

**REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT**

TABLE OF CONTENTS

WEEK 3

	<u>Page #</u>
Department of Corrections	
Promotional Items	88
Juvenile Transportation	89
Shared Services	90
Inmate Consumption - Department Of Corrections	93
Carry Forward - Energy, Maintenance & Operational Savings	94
Carry Forward - Transformation Savings	95
DOC - Division of Community Correction	
Community Correction Programs Line Item Uses	96
Parking Fees	98
Transfer Provision	99
Reallocation Of Resources	101
Holiday Compensation	104
Medical Services - Contingency Positions	106
Regular Salaries - Contingent Positions	107
Community Correction Programs Line Item Uses	109
Transfer Authority For Utility And Fuel Rate Increase	110
County Jail Invoice Summary	112
Motor Vehicle Purchase Provision	113
Parole/Probation Officers Hiring	114
DOC - Parole Board	
Reporting Requirements	115

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0385 DVA - Veterans Affairs Division

ACT#: 0179

SECTION#: 016

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

USE OF ADVA CONTINGENCY POSITION POOL AND CONTINGENCY APPROPRIATION. In the event additional appropriation becomes necessary that is not authorized or contemplated in State Operations, Veterans' Homes and Veterans' Cemeteries appropriations of this Act and growth in the State Veterans' Home at Fayetteville's or North Little Rock's resident census and/or growth in the number of interments at the State Veterans' Cemetery at North Little Rock or Birdeye makes it necessary for the Arkansas Department of Veterans' Affairs to request additional positions, regular salaries and personal services matching appropriation in order to carry out the objectives of the Agency, the ADVA Contingency Position Pool and Contingency Appropriation authorized herein may be used for regular salaries and personal services matching line items.

The Arkansas Department of Veterans' Affairs Contingency Appropriation authorized herein shall be funded primarily with cash funds of the State Veterans' Home at Fayetteville or North Little Rock and of the State Veterans' Cemetery at North Little Rock or Birdeye. Each entity's cash funds shall be utilized in support of its own business operations and shall not be co-mingled. In addition, general revenue funding in support of the ADVA Contingency Position Pool shall be limited to \$250,000 per year.

Use of the ADVA Contingency Position Pool and Contingency Appropriation authorized in this Act shall be conditioned upon approval by the Chief Fiscal Officer of the State and upon certification by the ~~Director~~ Secretary of the Arkansas Department of Veterans' Affairs that funds are available to support the contingency positions requested and upon prior review by the Arkansas Legislative Council or Joint Budget Committee.

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0385 DVA - Veterans Affairs Division

ACT#: 0179

SECTION#: 016

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9905 Department of Energy & Environment

ACT#: 0089

SECTION#: 052

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

0930 DEE - Environmental Quality Division

ACT#: 0089

SECTION#: 048

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~SUSPENSION OF LANDFILL DISPOSAL FEES TO SUPPORT A COMPUTER AND ELECTRONIC EQUIPMENT RECYCLING PROGRAM.~~

AGENCY REQUEST

~~_____ (a) The landfill disposal fee to support a computer and electronic equipment recycling program levied under Arkansas Code § 8-6-612(a) shall not be levied from the effective date of this act through June 30, 2020 2021.~~

~~_____ (b) Any landfill disposal fees collected under Arkansas Code § 8-6-612(a) before the effective date of this act shall be:~~

~~_____ (1) Collected as provided under Arkansas Code § 8-6-612(c); and~~

~~_____ (2) Distributed as provided under Arkansas Code § 8-6-616 and this Act.~~

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

Please Delete Language; § 8-6-612 is now § 8-6-613 and is Codified.

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0930 DEE - Environmental Quality Division

ACT#: 0089

SECTION#: 049

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

INVESTMENTS. All funds that are held in any trust fund administered by the Arkansas ~~Department~~Division of Environmental Quality may be invested and reinvested, subject to the written approval of the Officer of the Treasurer, and all investments as authorized for use by the Office of the Treasurer may 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 Director of the Arkansas ~~Department~~Division of Environmental Quality or the Director's designee.

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

0930 DEE - Environmental Quality Division

ACT#: 0089

SECTION#: 050

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

AGENCY REQUESTS THAT THIS LANGUAGE BE CODIFIED.

AGENCY REQUEST

TRUST FUND CONTRIBUTION FEES.

(a) For purposes of collecting trust fund contribution fees under § 8-4-203(b), the Arkansas Department Division of Environmental Quality shall treat a public facilities boards and public water authorities as municipal systems.

~~(b) This section expires on June 30, 2021.~~

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0930 DEE - Environmental Quality Division

ACT#: 0089

SECTION#: 051

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~LOAN. Notwithstanding the provisions of Arkansas Code Annotated § 19-5-501(b)(1)(C)(ii) and (D)(i), immediately upon the effective date of this act, the director of the Arkansas Department of Environmental Quality is authorized to request the Chief Fiscal Officer of the State to make a loan on his or her books in the amount not to exceed ten million dollars (\$10,000,000) from the Budget Stabilization Trust Fund to the Hazardous Substance Remedial Action Trust Fund. Loan repayments shall be made from time to time from any legal fund of the Arkansas Department of Environmental Quality and the entire amount of the loan shall be repaid to the Budget Stabilization Trust Fund by June 30, 2023.~~

~~By October 15, January 15, April 15, and July 15 of each fiscal year the Arkansas Department of Environmental Quality shall report to Arkansas Legislative Council or Joint Budget Committee the status of hazardous waste cleanup efforts at the Trafalgar Road site in Bella Vista, Arkansas. The report shall include:~~

- ~~_____ (a) all funds expended by each quarter of the fiscal year~~
- ~~_____ (b) source of funds expended~~
- ~~_____ (c) estimated total of funds to be expended~~
- ~~_____ (d) expected date for completion of cleanup~~
- ~~_____ (e) all efforts of cost recovery from responsible parties~~

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0440 DEE - Oil and Gas Commission

ACT#: 0074

SECTION#: 006

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND TRANSFER. The Oil and Gas Commission, after receiving review from the Chief Fiscal Officer of the State and reporting to the Arkansas Legislative Council or Joint Budget Committee, may request the Chief Fiscal Officer to transfer up to ~~\$2,000,000~~ \$1,000,000 per year on his or her books and the books of the State Treasurer and the Auditor of the State from the Oil and Gas Commission Fund to the Abandoned and Orphaned Well Plugging Fund.

The Oil and Gas Commission may request the Chief Fiscal Officer to transfer \$10,000,000 in a one time, emergency transfer on his or her books and the books of the State Treasurer and the Auditor of the State from the Oil and Gas Commission Fund to the Abandoned and Orphaned Well Plugging Fund.

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

0975 DOM - State Military Department

ACT#: 0093

SECTION#: 016

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXTRA HELP. No employee of the Camp J.T. Robinson, or Fort Chaffee Federal Training Site Divisions of the Department of Military who is employed as "extra help" may receive an amount to exceed eighty-five percent (85%) of the maximum annual salary for a comparable position as authorized under Arkansas Code 21-5-201 et seq. during any fiscal year, nor shall such employee be employed for a period of time to exceed 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

0975 DOM - State Military Department

ACT#: 0093

SECTION#: 017

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CAMP ROBINSON - VARIOUS STATE MILITARY LAKES. The Department of Military is hereby authorized to stock various State Military Lakes on Camp Robinson post each year with fish for special events by using wildlife funds and rental income, no State General Revenue will be used.

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

0975 DOM - State Military Department

ACT#: 0093

SECTION#: 018

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

GENERALS SALARY. The line item maximums for the State of Arkansas Adjutant General and Deputy Adjutant General are based on the salary grid by the United States Department of Defense. Incumbents in these positions shall be compensated in accordance with the Department of Defense Advisory Service Pay Plan and are not guaranteed placement at the maximum level. The line item maximum salaries may be adjusted on July 1 of each fiscal year to incorporate salary rate changes that have been implemented by the U.S. Department of Defense.

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

0975 DOM - State Military Department

ACT#: 0093

SECTION#: 019

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PROMOTIONAL ITEMS. The Department of Military is hereby authorized to transfer appropriation from Operating Expenses to Promotional Items in the General Operations Appropriation and/or Cash Operations Appropriation provided by this Act in an amount not to exceed ten thousand dollars (\$10,000) each fiscal year, as authorized by the Director of State Resources, and with the 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

0472 DTSS - Geographic Information Systems Division

ACT#: 0118

SECTION#: 005

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER OF CARRY FORWARD. Any unexpended balance of funds remaining on June 30 of each fiscal year in the Miscellaneous Agencies Fund Account for the Arkansas Geographic Information Office, shall be transferred to the Geographic Information Systems Fund to be used for operating and maintaining the Arkansas Spatial Data Infrastructure, creating, updating, maintaining and disseminating framework spatial data as defined by Arkansas Code §15-21-502.

(1) Prior to June 30, ~~2020~~ 2021 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 the 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

0472 DTSS - Geographic Information Systems Division

ACT#: 0118

SECTION#: 005

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 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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 014

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER OF FUNDS - JUSTICE BUILDING OPERATIONS ACTUAL EXPENDITURES. Building Authority Division may from time to time as may be necessary and in such amounts as may be necessary and with the approval of the Chief Fiscal Officer of the State, request a transfer of funds from the State Central Services Fund to the Arkansas Building Authority Maintenance Fund for operation of the Justice Building for actual expenditures, in an amount not to exceed the dollar amount appropriated in the Justice Building Operation Section. Upon his approval, the Chief Fiscal Officer of the State shall then initiate the necessary transfer documents to reflect the transfer upon the fiscal records of the State Auditor, the State Treasurer, the Chief Fiscal Officer of the State and Building Authority Division.

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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 015

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER OF FUNDS. Building Authority Division is hereby authorized, after seeking the approval of the Chief Fiscal Officer of the State and the Arkansas Legislative Council or Joint Budget Committee to request transfer from the appropriation made in the Building Maintenance Section for Building Maintenance to the Acquisition and Maintenance appropriation in the Acquisition and Maintenance Section and to receive from another state agency that seeks like approvals its authority, appropriation and the transfer of funds to be deposited into the Building Authority Division Real Estate Fund to become part of the Acquisition and Maintenance appropriation, and to be used for any purposes as set forth by law for said Real Estate Fund.

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 Building Authority Division may operate more efficiently if some flexibility is provided to Building Authority 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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 015

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 016

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

BUILDING AUTHORITY DIVISION CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. Building Authority Division may transfer appropriation and funds as needed from the Facilities Management Contingency Appropriation in the Building Maintenance Section of this Act to any appropriation authorized for Building Authority Division.

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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 017

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER TO FACILITIES MANAGEMENT CONTINGENCY APPROPRIATION AUTHORITY. (a) In order to provide a more cost effective method to address the emerging infrastructure needs of Arkansas State Government, appropriations and funds transferred to the Facilities Management Contingency Appropriation are to be used in the event that the Building Authority Division executes one or more building contracts or maintenance agreements with State Agencies, and the appropriations or funds otherwise provided for the Building Authority Division are not sufficient to address those needs, and it is more cost effective for Building Authority Division to execute these services. Any State Agency may transfer or deposit funds and appropriations to Building Authority Division - Facilities Management Contingency Appropriation authorized in the Building Maintenance Section of this Act to execute one or more building contracts or maintenance agreements with said State Agencies. Building Authority Division shall provide justification to the Chief Fiscal Officer of the State for the need of such appropriations and funds transfers and seek and receive approval of the Chief Fiscal Officer of the State. Building Authority Division shall then seek and receive the approval of the Arkansas Legislative Council or Joint Budget Committee. The requirement of approval by the Arkansas Legislative Council or Joint Budget Committee is not a severable part of the section. If the requirement of approval by the Arkansas Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

(b) The Chief Fiscal Officer of the State shall make the necessary adjustments on his or her books and the books of the Auditor of the State

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 017

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

for the transfer or deposit of the funds and appropriations from each State Agency to the appropriation authorized in the Building Maintenance Section of this Act and to the various Building Authority Division accounts to be used exclusively by Building Authority Division for the fiscal year.

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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 018

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SUSTAINABLE BUILDING DESIGN PROGRAM - TRANSFER. In the event there is not sufficient appropriation and/or funding provided for by the General Assembly for any state agency, board or commission to participate in the Sustainable Building Design Program for renovations of state owned property which exceeds two hundred fifty thousand dollars (\$250,000), the agency may request a transfer from the Sustainable Building Design Program appropriation authorized in the Sustainable Building Design Program Section of this Act from the Chief Fiscal Officer of the State. The request shall clearly state the amount required and such other information as may be required by the Chief Fiscal Officer of the State necessary to make a decision regarding the request. Upon approval of the Chief Fiscal Officer of the State and prior review by the Arkansas Legislative Council or Joint Budget Committee, the State Auditor shall be notified as of the amount and the purposes for which the appropriation and/or funding is to be transferred and shall be established upon the books of the Department of Finance and Administration and the State Auditor. If desired, the appropriation may be supplemental to those regularly appropriated for like purposes by the General Assembly for that agency.

Provided further, that all state agencies, boards or commissions shall have prior approval by the Building Authority Division as authorized for the Sustainable Building Design Program in accordance with established Rules and Regulations.

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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 019

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SUSTAINABLE BUILDING DESIGN PROGRAM - REVOLVING LOAN FUND. The Sustainable Building Design Program Appropriation is intended to provide additional appropriation authority for the Sustainable Building Design Program. Funding for the program may be made available by the Chief Fiscal Officer of the State, in the form of a loan, from a transfer from the Sustainable Building Design Revolving Loan Fund after the required review by the Arkansas Legislative Council or Joint Budget Committee, approval by the Chief Fiscal Officer of the State and approval through rules and regulations established and administered by Building Authority Division. Moneys made available for the repayment of a loan shall be deposited to the credit of the Sustainable Building Design Revolving Loan Fund as a "Refund to Expenditure" for the year in which the deposit is made. In the event that the funds for the repayment of a loan are held in depositories other than the State Treasury, the administrative head of the affected state agency shall issue a check drawn against the funds, which shall be deposited in the Sustainable Building Design Revolving Loan Fund.

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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 020

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUNDING TRANSFER - ~~GENERAL IMPROVEMENT FUNDS~~ DEVELOPMENT AND ENHANCEMENT FUNDS. The Chief Fiscal Officer of the State may transfer from time to time on his or her books and those of the State Treasurer and the Auditor of the State funding which is made available from ~~General Improvement Funds~~ Development and Enhancement Funds allocated and distributed to Building Authority Division in an amount not to exceed three million dollars (\$3,000,000) from the ~~General Improvement Fund~~ Development and Enhancement Fund or its successor fund or fund accounts to the Sustainable Building Design Revolving Loan Fund to provide funds for the appropriation provided herein or for appropriation authority as may be provided by law to provide loans to agencies for the Sustainable Building Design 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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 021

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUNDING TRANSFER - FEDERAL FUNDS. From time to time, the Chief Fiscal Officer of the State may transfer on his or her books and those of the State Treasurer and the Auditor of the State the sum not to exceed twelve million dollars (\$12,000,000) from Federal Funds as determined by the Chief Fiscal Officer of the State to the Sustainable Building Design Revolving Loan Fund to provide funds for the appropriations herein.

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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 022

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUNDING TRANSFER - CASH FUND ACCOUNT. Building Authority Division is authorized to transfer any unspent funds remaining in any cash fund account established for the management of a state owned facility managed by, but not owned by, Building Authority Division to the Building Authority Maintenance Fund to support the facility's Maintenance and Operations appropriations.

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

0615 DTSS - Building Authority Division

ACT#: 0152

SECTION#: 023

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~FUNDING TRANSFER — INSURANCE DEPARTMENT TRUST FUND. Building Authority Division may from time to time as may be necessary and in such amounts as may be necessary and with the approval of the Chief Fiscal Officer of the State, request a transfer of funds from the Insurance Department Trust Fund to the Building Authority Division Real Estate Fund to provide funds for land acquisition and building construction in an amount not to exceed the dollar amount appropriated in the Acquisition and Maintenance Section. Upon his approval, the Chief Fiscal Officer of the State shall then initiate the necessary transfer documents to reflect the transfer upon the fiscal records of the State Auditor, the State Treasurer, the Chief Fiscal Officer of the State and Building Authority Division.~~

~~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

0470 DTSS - Information Systems Division

ACT#: 0079

SECTION#: 005

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

COMPLIANCE WITH STATE AND FEDERAL REGULATIONS.

AGENCY REQUEST

1. In order to effect compliance with the requirements of state and federal statutory and regulatory provisions, the Director shall adjust billing rates or issue billing adjustments to be federally compliant, notwithstanding the provisions of ACA §25-4-105 and §25-4-119 or funds sufficient to effect compliance shall be provided the Division Department from General Revenues, Special Revenues or such other fund sources as may become available. These actions shall be subject to the approval of the Chief Fiscal Officer of the State and approval by the Arkansas Legislative Council or Joint Budget Committee.

2. The Director shall have authority to transfer funds between the Information Technology Reserve Fund established by ACA §25-4-123 and the Division Department of Information Systems Revolving Fund established by ACA §25-4-121 for cash management purposes.

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 Division Department of Information Systems may operate more efficiently if some flexibility is provided to the Division Department of Information Systems authorizing broad powers under this section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0470 DTSS - Information Systems Division

ACT#: 0079

SECTION#: 005

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

0470 DTSS - Information Systems Division

ACT#: 0079

SECTION#: 006

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

GIFTS, GRANTS AND DONATIONS. (i) The Director may accept on behalf of the Division ~~Department~~ of Information Systems, from any source, funds including but not limited to special or general revenue, gifts, grants, cash, bequeaths, devices, donations, real or personal property and equipment. (ii) The Division ~~Department~~ shall quarterly file with the Arkansas Legislative Council or Joint Budget Committee a report summarizing all funds, gifts, grants, cash, bequeaths, devices, donations, real or personal property and equipment received. (iii) 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

0470 DTSS - Information Systems Division

ACT#: New

SECTION#: New

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION - LINE ITEMS -DIVISION OF INFORMATION SYSTEMS - OPERATIONS. After receiving approval from the Chief Fiscal Officer of the State and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Secretary of the Department of Transformation and Shared Services is authorized to transfer appropriation between the line items authorized herein for the Division of Information Systems - Operations to best utilize resources to respond to the needs of the Division's customers. 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

9903 Department of Corrections

ACT#: 0083

SECTION#: 022

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

REGULAR SALARIES - CONTINGENT POSITIONS. There is hereby established for the ~~Department~~ Division of Corrections Contingent Positions for the ~~2020-2021~~ 2021-2022 fiscal year, the following maximum number of regular employees.

AGENCY REQUEST

CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM NO.	CLASS CODE	TITLE	MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE	
				2020-2021	2021-2022
(01)		CHIEF OF MEDICAL SERVICES	1	\$225,000	
(02)		CHIEF OF DENTAL SERVICES	1	175,000	
(03)		PHYSICIANS SPECIALIST	15	170,000	
(04)		CHIEF OF PHARMACY	1	125,000	
(05)		CHIEF OF NURSING SERVICES	1	90,000	
(06)		UNIT/FACILITY MEDICAL MGR	15	90,000	
(07)		RNP/PA	13	85,000	
(08)		DIR OF MEDICAL RECORDS	1	75,000	
PATIENT CARE -					
(09)	L011N	DENTIST	15	GRADE MP06	
(10)	L016N	REGISTERED PHARMACIST	3	GRADE MP05	
(11)	L019C	REGISTERED NURSE COORD	13	GRADE MP02	
(12)	L027C	REGISTERED NURSE SUPV	45	GRADE MP02	
(13)	L064C	RADIOLOGY TECHNICIAN	8	GRADE GS07	
(14)	L069C	LICENSED PRACT. NURSE	180	GRADE GS06	

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9903 Department of Corrections

ACT#: 0083

SECTION#: 022

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)				EXECUTIVE RECOMMENDATION
(15) B111C	LABORATORY TECHNICIAN	3	GRADE GS04	
PATIENT CARE - CLASSIFIED POSITIONS				
(16) L071C	DENTAL HYGIENIST	8	GRADE GS05	
(17) C056C	ADMINISTRATIVE SPEC III	11	GRADE GS04	
(18) C053C	MEDICAL RECORDS TECH	26	GRADE GS03	
(19) C073C	ADMINISTRATIVE SPEC II	9	GRADE GS03	
(20) L081C	DENTAL ASSISTANT	14	GRADE GS04	
CLASSIFIED - NON-PATIENT CARE				
(21)	CHIEF PSYCHIATRIC SERV.	1	\$400,000	
(22)	VP OPERATIONS	1	\$200,000	
(23)	REGIONAL MANAGER	3	\$120,000	
(24)	PSYCHIATRIC SPECIALIST	6	GRADE MP08	
(25) A014C	FISCAL DIVISION MANAGER	1	GRADE GS12	
(26) D030C	INFO SYSTEMS COORDINATOR	1	GRADE IT07	
(27) G178C	POLICY DEVELOP COORD	1	GRADE GS06	
(28) A089C	ACCOUNTANT I	1	GRADE GS07	
(29) V014C	BUYER	2	GRADE GS05	
(30) D079C	COMPUTER SUPPORT TECH	1	GRADE IT02	
(31)	INSTITUTIONAL HR COORDINATOR	1	GRADE C115 GS05	
(32)	HR SPECIALIST	1	GRADE C113 GS04	
(33) A098C	FISCAL SUPPORT SPECIALIST	1	GRADE GS04	
(34)	NURSING ASSISTANT	53	GRADE C110	
(35) A101C	ACCOUNTING TECH	4	GRADE GS04	
(36) V029C	PURCHASING ASSISTANT	<u>1</u>	GRADE GS01	
GRAND TOTAL CONTINGENT EMPLOYEES <u>462</u>				

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9903 Department of Corrections

ACT#: 0083

SECTION#: 022

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9903 Department of Corrections

ACT#: 0083

SECTION#: 023

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

MEDICAL/MENTAL HEALTH SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of Corrections that the Department cannot continue a medical contract with a private provider and the Board deems it necessary to utilize Department staff to provide the required services, the Department is allowed, upon notification of the Chief Fiscal Officer of the State and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, to utilize the contingent positions for medical services contained in this Act and make the appropriate transfers from the Professional Fees and Services line item contained in the Inmate Care & Custody appropriation of this Act to Regular Salaries, Personal Services Matching and various Maintenance and General Operations classifications. Further, the Department may utilize the service(s) of a state-based or national-based Professional Recruitment Service, or network, as may be necessary to recruit, fill, or maintain the occupancy of the positions stated herein.

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

9903 Department of Corrections

ACT#: 0083

SECTION#: 034

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

9903 Department of Corrections

ACT#: 0083

SECTION#: 037

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL REVENUE/CASH FUNDS TRANSFER. The Department of Corrections is authorized to transfer funds from various Special Revenue and Cash Funds into the Inmate Care and Custody Fund Account in order to adjust to the budget needs upon prior approval by the Arkansas Legislative Council or Joint Budget Committee and approval of the Board of Corrections and the Chief Fiscal Officer of the State.

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9903 Department of Corrections

ACT#: 0083

SECTION#: 040

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

COUNTY JAIL INVOICE SUMMARY. The Department of Corrections - Division of Correction and ~~Department~~Division of Community Correction, shall at a minimum and on a fiscal year basis, prepare and post on the applicable agency web site, a monthly summary of county jail reimbursement invoices prepared and forwarded to each county sheriff for verification by the ~~Departments~~Divisions and for payment from the County Jail Reimbursement Fund. In addition, the report shall include a summary of invoices returned by each county for payment for previous months within the fiscal year, the amounts paid, and any balances owed. Each fiscal year-end report shall be maintained on the web sites for a period of no less than three (3) years.

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

9903 Department of Corrections

ACT#: 0083

SECTION#: 046

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

JUVENILE TRANSPORTATION. Funds appropriated for Transportation of Juveniles in the Transportation of Juvenile Offenders Section of this Act shall be used to provide grants/reimbursements to counties and cities for transportation of juvenile offenders to appropriate care or custody facilities or any other licensed juvenile facility approved by the court or as may be provided by law, in those counties which have juvenile detention facilities. Such grants/reimbursements for juvenile transportation costs shall be made in accordance with procedures and criteria developed and administered by the Office of Criminal Detention Facilities Review Coordinator. 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

9903 Department of Corrections

ACT#: NEW

SECTION#: NEW1

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

INMATE CONSUMPTION - DEPARTMENT OF CORRECTIONS. The value of products produced or processed on the farm that were consumed by inmates of the Divisions of Correction and Community Correction shall be based upon prices obtained by the Division of Correction and the State Procurement Director for purchasing similar products and quantities on the open market for other state agencies, institutions, and universities.

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0323 DOC - Parole Board

ACT#: 0159

SECTION#: 003

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~REPORTING REQUIREMENTS. (a) Parole Board shall submit annually to the Joint Performance Review Committee, the Senate Committee on Judiciary, and the House Committee on Judiciary a copy of the board's rules and policies, including any Administrative Rules, Directives, Memoranda, and Operational Policies, as well as any document intended to supplement any rule or policy;~~

~~_____ (b) Emergency Preparedness Plans shall be excluded from the provisions in this section.~~

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

AGENCY REQUEST

Largely duplicated by A.C.A. 16-93-210