

**REQUEST FOR SPECIAL LANGUAGE  
IN APPROPRIATION ACT**

**TABLE OF CONTENTS**

**WEEK 1**

	<u><b>Page #</b></u>
<b>Disability Determination for Social Security Administration</b>	
Extra Help Restriction .....	1
<b>Election Commissioners, State Board of</b>	
Carry Forward - Election Expenses .....	2
Use Of Election Expenses Appropriation .....	4
Transfer Of Funds .....	5
<b>DEPARTMENT OF HEALTH</b>	
Shared Services .....	6
<b>Chiropractic Examiners, AR State Board of</b>	
Arkansas State Board Of Chiropractic Examiners - Investigative Services For Consumer Complaints .....	9
<b>Dental Examiners, State Board of</b>	
Dental Examiners Board, Medical Board, Board Of Optometry - Employment Of Attorneys .....	10
<b>Health, Arkansas Department of</b>	
Transfer Restrictions .....	12
Transfers Of Appropriations .....	13
Positions .....	15
Advertising .....	16
Tobacco Fund Transfer .....	17
Compliance With Other Laws .....	18
Legislative Intent .....	19
Nuclear Disaster Planning Grants .....	20
Parking Fees .....	21
Indirect Cost Allocation Fund Transfers .....	22
Development Restrictions .....	23

**REQUEST FOR SPECIAL LANGUAGE  
IN APPROPRIATION ACT**

**TABLE OF CONTENTS**

**WEEK 1**

	<b><u>Page #</u></b>
<b>Health, Arkansas Department of</b>	
Nursing/Direct Care Education Stipend Program .....	24
Carry Forward Of Funds .....	25
Breast Care Program .....	27
Arkansas Works And Arkansas Health Insurance Marketplace Restrictions .....	28
<b>Health Services Permit Agency</b>	
Carry Forward .....	32
<b>Medical Board, Arkansas State</b>	
Dental Examiners Board, Medical Board, Board Of Optometry - Employment Of Attorneys .....	34
Arkansas State Medical Board - Educational Programs .....	36
<b>Minority Health Commission, Arkansas</b>	
Promotional Items .....	37
Promotional Items .....	39
Transfer Restrictions .....	41
Transfers Of Appropriation .....	42
Positions .....	44
Compliance With Other Laws .....	45
Legislative Intent .....	46
<b>Nursing, Arkansas State Board of</b>	
Arkansas State Board Of Nursing - Funding Transfer .....	47
<b>Optometry, State Board of</b>	
Dental Examiners Board, Medical Board, Board Of Optometry - Employment Of Attorneys .....	48
<b>Speech-Language Pathology &amp; Audiology</b>	
Board Of Examiners In Speech-Language Pathology And Audiology - Investigator .....	50

**REQUEST FOR SPECIAL LANGUAGE  
IN APPROPRIATION ACT**

**TABLE OF CONTENTS**

**WEEK 1**

	<b><u>Page #</u></b>
<b>Spinal Cord Commission</b>	
Spinal Cord Commission -Line Item Transfer .....	51
<b>Tobacco Settlement Commission, Arkansas</b>	
Independent Monitoring And Evaluation .....	52
Transfer Restrictions .....	53
Transfers Of Appropriations .....	54
Positions .....	56
Compliance With Other Laws .....	57
Legislative Intent .....	58
<b>Public Defender Commission, Arkansas</b>	
Indigent Parent Counsel Representation .....	59
Transfer Provision - Line Items - Commission For Parent Counsel .....	60
Extra Help Exemption - Commission For Parent Counsel .....	61
Transfer Provision .....	62
Public Defenders .....	63
<b>Public Employees Retirement System</b>	
Judicial Retirement Fund Transfers .....	64
State Police Retirement Fund Transfers .....	65
Exemption From Prior Review .....	66
Special State Police Retirement Fund Transfers .....	67
Special Judicial Retirement Fund Transfers .....	68
<b>Public Service Commission, Arkansas</b>	
Contingency Restriction - Utilities Division .....	69
Refund To Expenditure .....	71

**REQUEST FOR SPECIAL LANGUAGE  
IN APPROPRIATION ACT**

**TABLE OF CONTENTS**

**WEEK 1**

**Page #**

**Public Service Commission, Arkansas**

Contingency Restriction - Tax Division ..... 72

**REQUEST FOR SPECIAL LANGUAGE  
IN APPROPRIATION ACT**

**TABLE OF CONTENTS**

**WEEK 1**

	<b><u>Page #</u></b>
<b>Department of Labor &amp; Licensing</b>	
Shared Services .....	1
Arkansas State Board Of Public Accountancy - Promotional Items .....	4
Arkansas Abstracters' Board - Professional Fees .....	5
Professional Bail Bonds Company And Professional Bail Bondsman Licensing Board - Fund Transfer .....	6
State Board Of Barber Examiners - Applicant Proximity To Existing Barber Colleges .....	7
Workers' Compensation Commission - Investments .....	8
Workers' Compensation Commission - Refund To Expenditure .....	9
Workers' Compensation Commission - Fund Transfers .....	10
<b>Abstracters' Board of Examiners, Arkansas</b>	
Arkansas Abstracters' Board - Professional Fees .....	11
<b>Accountancy, State Board of</b>	
Arkansas State Board Of Public Accountancy - Promotional Items .....	12
<b>Bail Bondsman Licensing Board, Professional</b>	
Professional Bail Bonds Company And Professional Bail Bondsman Licensing Board - Fund Transfer .....	13
<b>Barber Examiners, State Board of</b>	
State Board Of Barber Examiners - Applicant Proximity To Existing Barber Colleges .....	14
<b>Workers' Compensation Commission</b>	
Investments .....	15
Refund To Expenditure .....	16
Fund Transfers .....	17

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0311 Disability Determination for Social Security Administration**

**ACT#: 0065**

**SECTION#: 004**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP RESTRICTION. No extra help employee of Disability Determination for Social Security Administration shall be employed for a period of time to exceed eighteen hundred (1800) hours in any single fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0232 Election Commissioners, State Board of**

**ACT#: 0021**

**SECTION#: 005**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - ELECTION EXPENSES. At the close of the fiscal year ending June 30, ~~2021~~ 2022, any unexpended balance of monies provided for Election Expenses, shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2022~~ 2023.

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

(1) Prior to June 30, ~~2021~~ 2022 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0232 Election Commissioners, State Board of**

**ACT#: 0021**

**SECTION#: 005**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

all information obtained in item (3) above in the biennial 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0232 Election Commissioners, State Board of**

**ACT#: 0021**

**SECTION#: 006**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

USE OF ELECTION EXPENSES APPROPRIATION. The funds appropriated for Election Expenses may be used to cover the expenses of the State Board of Election Commissioners and the county election commissions to conduct preferential primary elections, general primary elections, special primary elections, nonpartisan general elections, and statewide special elections.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0232 Election Commissioners, State Board of**

**ACT#: 0021**

**SECTION#: 007**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER OF FUNDS. If the State Board of Election Commissioners is required to pay the expenses for any state supported preferential primary election, general primary election, nonpartisan general election, statewide special election or special primary election and funds are not available to pay for such elections, the Director of the State Board of Election Commissioners shall certify to the Chief Fiscal Officer of the State the amount needed to pay the expenses of the election(s). Upon the approval of the Chief Fiscal Officer of the State, the amount certified shall be transferred from the Budget Stabilization Trust Fund to the Miscellaneous Agencies Fund Account of the State Board of Election Commissioners. All unused funds transferred under this provision shall be transferred back to the Budget Stabilization Trust Fund at the end of each fiscal year. The Chief Fiscal Officer of the State shall initiate the necessary transfer documents to reflect all such transfers upon the fiscal records of the State Auditor, the State Treasurer and the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9906 Health, Department of**

**ACT#: 0096**

**SECTION#: 022**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SHARED SERVICES. (a)(1)(A) The Chief Fiscal Officer of the State may create paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses by the Department of Health.

(B) Upon prior approval of the Arkansas Legislative Council, or if meeting in Legislative Session the Joint Budget Committee, the Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act and the transfer of positions to the Regular Salaries - Shared Services appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The transfer authority provided in subdivision (a)(1) of this section for efficiencies and to eliminate duplication of services are limited only to those services that are provided for multiple divisions of a department, including without limitation to administration, human resources, procurement, communications, fleet operations, and information services.

(3) The transfer authority provided to the department in subdivision (a)(1) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(b)(1) Each department utilizing the Shared Services Paying Account section or Regular Salaries - Shared Services section of this act shall submit a report to be included in the Budget Manuals for hearings, conducted by the General Assembly, listing all shared services transfers of

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9906 Health, Department of**

**ACT#: 0096**

**SECTION#: 022**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

positions, funds, and appropriation under this section, which shall be submitted as instructed by the Department of Finance and Administration - Office of Budget for uniformity.

(2) A report submitted under subdivision (b)(1) of this section shall include the following:

(A) The position number, authorized position title, class code, grade, business area, and name of the division, section, or unit for the position being transferred to the Regular Salaries - Shared Services section of this act; and

(B) The fund center, appropriation, appropriation amount, commitment item or items, business area, and name of the division, section, or unit for the fund or appropriation being transferred to the Shared Services Paying Account.

~~(c)(1) It is the intent of the Ninety-Second General Assembly that the authority under this section to transfer positions is intended for use for the time period prior to Fiscal Year 2022 to allow cabinet-level departments to establish a centralized Regular Salaries - Shared Services section, with the recommendation that the position transfer authority granted under this section be discontinued after that time.~~

~~(2) The Bureau of Legislative Research shall bring the recommendation in subdivision (c)(1) of this section to the attention of the chairs conducting the 2021 Regular Session pre-session budget hearings, the chairs of the Special Language Subcommittee, and the members of the Special Language Subcommittee during pre-session budget hearings.~~

~~(d c)~~ Determining the maximum number of employees and the

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9906 Health, Department of**

**ACT#: 0096**

**SECTION#: 022**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

maximum amount of appropriation and general revenue funding for a cabinet-level department each fiscal year is the prerogative of the General Assembly and is usually accomplished by delineating the maximums in the appropriation act or acts and establishing authorized positions 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 cabinet-level departments created under Acts 2019, No. 910, may operate more efficiently if some flexibility is provided as authorized 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, if the General Assembly is in session, the 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.

(e d) The provisions of this section shall be in effect from the date of passage through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0265 Chiropractic Examiners, AR State Board of**

**ACT#: 0175**

**SECTION#: 049**

<b>CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)</b>	<b>EXECUTIVE RECOMMENDATION</b>
<p>ARKANSAS STATE BOARD OF CHIROPRACTIC EXAMINERS - INVESTIGATIVE SERVICES FOR CONSUMER COMPLAINTS. Ten thousand dollars (\$10,000) of the available appropriation in the Professional Fees Line item of this act shall be made available to the board for the purpose of contracting an independent or private investigator for investigative services regarding complaints submitted by consumers. The provisions of this section shall be in effect only from July 1, <del>2020</del> <u>2021</u> through June 30, <del>2021</del> <u>2022</u>.</p>	<p>AGENCY REQUEST</p>

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0268 Dental Examiners, State Board of**

**ACT#: 0175**

**SECTION#: 050**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS STATE DENTAL EXAMINERS BOARD, ARKANSAS STATE MEDICAL BOARD, STATE BOARD OF OPTOMETRY - EMPLOYMENT OF ATTORNEYS.

AGENCY REQUEST

None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the agency and may authorize the agency to employ legal counsel and to expend monies appropriated for Maintenance and General Operations therefore, if:

- (1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency, and
- (3) The Attorney General receives confirmation in writing from the Agency that the agency will re-advertise annually for legal counsel if outside legal counsel is hired and that any amount to be paid for outside legal counsel will be reviewed and approved by the Arkansas Legislative Council or Joint Budget Committee. Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with respect to legal

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0268 Dental Examiners, State Board of**

**ACT#: 0175**

**SECTION#: 050**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

counsel employed on a retainer basis. A copy of such certification shall be entered in the official minutes of the agency, and shall be retained in the fiscal records of the agency for audit purposes.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0085**

**SECTION#: 004**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0085**

**SECTION#: 005**

**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~~ Department of Transformation & Shared Services - Division 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~~ Department of Transformation & Shared Services - Division 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.

AGENCY REQUEST

The General Assembly has determined that the agency in this act could

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0085**

**SECTION#: 005**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0085**

**SECTION#: 006**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0085**

**SECTION#: 007**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0085**

**SECTION#: 008**

**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, ~~2020~~ 2021 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0085**

**SECTION#: 009**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0085**

**SECTION#: 010**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 014**

**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~~ Department of Public Safety - Division 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 015**

**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 War Memorial.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 016**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 017**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 018**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 019**

**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, ~~2020~~ 2021 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, ~~2021~~ 2022, 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

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 019**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 020**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 021**

**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

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 021**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

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.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 021**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

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

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0645 Health, Arkansas Department of**

**ACT#: 0096**

**SECTION#: 021**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

without limitation the University of Arkansas for Medical Sciences.

(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, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0665 Health Services Permit Agency**

**ACT#: 0070**

**SECTION#: 003**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD. Any unexpended balance of funds generated by fees and fines pursuant to Arkansas Code 20-8-103 et. seq. deposited into the Miscellaneous Agencies 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 funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, ~~2021~~ 2022 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

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0665 Health Services Permit Agency**

**ACT#: 0070**

**SECTION#: 003**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0274 Medical Board, Arkansas State**

**ACT#: 0175**

**SECTION#: 050**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS STATE DENTAL EXAMINERS BOARD, ARKANSAS STATE MEDICAL BOARD, STATE BOARD OF OPTOMETRY - EMPLOYMENT OF ATTORNEYS.

AGENCY REQUEST

None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the agency and may authorize the agency to employ legal counsel and to expend monies appropriated for Maintenance and General Operations therefore, if:

- (1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency, and
- (3) The Attorney General receives confirmation in writing from the Agency that the agency will re-advertise annually for legal counsel if outside legal counsel is hired and that any amount to be paid for outside legal counsel will be reviewed and approved by the Arkansas Legislative Council or Joint Budget Committee. Such certification shall be required with respect to each instance of the employment of special

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0274 Medical Board, Arkansas State**

**ACT#: 0175**

**SECTION#: 050**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such certification shall be entered in the official minutes of the agency, and shall be retained in the fiscal records of the agency for audit purposes.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0274 Medical Board, Arkansas State**

**ACT#: 0175**

**SECTION#: 051**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS STATE MEDICAL BOARD - EDUCATIONAL PROGRAMS. The State Medical Board is hereby authorized to expend from monies authorized herein, \$25 from each licensed physician licensed by the State Medical Board each year to be paid by the State Medical Board to 501(c)(3) Arkansas foundations that have health care professionals on their board and provide for identification, treatment and monitoring of health care professionals who suffer from alcohol or drug abuse problems, in order to promote the public health and safety and to insure the continued availability of skilled and highly trained medical professionals for the benefit of the public. The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0172**

**SECTION#: 004**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request for the Minority Health Commission a special Promotional Items appropriation to be used in the acquisition of promotional items. When the Minority Health Commission wishes to transfer from its operating expenses appropriation and funds to the promotional items line, the request shall be forwarded by the Minority Health Commission 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 Minority Health Commission may operate more efficiently if some flexibility is provided to the Minority Health 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

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0172**

**SECTION#: 004**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0173**

**SECTION#: 003**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request for the Arkansas Minority Health Commission a special Promotional Items appropriation to be used in the acquisition of promotional items. When the Arkansas Minority Health Commission wishes to transfer from its operating expenses and/or Screening, Monitoring, Treating, Outreach & Advertising appropriation and funds to the promotional items line, the request shall be forwarded by the Arkansas Minority Health Commission 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 Minority Health Commission may operate more efficiently if some flexibility is provided to the Department of Health - Arkansas Minority Health 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

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0173**

**SECTION#: 003**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2020~~  
2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0173**

**SECTION#: 004**

**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, 2020 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0173**

**SECTION#: 005**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFERS OF APPROPRIATION. 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 or she shall set out on the forms the particular classifications for which he or she is requesting an increase or decrease, the amounts thereof, and his or her 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~~ Department of Transformation & Shared Services - Division 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~~ Department of Transformation & Shared Services - Division 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 or she deems necessary. The Chief Fiscal Officer of the State shall, after obtaining the approval of the Legislative Council or Joint Budget Committee, approve the requested transfer if in his or her opinion it is in the best interest of the state.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0173**

**SECTION#: 005**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

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 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0173**

**SECTION#: 006**

**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 Department of Health - Arkansas Minority Health 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0173**

**SECTION#: 007**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0319 Minority Health Commission, Arkansas**

**ACT#: 0173**

**SECTION#: 008**

**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 appropriations 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0277 Nursing, Arkansas State Board of**

**ACT#: 0175**

**SECTION#: 052**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS STATE BOARD OF NURSING - FUNDING TRANSFER. The Arkansas State Board of Nursing may request a fund transfer in an amount not to exceed fifty thousand dollars \$50,000 each fiscal year from the State Board of Nursing Fund to the cash in State Treasury fund as determined by the Chief Fiscal Officer of the State to provide funds for the Student Loan Program appropriation provided herein. Upon approval of the Chief Fiscal Officer of the State, the amount requested shall be transferred on his or her books and those of the State Treasurer and the Auditor of State. The provisions of this section shall be in effect only from July 30, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0280 Optometry, State Board of**

**ACT#: 0175**

**SECTION#: 050**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS STATE DENTAL EXAMINERS BOARD, ARKANSAS STATE MEDICAL BOARD, STATE BOARD OF OPTOMETRY - EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the agency and may authorize the agency to employ legal counsel and to expend monies appropriated for Maintenance and General Operations therefore, if:

- (1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and
- (2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency, and
- (3) The Attorney General receives confirmation in writing from the Agency that the agency will re-advertise annually for legal counsel if outside legal counsel is hired and that any amount to be paid for outside legal counsel will be reviewed and approved by the Arkansas Legislative Council or Joint Budget Committee. Such certification shall be required with respect to each instance of the employment of special

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0280 Optometry, State Board of**

**ACT#: 0175**

**SECTION#: 050**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such certification shall be entered in the official minutes of the agency, and shall be retained in the fiscal records of the agency for audit purposes.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0292 Speech-Language Pathology & Audiology**

**ACT#: 0175**

**SECTION#: 053**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY - INVESTIGATOR. The Board of Examiners in Speech-Language Pathology and Audiology shall contract with an outside investigator, as needed, to perform investigations and conduct inspections of alleged wrongdoing. The duties of the investigator hired shall include, but not be limited to, investigation and inspection of all complaints as determined by the Board, to determine whether or not any persons have (1) Practiced their profession in such a way as to endanger the general health and welfare of the public; or (2) Otherwise violated the practice act or rules and regulations of the Speech-Language Pathology and Audiology Board. The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0295 Spinal Cord Commission**

**ACT#: 0175**

**SECTION#: 054**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SPINAL CORD COMMISSION -LINE ITEM TRANSFER. Any savings made in the State Appropriation may, after receiving advice and approval of the Department of Finance Administration be transferred to the Spinal Treatment Program. The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0334 Tobacco Settlement Commission, Arkansas**

**ACT#: 0174**

**SECTION#: 003**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

INDEPENDENT MONITORING AND EVALUATION. The Arkansas Tobacco Settlement Commission shall file a quarterly progress report to the Public Health, Welfare and Labor Committees and shall hire an independent third party to perform monitoring and evaluation of program expenditures made from tobacco settlement funds. This independent third party shall have appropriate experience in health, preventive resources, health statistics and evaluation expertise. The third party retained to perform such services shall prepare a biennial report to be delivered to the General Assembly and the Governor by each August 1 preceding a regular session of the General Assembly. The report shall be accompanied by a recommendation from the Arkansas Tobacco Settlement Commission as to the continued funding for each program.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0334 Tobacco Settlement Commission, Arkansas**

**ACT#: 0174**

**SECTION#: 004**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0334 Tobacco Settlement Commission, Arkansas**

**ACT#: 0174**

**SECTION#: 005**

**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~~ Department of Transformation & Shared Services - Division 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~~ Department of Transformation & Shared Services - Division 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.

AGENCY REQUEST

The General Assembly has determined that the agency in this act could

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0334 Tobacco Settlement Commission, Arkansas**

**ACT#: 0174**

**SECTION#: 005**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0334 Tobacco Settlement Commission, Arkansas**

**ACT#: 0174**

**SECTION#: 006**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0334 Tobacco Settlement Commission, Arkansas**

**ACT#: 0174**

**SECTION#: 007**

**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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0334 Tobacco Settlement Commission, Arkansas**

**ACT#: 0174**

**SECTION#: 008**

**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 appropriations 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 0145**

**SECTION#: 012**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

INDIGENT PARENT COUNSEL REPRESENTATION. The Commission for Parent Counsel shall have the authority to use the appropriation provided in line item Parent Counsel Reimbursements of the Parent Counsel Program appropriation herein for the purpose of entering into independent professional service contracts on a full-time or part-time basis with attorneys who are qualified to provide counsel for indigent parents in dependency-neglect cases.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 0145**

**SECTION#: 013**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION - LINE ITEMS - COMMISSION FOR PARENT COUNSEL.  
After receiving approval from the Chief Fiscal Officer of the State and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Arkansas Public Defender Commission is authorized to transfer appropriation, with the exception of Personal Services Matching, between the line items authorized herein for the Commission for Parent Counsel, to best utilize resources to meet the needs of the Parent Counsel's clientele.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 0145**

**SECTION#: 014**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP EXEMPTION - COMMISSION FOR PARENT COUNSEL. Extra Help positions authorized herein for the Commission for Parent Counsel are specifically exempt from limitation of hours. Employees currently working on a part-time basis may be utilized concurrently as Extra Help within the agency. The total amount of compensation for part-time and Extra Help work combined cannot exceed the maximum compensation allowed for a grade GS11 as authorized in the Uniform Classification and Compensation Act. Flexibility is needed to allow for non-traditional work schedules that may be necessary to accommodate the schedule of the individual being represented. Attorneys utilized as Extra Help employees are not prevented from having other employment.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 0145**

**SECTION#: 015**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION. If the Public Defender Commission should determine that the appropriations made available for payments to the Counties are insufficient, appropriation may be transferred from the Public Defender Commission Program line item to the Bail Bond-County Public Defender line item, after receiving approval of the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 0145**

**SECTION#: 016**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PUBLIC DEFENDERS. (a) No funds appropriated herein shall be used for expenses in cases where a defendant is represented by retained counsel where retained counsel have not gone through the Public Defender Commission's attorney certification procedure and designation process as established by state law and the Commission's regulations. All defendants and retained attorneys must strictly adhere to the procedure established by the Commission to equitably and responsibly monitor and distribute State funds for this purpose.

(b) The Public Defender Commission may approve exemptions to subsection (a) as needed. Reasons for granting exemption should be specified in writing.

The provisions of this section shall be in effect only from July 1, 2020 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0370 Public Employees Retirement System**

**ACT#: 0017**

**SECTION#: 009**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

JUDICIAL RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$61,852~~ \$63,708 in the ~~2020-2021~~ 2021-2022 fiscal year may be transferred from the Judges Retirement Fund to the Arkansas Public Employees' Retirement System Fund for costs incurred by the Arkansas Public Employees Retirement System in administering the Judicial Retirement System. Such transfer request shall be made to the Chief Fiscal Officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of the State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0370 Public Employees Retirement System**

**ACT#: 0017**

**SECTION#: 010**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

STATE POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$114,008~~ \$117,428 in the ~~2019-2020~~ 2021-2022 fiscal year may be transferred from the State Police Retirement Fund to the Arkansas Public Employees' Retirement System Fund for costs incurred by the Arkansas Public Employees Retirement System in administering the State Police Retirement System. Such transfer request shall be made to the Chief Fiscal Officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of the State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0370 Public Employees Retirement System**

**ACT#: 0017**

**SECTION#: 011**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXEMPTION FROM PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby exempted from seeking prior review by the Arkansas Legislative Council or Joint Budget Committee with regard to transfers between the Benefits and Refund line items in the Public Employees Retirement Cash appropriation section and the Benefits-Non Employee line item in the Public Employees Retirement Operations appropriation section which are specifically related to transfers necessitated by the changes in retirees' selection of the method of payment of retirement benefits. All other provisions of Arkansas Code §19-4-522 shall be applicable.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0370 Public Employees Retirement System**

**ACT#: 0017**

**SECTION#: 012**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SPECIAL STATE POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed \$50,000 may be transferred from the State Police Retirement Fund to the Arkansas Public Employees' Retirement System Fund to share in the costs incurred by the Arkansas Public Employees Retirement System in the purchase and implementation of a new pension administration system, which will be utilized to administer State Police pension transactions for members and retirees. Said transfer shall sunset at the end of fiscal year ~~2020~~ 2022. Such transfer request shall be made to the Chief Fiscal officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of the State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0370 Public Employees Retirement System**

**ACT#: 0017**

**SECTION#: 013**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SPECIAL JUDICIAL RETIREMENT FUND TRANSFERS. A sum not to exceed \$50,000 may be transferred from the Judicial Retirement Fund to the Arkansas Public Employees' Retirement System Fund to share in the costs incurred by the Arkansas Public Employees Retirement System in the purchase and implementation of a new pension administration system, which will be utilized to administer Judicial pension transactions for members and retirees. Said transfer shall sunset at the end of fiscal year ~~2020~~ 2022. Such transfer request shall be made to the Chief Fiscal Officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0450 Public Service Commission, Arkansas**

**ACT#: 0019**

**SECTION#: 010**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CONTINGENCY RESTRICTION - UTILITIES DIVISION. In the event of unforeseen conditions, additional appropriations become necessary that are not authorized or contemplated in the Utilities Division appropriation of this Act and such events make it necessary that the Public Service Commission - Utilities Division receives additional appropriations to carry out the objectives of the agency, the Director of the Public Service Commission is hereby authorized to request the approval of the Governor and the Chief Fiscal Officer of the State, as hereinafter provided, for transfer of the additional appropriations provided in the Contingency appropriation to the appropriations provided by the Utilities Division appropriation, but in no event shall the transfers exceed the appropriations provided in the Contingency appropriation of this Act. Whenever the Director of the Public Service Commission deems it necessary to establish additional appropriations as authorized herein, he or she shall file with the Governor a written report accompanied by necessary supporting documents setting forth the facts, justifications, and circumstances that necessitate such appropriation. Upon receipt of such reports and supporting documents, the Governor, or his or her designee, shall study the same, and if he or she shall determine that such additional appropriations are being sought in strict compliance with this Act, the Governor, after seeking prior review and prior approval by the Arkansas Legislative Council or the Joint Budget Committee, may approve or modify such request for additional appropriations as in his or her judgment he or she deems necessary, and shall forward a copy thereof to the Chief Fiscal Officer of the State. Upon receipt thereof, the Chief Fiscal Officer of the State shall direct the State

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0450 Public Service Commission, Arkansas**

**ACT#: 0019**

**SECTION#: 010**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Auditor to process said transfer upon his books in accordance with the provisions as set out therein.

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 Public Service Commission - Utilities Division may operate more efficiently if some flexibility is provided to the Public Service Commission - Utilities Division 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0450 Public Service Commission, Arkansas**

**ACT#: 0019**

**SECTION#: 011**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

REFUND TO EXPENDITURE. The proceeds from the reimbursement of travel expenses received by the Public Service Commission, shall be deposited into the same State Treasury Fund or Fund Account from which the original travel expenditure was incurred as a refund to expenditure 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0450 Public Service Commission, Arkansas**

**ACT#: 0019**

**SECTION#: 012**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CONTINGENCY RESTRICTION - TAX DIVISION. In the event additional appropriations become necessary that are not authorized or contemplated in the Tax Division appropriation of this Act and specific cases, situations, and/or programs make it necessary that the Arkansas Public Service Commission - Tax Division receives additional appropriations to carry out the objectives of the Division, the Chairman of the Arkansas Public Service Commission is hereby authorized to request the approval of the Governor and the Chief Fiscal Officer of the State for transfers of the appropriations provided in the Contingency line item of the Tax Division appropriation of this Act to other line items within the Tax Division appropriation. In no event shall the transfers in any fiscal year exceed the appropriations provided in the Contingency line item of the Tax Division appropriation of this Act. The Governor may approve or modify such request for transfer of appropriations as in his or her judgment he or she deems necessary, and shall seek prior review and approval of the Arkansas Legislative Council or Joint Budget Committee and inform the Chief Fiscal Officer of the State. Upon notification, the Chief Fiscal Officer of the State shall direct the State Auditor to process said transfer upon his or her books in accordance with the provisions as set out herein.

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.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0450 Public Service Commission, Arkansas**

**ACT#: 0019**

**SECTION#: 012**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Further, the General Assembly has determined that the Public Service Commission - Tax Division may operate more efficiently if some flexibility is provided to the Public Service Commission - Tax Division 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: 0077**

**SECTION#: 011**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SHARED SERVICES.

(a)(1)(A) The Chief Fiscal Officer of the State may create paying accounts on his or her books and on the books of the Treasurer of State and the Auditor of State for the payment of personal services and operating expenses by the Department of Labor and Licensing.

(B) Upon prior approval of the Arkansas Legislative Council, or if meeting in Legislative Session the Joint Budget Committee, the Chief Fiscal Officer of the State shall direct the transfer of funds and appropriations to the Shared Services Paying Account appropriation section of this act and the transfer of positions to the Regular Salaries - Shared Services appropriation section of this act on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The transfer authority provided in subdivision (a)(1) of this section for efficiencies and to eliminate duplication of services are limited only to those services that are provided for multiple divisions of a department, including without limitation to administration, human resources, procurement, communications, fleet operations, and information services.

(3) The transfer authority provided to the department in subdivision (a)(1) of this section may be used to make transfers only within the department's appropriation act or between other appropriation acts authorized for the department.

(b)(1) Each department utilizing the Shared Services Paying Account section or Regular Salaries - Shared Services section of this act shall submit a report to be included in the Budget Manuals for hearings,

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: 0077**

**SECTION#: 011**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

conducted by the General Assembly, listing all shared services transfers of positions, funds, and appropriation under this section, which shall be submitted as instructed by the Department of Finance and Administration - Office of Budget for uniformity.

(2) A report submitted under subdivision (b)(1) of this section shall include the following:

(A) The position number, authorized position title, class code, grade, business area, and name of the division, section, or unit for the position being transferred to the Regular Salaries - Shared Services section of this act; and

(B) The fund center, appropriation, appropriation amount, commitment item or items, business area, and name of the division, section, or unit for the fund or appropriation being transferred to the Shared Services Paying Account.

~~(c)(1) It is the intent of the Ninety-Second General Assembly that the authority under this section to transfer positions is intended for use for the time period prior to Fiscal Year 2022 to allow cabinet-level departments to establish a centralized Regular Salaries - Shared Services section, with the recommendation that the position transfer authority granted under this section be discontinued after that time.~~

~~(2) The Bureau of Legislative Research shall bring the recommendation in subdivision (c)(1) of this section to the attention of the chairs conducting the 2021 Regular Session pre-session budget hearings, the chairs of the Special Language Subcommittee, and the members of the Special Language Subcommittee during pre-session budget hearings.~~



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: 0077**

**SECTION#: 011**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

(d c) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a cabinet-level department each fiscal year is the prerogative of the General Assembly and is usually accomplished by delineating the maximums in the appropriation act or acts and establishing authorized positions 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 cabinet-level departments created under Acts 2019, No. 910, may operate more efficiently if some flexibility is provided as authorized 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, if the General Assembly is in session, the 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.

(e d) The provisions of this section shall be in effect from the date of passage through June 30, ~~2021~~ 2022.

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: new**

**SECTION#: new2**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS STATE BOARD OF PUBLIC ACCOUNTANCY - PROMOTIONAL ITEMS. Upon approval of the Chief Fiscal Officer of the State, the Arkansas State Board of Public Accountancy is hereby authorized to transfer appropriation from Operating Expenses to Promotional Items in the appropriation authorized by the Arkansas State Board of Public Accountancy - Operations Appropriation in this Act in an amount not to exceed five hundred dollars (\$500) each fiscal year to meet the Board's educational needs.

The provisions of this section shall be in effect only from July 1, 2021 through June 30, 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: new**

**SECTION#: new3**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

ARKANSAS ABSTRACTERS' BOARD - PROFESSIONAL FEES. The appropriation made available in the Professional Fees line item of the Abstracters' Board Operations Appropriation of this Act shall be made available to the board for the purpose of contracting an independent or private investigator to perform any investigative task as needed or may be required by law. Abstracter Board members may not act as investigators nor do investigative work required by the board.

The provisions of this section shall be in effect only from July 1, 2021 through June 30, 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: new**

**SECTION#: new4**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PROFESSIONAL BAIL BONDS COMPANY AND PROFESSIONAL BAIL BONDSMAN LICENSING BOARD - FUND TRANSFER. The Professional Bail Bonds Company and Professional Bail Bondsman Licensing Board shall deposit as special revenues sufficient fees and penalties directly into the Bail Bondsman Board fund to provide for personal services and operating expenses for the board. At the end of each fiscal year, the Professional Bail Bondsman Licensing Board shall be allowed to retain a fund balance sufficient to cover the personal services and operating expenses of the board for the following fiscal year. Seventy-five percent (75%) of any funds remaining in excess of this balance shall be transferred to the General Revenue Fund Account in the State Treasury.

The provisions of this section shall be in effect only from July 1, 2021 through June 30, 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: new**

**SECTION#: new5**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

STATE BOARD OF BARBER EXAMINERS - APPLICANT PROXIMITY TO EXISTING BARBER COLLEGES. Notwithstanding any other provisions under Arkansas Law, the State Board of Barber Examiners shall not deny any application for the establishment of a new barber college on the basis of geographic proximity to an existing barber college.

The provisions of this section shall be in effect only from July 1, 2021 through June 30, 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: new**

**SECTION#: new6**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

WORKERS' COMPENSATION COMMISSION - INVESTMENTS. All such funds as are held at any time in the Death and Permanent Total Disability Trust Fund, Second Injury Trust Fund, and the Workers' Compensation Fund shall be invested and reinvested to the extent feasible, all such investments as authorized for use by the Office of the Treasurer shall be available to the listed funds. The movement of these funds into and out of investments shall be by fund transfers as directed by the Chief Executive Officer of the Workers' Compensation Commission.

The provisions of this section shall be in effect only from July 1, 2021 through June 30, 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: new**

**SECTION#: new7**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

WORKERS' COMPENSATION COMMISSION - REFUND TO EXPENDITURE. The proceeds from the reimbursement of travel expenses received by the Arkansas Workers' Compensation Commission shall be deposited into the same State Treasury Fund or Fund Account from which the original travel expenditures was incurred as a refund to expenditure 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, 2021 through June 30, 2022.

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**9910 Department of Labor & Licensing**

**ACT#: new**

**SECTION#: new8**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

WORKERS' COMPENSATION COMMISSION - FUND TRANSFERS. After receiving approval from the Chief Fiscal Officer of the State, the Director of the Arkansas Workers' Compensation Commission is authorized to transfer funds from the Second Injury Trust Fund to the Death and Total Disability Trust Fund and/or the Workers' Compensation Trust Fund.

The provisions of this section shall be in effect only from July 1, 2021 through June 30, 2022.

AGENCY REQUEST



**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0200 Abstracters' Board of Examiners, Arkansas**

**ACT#: 0078**

**SECTION#: 052**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~ARKANSAS ABSTRACTERS' BOARD - PROFESSIONAL FEES. The appropriation made available in the Professional Fees line item of the Abstracters' Board Operations Appropriation of this Act shall be made available to the board for the purpose of contracting an independent or private investigator to perform any investigative task as needed or may be required by law. Abstracter Board members may not act as investigators nor do investigative work required by the board.~~

~~The provisions of this section shall be in effect only from July 1, 2020 through June 30, 2021.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0203 Accountancy, State Board of**

**ACT#: 0078**

**SECTION#: 053**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~ARKANSAS STATE BOARD OF PUBLIC ACCOUNTANCY - PROMOTIONAL ITEMS. Upon approval of the Chief Fiscal Officer of the State, the Arkansas State Board of Public Accountancy is hereby authorized to transfer appropriation from Operating Expenses to Promotional Items in the appropriation authorized by the Arkansas State Board of Public Accountancy - Operations Appropriation in this Act in an amount not to exceed five hundred dollars (\$500) each fiscal year to meet the Board's educational needs.~~

~~The provisions of this section shall be in effect only from July 1, 2020 through June 30, 2021.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0211 Bail Bondsman Licensing Board, Professional**

**ACT#: 0078**

**SECTION#: 054**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~PROFESSIONAL BAIL BONDS COMPANY AND PROFESSIONAL BAIL BONDSMAN LICENSING BOARD – FUND TRANSFER. The Professional Bail Bonds Company and Professional Bail Bondsman Licensing Board shall deposit as special revenues sufficient fees and penalties directly into the Bail Bondsman Board fund to provide for personal services and operating expenses for the board. At the end of each fiscal year, the Professional Bail Bondsman Licensing Board shall be allowed to retain a fund balance sufficient to cover the personal services and operating expenses of the board for the following fiscal year. Seventy-five percent (75%) of any funds remaining in excess of this balance shall be transferred to the General Revenue Fund Account in the State Treasury.~~

~~The provisions of this section shall be in effect only from July 1, 2020 through June 30, 2021.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0212 Barber Examiners, State Board of**

**ACT#: 0078**

**SECTION#: 055**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~STATE BOARD OF BARBER EXAMINERS - APPLICANT PROXIMITY TO EXISTING BARBER COLLEGES. Notwithstanding any other provisions under Arkansas Law, the State Board of Barber Examiners shall not deny any application for the establishment of a new barber college on the basis of geographic proximity to an existing barber college.~~

~~The provisions of this section shall be in effect only from July 1, 2020 through June 30, 2021.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0390 Workers' Compensation Commission**

**ACT#: 0178**

**SECTION#: 008**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~INVESTMENTS. All such funds as are held at any time in the Death and Permanent Total Disability Trust Fund, Second Injury Trust Fund, and the Workers' Compensation Fund shall be invested and reinvested to the extent feasible, all such investments as authorized for use by the Office of the Treasurer shall be available to the listed funds. The movement of these funds into and out of investments shall be by fund transfers as directed by the Chief Executive Officer of the Workers' Compensation Commission.~~

~~The provisions of this section shall be in effect only from July 1, 2020 through June 30, 2021.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0390 Workers' Compensation Commission**

**ACT#: 0178**

**SECTION#: 009**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~REFUND TO EXPENDITURE. The proceeds from the reimbursement of travel expenses received by the Arkansas Workers' Compensation Commission shall be deposited into the same State Treasury Fund or Fund Account from which the original travel expenditures was incurred as a refund to expenditure 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, 2020 through June 30, 2021.~~

AGENCY REQUEST

**2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0390 Workers' Compensation Commission**

**ACT#: 0178**

**SECTION#: 010**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~FUND TRANSFERS. After receiving approval from the Chief Fiscal Officer of the State, the Director of the Arkansas Workers' Compensation Commission is authorized to transfer funds from the Second Injury Trust Fund to the Death and Total Disability Trust Fund and/or the Workers' Compensation Trust Fund.~~

~~The provisions of this section shall be in effect only from July 1, 2020 through June 30, 2021.~~

AGENCY REQUEST