3) Each agency, board, commission, or institution shall provide a written report to the Legislative Council or Joint Budget Committee containing all information set forth in subdivision (b)(2) of this section, 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

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EXECUTIVE RECOMMENDATION

Legislative Council or Joint Budget Committee, or both; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in subdivision (b)(3) of this section in the budget manuals or a statement of non-compliance by the agency, board, commission, or institution, or both.

(c) The Department of Health is authorized to transfer up to three million seven hundred thousand dollars (\$3,700,000) in carry forward funds to be used in the next fiscal year at the discretion of the Director of the Department of Health to:

(1) Enhance and integrate an emergency management system to include trauma, stroke, and myocardial infarction; and

(2) Provide long acting reversible contraceptives through services provided by the Department of Health local health units.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

STATE FUND RESTRICTIONS. No state funds shall be used for abortion referral in public schools, or for abortion services. Funds shall be expended in accordance with Arkansas Code Annotated § 6-18-703.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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ACT#: 234

SECTION#: 20

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~EXTRA HELP. The Arkansas Department of Health may utilize ten (10) of their authorized extra help positions for up to one thousand five hundred (1,500) hours when specific expertise is required to work on disaster drills, exercises, preparedness plans, public health emergencies, disasters and other events. The rates of pay may not exceed those provided in the Uniform Classification Act, or its successor, for the appropriate classification.~~

~~The provisions of this section shall be in effect from July 1, 2018 2019 through June 30, 2019 2020.~~

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SECTION#: 21

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

BREAST CARE PROGRAM. The Arkansas Department of Health shall annually budget, allocate, and expend for the Breast Care Program as appropriated in the Operations Section in this Act, the sum of at least four million seven hundred fifty-five thousand dollars (\$4,755,000) for Breast Cancer screening, diagnosis, treatment and outreach expenses of the Breast Care Program.

The Arkansas Department of Health shall file an annual progress report by each January 1 preceding a session of the General Assembly to the Co-Chairs of the Legislative Women's Caucus. This report shall include amounts budgeted, allocated and expended for the Breast Care Program for testing, diagnosis, treatment and outreach expenses.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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ACT#: 234

SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in this section, "Arkansas Works" means the Arkansas Works established under the Arkansas Works Act of 2016, Arkansas Code § 23-61-1001 et seq.

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

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

- (A) Identifying the purpose in the appropriation act;
- (B) Delineating such maximums in the appropriation act for a state agency; and

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

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

(c)(1) Except as provided in this subsection, the Department of Health shall not allocate, budget, expend, or utilize any appropriation authorized by the General Assembly for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas Works, including without limitation:

- (A) Unsolicited communications mailed to potential

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recipients;

(B) Television, radio, or online commercials;

(C) Billboard or mobile billboard advertising;

(D) Advertisements printed in newspapers,

magazines, or other print media; and

(E) Internet websites and electronic media.

(2) This subsection does not prohibit the department

from:

(A) Direct communications with:

(i) Licensed insurance agents; and

(ii) Persons licensed by the department;

(B) Solicited communications with potential

recipients;

(C)(i) Responding to an inquiry regarding the coverage for which a potential recipient might be eligible, including without limitation providing educational materials or information regarding any coverage for which the individual might qualify.

(ii) Educational materials and information distributed under subdivision (c)(2)(C)(i) of this section shall contain only factual information and shall not contain subjective statements regarding the coverage for which the potential recipient might be eligible; and

(D) Using an Internet website for the exclusive purpose of enrolling individuals in the Arkansas Health Insurance Marketplace or Arkansas Works.

(d) The Department of Health shall not apply for or accept any

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funds, including without limitation federal funds, for the purpose of advertisement, promotion, or other activities designed to promote or encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas Works.

(e)(1) Except as provided in subdivision (e)(2) of this section, the Department of Health shall not:

(A)(i) Except as provided in subdivision (e)(1)(A)(ii) of this section, allocate, budget, expend, or utilize an appropriation authorized by the General Assembly for the purpose of funding activities of navigators, guides, certified application counselors, and certified licensed producers under the Arkansas Health Insurance Marketplace Navigator, Guide, and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

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

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

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

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

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

(h) This section expires on June 30, ~~2019~~2020.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~REFUND TO EXPENDITURE. Proceeds made available to the Arkansas Department of Health as a result of transitioning the In-Home Services program to a private sector provider are not subject to reclaim and shall be deposited as a refund to expenditure to reimburse the Department for expenditures incurred as a result of the transition. The proceeds shall be deposited into the same State Treasury Fund or Fund Account from which the original expenditure was incurred to the credit of the appropriation from which the original expenditure was made.~~

~~The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019-2020.~~

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SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~FUND TRANSFERS. The Chief Fiscal Officer of the State, at the direction of the Governor, may transfer any remaining balances from the proceeds of transitioning the In-Home Services program to supplement the fund established as a set-aside in the 90th Session Projects Account of the General Improvement Fund in Section 3(a)(11) of Act 1147 of 2015 of the General Improvement Distribution Act, for transfer, from time to time, to any fund or fund account authorized by the General Assembly, or for transfers, from time to time, for projects in the Executive Discretionary Division in Section 3(d) of Act 1147 of 2015, upon approval by the Arkansas Legislative Council or Joint Budget Committee.~~

~~The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019-2020.~~

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EXECUTIVE RECOMMENDATION

~~ADDITIONAL PAYMENT AUTHORIZED. The Director of the Department of Health, with the approval of the Chief Fiscal Officer of the State, may provide a one-time payment of up to ten percent (10%) of the net proceeds available at the time of closing that are generated as a result of the transition of the In-Home Services program to those In-Home Services employees that remain in the Program until the transition date. The Director shall submit an allocation methodology for approval of the Chief Fiscal Officer of the State. Such additional payments shall not be considered salary and shall not be deemed or construed to exceed the maximum salaries established by the General Assembly.~~

~~The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019-2020.~~

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ACT#: 230

SECTION#: 30

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~2019 through June 30, ~~2019~~2020.

AGENCY REQUEST

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ACT#: 230

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~2019 through June 30, ~~2019~~2020.

AGENCY REQUEST

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SECTION#: 32

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law. Further, the General Assembly has determined that the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior review of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of review by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of review by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

AGENCY REQUEST

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

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SECTION#: 33

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be effect only from July 1, ~~2018~~ 2019 through July 1, ~~2019~~ 2020.

AGENCY REQUEST

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0790 Economic Development Commission

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SECTION#: 34

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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ACT#: 230

SECTION#: 35

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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SECTION#: 36

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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SECTION#: 37

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~TRANSFER PROVISION— FOREIGN OFFICES. If at any time during the fiscal year, the Director determines that market conditions warrant, the Arkansas Economic Development Commission is hereby authorized to transfer appropriation, after receiving the approval of the Chief Fiscal Officer of the State and prior approval by the Legislative Council or Joint Budget Committee, among the Foreign Offices in the State Operations Section of this Act for the purpose of responding to changes in the world markets.~~

~~—Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.~~

~~—The provisions of this section shall be in effect only from July 1, 2018~~

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EXECUTIVE RECOMMENDATION

~~TRANSFER PROVISION — SAVINGS TRANSFERS. If at any time during the fiscal year, savings are accomplished in the appropriation provided for "Global Business Initiatives" and "Regular Salaries" in the State Operations Section of this Act, such appropriation savings may be transferred to the appropriations made for "Maintenance and General Operations" in the State Operations Section of this Act after prior approval by the Legislative Council or Joint Budget Committee. In addition, if at any time during the fiscal year, savings are accomplished in the appropriation provided for "Maintenance and General Operations" in the State Operations Section of this Act, such appropriation savings may be transferred to the appropriation for "Global Business Initiatives" and in the State Operations Section of this Act, after prior approval by the Legislative Council or Joint Budget Committee.~~

~~Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided~~

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~~by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.~~

~~The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019-2020.~~

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SECTION#: 39

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EXECUTIVE RECOMMENDATION

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0790 Economic Development Commission

ACT#: 230

SECTION#: 39

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2018~~
2019 through June 30, ~~2019~~ 2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0790 Economic Development Commission

ACT#: 230

SECTION#: 40

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0790 Economic Development Commission

ACT#: 230

SECTION#: 40

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0790 Economic Development Commission

ACT#: 230

SECTION#: 41

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~TRANSFER PROVISION — INDUSTRY TRAINING. If during the fiscal year, the Industry Training Division effects savings in the Industry Training Program line item within the State Operations Section of this Act, such savings may be transferred to the Maintenance and General Operations line item of the State Operations Section of this Act, after obtaining approval of the Chief Fiscal Officer of the State and after prior review by the Legislative Council or Joint Budget Committee. In addition, if any savings are effected in the fiscal year in the Maintenance and General Operations line item of the State Operations Section of this Act, such savings may be transferred to the Industry Training Program line item within the State Operations Section of this Act, after obtaining approval of the Chief Fiscal Officer of the State and after prior approval by the Legislative Council or Joint Budget Committee.~~

~~—Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or~~

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.~~

~~The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019 2020.~~

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0790 Economic Development Commission

ACT#: 230

SECTION#: 42

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~FUNDING TRANSFER. The Chief Fiscal Officer of the State may transfer from time to time on his or her books and those of the State Treasurer and the Auditor of the State the sum not to exceed thirty million dollars (\$30,000,000) from Federal Funds as determined by the Chief Fiscal Officer of the State to the Technology Acceleration Fund to provide funds for the appropriation herein.
The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019-2020.~~

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0790 Economic Development Commission

ACT#: 230

SECTION#: 44

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

- (1) Prior to June 30, ~~2019~~ 2020 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

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EXECUTIVE RECOMMENDATION

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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ACT#: 230

SECTION#: 45

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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ACT#: 230

SECTION#: 46

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD - TECHNOLOGY DEVELOPMENT. The Division of Science and Technology of the Arkansas Economic Development Commission is authorized to carry forward an amount of up to \$150,000 of any obligated but unexpended funds in the Technology Development line item in the Division of Science and Technology - State Operations Section of this Act for basic or applied research grants which remains at the end of the fiscal year ~~2019~~ 2020 to be used for the same purpose.

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

(1) Prior to June 30, ~~2019~~ 2020 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

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EXECUTIVE RECOMMENDATION

presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1 ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND BALANCE TRANSFER. Upon the effective date of this act, the available balances received by the Division of Science and Technology of the Arkansas Economic Development Commission from Client Services provided through the Arkansas Manufacturing Extension Network - Federal appropriation, shall be transferred to the Arkansas Manufacturing Extension Network - Cash Fund Account.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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SECTION#: 48

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0790 Economic Development Commission

ACT#: 230

SECTION#: 49

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~GENERAL IMPROVEMENT PROJECTS ADMINISTRATIVE FEE. The Rural Services Division of the Arkansas Economic Development Commission is authorized to retain and utilize for administrative cost purposes up to one and one half percent (1.5%) of the total amount of any General Improvement Fund moneys received for projects authorized for disbursement through the division by the General Assembly. The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019-2020.~~

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0790 Economic Development Commission

ACT#: 230

SECTION#: 50

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~FUND TRANSFER. Upon request of the Director of the Rural Services Division of the Arkansas Economic Development Commission to the Chief Fiscal Officer of the State, the Chief Fiscal Officer of the State, from time to time, shall cause to be transferred on his books and those of the State Treasurer and Auditor of State, an amount not to exceed one and one half percent (1.5%) from the various sub funds created in any General Improvement Fund, established for disbursement through the Rural Services Division of the Arkansas Economic Development Commission, to the Miscellaneous Agencies Fund Account.~~

~~The funds transferred to the Miscellaneous Agencies Fund Account from the various sub funds established in any General Improvement Fund pursuant to this section shall be made available and utilized solely by the Rural Services Division of the Arkansas Economic Development Commission for maintenance and general operations costs.~~

~~The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019 2020.~~

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0790 Economic Development Commission

ACT#: 230

SECTION#: 51

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law. Further, the General Assembly has determined that the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this Section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this Section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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SECTION#: 51

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2018~~
2019 through June 30, ~~2019~~ 2020.

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0790 Economic Development Commission

ACT#: 230

SECTION#: 52

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~ADMINISTRATIVE EXPENSES. Any unexpended balance of funds remaining on June 30, of each fiscal year in the Miscellaneous Agencies Fund Account for the Rural Services Division of the Arkansas Economic Development Commission that were transferred from the various sub funds created in any General Improvement Fund for the administration of general improvement fund projects shall remain in the Miscellaneous Agencies Fund Account and made available to the Rural Services Division of the Arkansas Economic Development Commission and utilized for the same purpose during the following fiscal year.~~

~~The provisions of this section shall be in effect only from July 1, 2018 2019 through June 30, 2019 2020.~~

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0790 Economic Development Commission

ACT#: 230

SECTION#: 53

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0790 Economic Development Commission

ACT#: 230

SECTION#: 54

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Rural Services Division of the Arkansas Economic Development Commission may operate more efficiently if some flexibility is provided to the Rural Services Division of the Arkansas Economic Development Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0790 Economic Development Commission

ACT#: 230

SECTION#: 54

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2018~~
2019 through June 30, ~~2019~~ 2020.

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0790 Economic Development Commission

ACT#: 230

SECTION#: 55

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER OF FUNDS. In the event that revenue is available for transfer to and in support of the Arkansas Acceleration Fund Act, the Executive Director of the Arkansas Economic Development Commission shall certify to the Chief Fiscal Officer of the State the amount needed for transfer from 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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0790 Economic Development Commission

ACT#: 230

SECTION#: 56

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

- (1) Prior to June 30, ~~2019~~ 2020 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

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0790 Economic Development Commission

ACT#: 230

SECTION#: 56

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0995 Emergency Management, Department of

ACT#: 162

SECTION#: 14

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~EXTRA HELP. The Arkansas Department of Emergency Management may utilize up to their twenty eight (28) authorized extra help positions for up to one thousand five hundred (1,500) hours when specific expertise is required to work on response to federal and state declared disasters. The rates of pay may not exceed those provided in the Uniform Classification Act, or its successor, for the appropriate classification.~~

~~— The provisions of this section shall be in effect from July 1, 2018 through June 30, 2019.~~

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0995 Emergency Management, Department of

ACT#: 162

SECTION#: 15

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~ACCEPT PAYMENTS. The Arkansas Department of Emergency Management shall have authority to accept funds from non-state entities to be deposited into the cash funds as appropriated in this Act for expenses of evaluating and studying 911 and emergency communication systems.~~

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0552 Northwest Technical Institute

ACT#: 135

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ADDITIONAL TEACHING LOAD. ~~Instructional~~ Full-time staff and ten (10) extra help positions at Northwest Technical Institute, may be paid up to seventy-five dollars (\$75) per clock hour for the fiscal year ending June 30, ~~2019~~ 2020, for non-credit teaching assignments; or up to five hundred fifty dollars (\$550) per semester hour for the fiscal year ending June 30, ~~2019~~ 2020, for teaching courses beyond the defined teaching load; and the employee's maximum allowable salary may be exceeded by such amount; provided, however, that such additional teaching load may not exceed one hundred fifty (150) clock hours or nine (9) semester credit hours per school year. Further, the provisions of this section shall only apply to credit and non-credit courses that are funded by Private Industry.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0552 Northwest Technical Institute

ACT#: 135

SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXTRA HELP RESTRICTION. No employee at Northwest Technical Institute, who is employed as "Extra Help" may exceed eighty-five percent (85%) of the maximum annual salary for a comparable position as authorized under Arkansas Code § 21-5-201 et seq. during any fiscal year, nor shall such employee be employed for a period of time to exceed ~~fourteen hundred (1400)~~ fifteen hundred (1500) hours in any single fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0400 Agriculture, Department of

ACT#: 228

SECTION#: 36

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXPENSE REIMBURSEMENT. Funds appropriated in Item (07), (08) and (09) of the Livestock and Poultry - Show Premiums appropriation section shall be used to pay expenses necessary for members of high school 4H clubs, high school FFA clubs and Miss Arkansas Rodeo for expenses incurred while representing the State of Arkansas at national conferences and events outside the State. The State 4H Association and the State FFA Association shall receive funds appropriated for expense reimbursement of student members but shall be limited to \$20,000 each, or so much thereof that is available. Reimbursement of expenses for Miss Arkansas Rodeo shall be limited to \$350 per year.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 228

SECTION#: 37

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND TRANSFER. The Deputy Director of the Livestock and Poultry Commission, with prior approval of the Arkansas Legislative Council or the Joint Budget Committee, the approval of the Chief Fiscal Officer of the State, and for the reimbursing of documented expenditures designated by law to be made from the transferred special revenue, may transfer funds among the Livestock and Poultry Equine Infectious Anemia Control Fund, Livestock and Poultry Commission Disease and Pest Control Fund, Livestock and Poultry Special Revenue Fund, Livestock and Poultry Commission Swine Testing Fund, and the Poultry and Egg Grading Fund or from these funds to the Livestock and Poultry Fund Account. The purpose of these transfers shall only be for accurate allocation of incurred costs between the funds. Requests for fund transfer will at least include the total amount to be transferred, to and from which funds, the nature, purpose, and time period of the expenditures being reimbursed, and any other information requested by the Legislative Council or the Joint Budget Committee.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Arkansas Agriculture Department - Livestock and Poultry Commission may operate more efficiently if some flexibility is provided to the Arkansas Agriculture Department - Livestock and Poultry Commission authorizing broad powers

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0400 Agriculture, Department of

ACT#: 228

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EXECUTIVE RECOMMENDATION

under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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0400 Agriculture, Department of

ACT#: 228

SECTION#: 38

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION - PEST ERADICATION. If the State Plant Board determines that the demands of pest eradication efforts require additional personnel expenses, with the approval of the Chief Fiscal Officer of the State and approval by the Legislative Council or Joint Budget Committee, appropriations may be transferred from the Pest Eradication Program special line item to the line items for Regular Salaries, Extra Help, Overtime, and Personal Services Matching.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the State Plant Board may operate more efficiently if some flexibility is provided to the State Plant Board authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

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2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 228

SECTION#: 39

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXTRA HELP PROVISION. No employee of the Arkansas Forestry Commission who is employed as "Extra Help" may receive an amount to exceed 3/4 of the maximum annual salary for a comparable position as authorized by Arkansas Code 21-5-201 et seq. during any fiscal year, nor may such employee be employed for a period of time to exceed nine (9) months in any single fiscal year. Provided, however, that no employee of the Arkansas Forestry Commission who is employed as "Extra Help" may receive an amount to exceed seventy five percent (75%) of the maximum annual salary for a comparable position as authorized by Arkansas Code 21-5-201 et seq. during any fiscal year, nor shall such employee be employed for a period of time to exceed fourteen hundred (1400) hours in any single fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 228

SECTION#: 40

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. If the State Forestry Commission determines that temporary firefighters, dispatchers, or pilots are required to meet the demands of a wildfire season, and upon approval of the Chief Fiscal Officer of the State, appropriations may be transferred from either Extra Help or Professional Fees and Services to the proper character code for the employment of such personnel.

If the State Forestry Commission determines that the deployment of air tankers for fighting wildfires requires additional Professional Fees and Services, and upon the approval of the Chief Fiscal Officer of the State, excess appropriation in Regular Salaries or Personal Services Matching may be transferred to Professional Fees and Services in the Operations and Forestry - Rural Community Fire Protection - Federal appropriation sections.

If the State Forestry Commission determines that the most effective way for it to cooperate in the growing and distribution of forest planting stock is by contracting work with private vendors and/or hiring temporary employees for seasonal work, the Commission is hereby authorized, upon approval by the Chief Fiscal Officer of the State, to transfer the necessary appropriation authorized for Extra Help and Maintenance and General Operation in the Operations and Forestry - Rural Community Fire Protection - Federal appropriation sections.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 228

SECTION#: 41

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

REFUND TO EXPENDITURE. The Arkansas Forestry Commission is authorized to charge fees to federal agencies and other states to reimburse the Commission for expenditures made on behalf of these governmental units. These fees shall be deposited into the State Forestry Fund in the State Treasury as a refund to expenditure.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 228

SECTION#: 42

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

REPORTING REQUIREMENTS. The Arkansas Forestry Commission shall present the following data each month to the Chief Fiscal Officer of the State and the Arkansas Legislative Council or Joint Budget Committee. This report shall be due by the 10th day of the month following the reporting period. The first reporting period shall be July 2012.

a) All fund transfers completed by the Arkansas Forestry Commission from any funding source including federal funds, and shall include a justification for the completion of the fund transfers.

b) All expenditures incurred by the Arkansas Forestry Commission from any funding source including federal funds, and shall include a justification for the expenditure of the funds.

c) All revenue receipts of the Arkansas Forestry Commission including but not limited to federal funds, general revenue, severance tax, acreage tax, timber sales and seedlings sales.

d) All Arkansas Forestry Commission activities including but not limited to, firefighting activities, fire prevention, and emergency response as it relates to the Commission's statutory mission provided in Arkansas Code 15-3I-101.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 228

SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request for the Arkansas Agriculture Department a special Promotional Items appropriation to be used in the acquisition of promotional items.

When the Arkansas Agriculture Department wishes to transfer from its operating expenses to the promotional items line, the request shall be forwarded by the Arkansas Agriculture Department to the Chief Fiscal Officer of the State for processing and for prior approval by the Arkansas Legislative Council or Joint Budget Committee. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Arkansas Agriculture Department may operate more efficiently if some flexibility is provided to the Arkansas Agriculture Department authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 228

SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2018~~
2019 through June 30, ~~2019~~ 2020.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 228

SECTION#: 44

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 228

SECTION#: 45

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FAIR WAIVER. The Arkansas Livestock and Poultry Commission shall waive the rules under Section (2) of the Commission's Minimum Standards for Receiving Funds for Premium and Construction Purposes to allow the Three-County Fair, consisting of Cross, Woodruff, and Jackson counties, to hold the Three-County Fair after the district fair while receiving the funds from the commission that the Three-County Fair would receive if the fair were held before the district fair.

The provisions of this section shall be in effect only from July 1, ~~2018~~2019 through June 30, ~~2019~~2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0360 Claims Commission, Arkansas State

ACT#: 137

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission shall not distribute any warrants prepared under the provisions of this Act for awards made by the Arkansas State Claims Commission for employment compensation claims. Upon the award by the State Claims Commission of an employment compensation claim, the Clerk of the State Claims Commission shall notify the affected state agency and the Department of Finance and Administration - Office of Personnel Management of such amounts that are due and payable. The affected state agency shall then process the award through the State Mechanized Payroll System.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0360 Claims Commission, Arkansas State

ACT#: 137

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DISBURSING OFFICER. The Director of the Claims Commission shall be the disbursing officer for the funds appropriated for expense reimbursements for the Firefighter Benefit Review Panel. Expense reimbursements shall be paid to the board as certified in writing to the Claims Commission by the Chairman of the Firefighter Benefit Review Panel. The Claims Commission is authorized to pay expense reimbursements for all unpaid meetings in prior State fiscal years.

The provisions of this section shall be in effect only from July 1, ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

AGENCY REQUEST