

**REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT**

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0011 Legislative Research, Bureau of

ACT#: 9

SECTION#: 8

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 10-3-303, concerning the Bureau of Legislative Research, is amended to add additional subsections to read as follows:

(i) The director may direct the Chief Fiscal Officer of the State to transfer appropriation between the following in such amounts as are determined to be necessary:

(1) The line items within appropriations pertaining to the bureau; and

(2) The appropriations made by the operative appropriation act for the bureau.

(j)(1) Any adjustments in annual salary rates for employees of the bureau, labor market adjustments, merit pay adjustments, or employee retention or recruitment requirements shall be made at the discretion of the director.

(2)(A) Salary payments under this subsection shall not be restricted to maximum amounts authorized by law.

(B) If salary adjustments under this subsection exceed the maximum line item amount authorized by law for a position, the amount shall be paid to the employee as a lump-sum payment.

(k)(1) The director shall be the disbursing officer for the funds appropriated by the operative appropriation act for the bureau, including the Interim Committee Study Expenses section of the operative appropriation act for the bureau.

(2) The director shall appoint a designee who shall serve as the disbursing officer in his or her absence.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 9

SECTION#: 8

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(3) In the event there is no director, the co-chairs of the Legislative Council may appoint a disbursing officer.

(1) All expenditures from the appropriations provided by the operative appropriation act for the bureau shall be in accordance with:

(1) Procedures established by the Legislative Council; and

(2) Appropriate law.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 9

SECTION#: 9

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Recommendation: Delete--Included in 0011-0148-008 (Codification combines section 8 ("Transfer Provision - Line Items"), section 9 ("Cost of Living Increases") and section 10 ("Disbursing Officer") as an additional subchapter to Arkansas Code Title 10, Chapter 3, subchapter 303.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 9

SECTION#: 10

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Recommendation: Delete--Included in 0011-0148-008 (Codification combines section 8 ("Transfer Provision - Line Items"), section 9 ("Cost of Living Increases") and section 10 ("Disbursing Officer") as an additional subchapter to Arkansas Code Title 10, Chapter 3, subchapter 303.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 9

SECTION#: 11

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CLASSIFICATION UTILIZATION. The Bureau of Legislative Research may utilize, at the discretion of the Director of the Bureau of Legislative Research, the following classifications as necessary. The use of these classifications shall not be considered as increasing the number of positions authorized in this act, only as a temporary reclassification or cross grade of a position.

NO EXECUTIVE RECOMMENDATION

CLASS

CODE	TITLE	GRADE
Q220C	SENIOR LEGISLATIVE ATTORNEY	GS12
Q223C	SENIOR LEGAL EDITOR	GS11
Q032C	SENIOR LEGISLATIVE ANALYST	GS11
Q007C	LEGISLATIVE ATTORNEY II	GS11
Q073C	LEGAL EDITOR III	GS10
Q064C	LEGISLATIVE ANALYST III	GS10
Q046C	LEGISLATIVE ATTORNEY	GS10
Q222C	LEGAL EDITOR II	GS09
Q079C	LEGISLATIVE ANALYST II	GS09
Q240C	LEGAL EDITOR	GS08
Q239C	LEGISLATIVE ANALYST	GS08
Q198C	LEGISLATIVE ADMIN SERVICES ANALYST	GS07
Q128C	LEGISLATIVE ADMINISTRATIVE ASSISTANT	GS05
Q241C	SR. APPLICATIONS PROGRAMMER	IT09
Q242C	SR. NETWORK SPECIALIST	IT09
Q243C	APPLICATIONS PROGRAMMER II	IT08
Q244C	NETWORK SPECIALIST II	IT08

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 9

SECTION#: 11

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION
Q246C APPLICATIONS PROGRAMMER IT07	
Q247C NETWORK SPECIALIST IT07	
Q245C SR. PC SUPPORT SPECIALIST IT05	
Q271C APPLICATIONS SUPPORT SPECIALIST IT05	
Q063C PC SUPPORT SPECIALIST II IT04	
Q078C PC SUPPORT SPECIALIST IT03	
Q127C HELP DESK COORDINATOR IT02	
<p>The provisions of this section shall be in effect only from July 1, 2022 <u>2023</u> through June 30, 2023 <u>2024</u>.</p>	

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 172

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND TRANSFER. Federal funds received by the Arkansas State Police from the United States Department of Transportation from safety incentive funds received under 23 USC Section 402 for the "State and Community Highway Safety Program" may be granted to the Administrative Office of the Courts and deposited into the State Central Services Fund to reimburse expenditures by the Administrative Office of the Courts for operating expenses of the Continuing Education Program for District Judges as appropriated in the District Judges Continuing Education - State appropriation herein. The appropriation to the Administrative Office of the Courts provided in the District Judges Continuing Education - State appropriation may be expended only in the event that federal funds have been granted and will be transferred from the Arkansas State Police to reimburse the Continuing Education Program for District Judges.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 172

SECTION#: 32

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 9, Chapter 27, Subchapter 4, is amended to codify special language in appropriation acts and to add an additional section to read as follows:

9-27-403. Dependency neglect attorney contracts.

(a) The Division of Dependency-Neglect Representation may enter into a professional services contract with a qualified attorney who:

(1) Has previously been employed as an attorney by the state before being appointed to provide representation in dependency-neglect cases by a circuit court; or

(2)(A) Is serving as a part-time public defender or other part-time state employee employed as an attorney when the part-time public defender or other part-time state employee employed as an attorney has been appointed to provide dependency-neglect services by a circuit court.

(B) The part-time public defender or other part-time state employee employed as an attorney is eligible for additional compensation that shall not be construed as exceeding the line item maximum for the grade of the part-time public defender's or other part-time state employee's position when the division reimburses the part-time public defender or other part-time state employee employed as an attorney for dependency-neglect representation services performed.

(b) This section does not prevent the division from otherwise contracting with any qualified attorney in the state for dependency-neglect cases.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 172

SECTION#: 33

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DEPENDENCY-NEGLECT REPRESENTATION APPROPRIATION TRANSFER AUTHORITY. The Administrative Office of the Courts shall receive approval from the Chief Fiscal Officer of the State and Arkansas Legislative Council or Joint Budget Committee to transfer funds and appropriations between line items Regular Salaries, Personal Services Matching, Operating Expense, Professional Fees and Attorney Ad Litem Fees/Reimbursements of the Division of Dependency-Neglect Representation appropriation herein for the payment of employees and/or contractors providing legal services for the Division of Dependency-Neglect Representation.

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 Administrative Office of the Courts may operate more efficiently if some flexibility is provided to the Administrative Office of the Courts 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,

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 172

SECTION#: 33

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2022~~
2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 172

SECTION#: 34

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 9, Chapter 27, Subchapter 4, is amended to codify special language in appropriation acts and to add an additional section to read as follows:

9-27-403. Division of Dependency-Neglect Representation funding.

The Department of Finance and Administration shall transfer funds as needed from the State Administration of Justice Fund to the State Central Services Fund in amounts as are required to reimburse the State Central Services Fund for a portion of the expenses of the Division of Dependency-Neglect Representation.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 172

SECTION#: 35

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 16, Chapter 17, Subchapter 1, is amended to codify special language in appropriation acts and to add an additional section to read as follows:

16-17-139. District Court automation funding.

(a) The operating expenses of the District Court State Automation System may be funded through funds received by the Division of Arkansas State Police from the Department of Transportation from the safety incentive funds received under 26 U.S.C. § 163, as it existed on January 1, 2023.

(b) The funds may be transferred to the Administrative Office of the Courts as directed by the division.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 172

SECTION#: 36

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

MONTHLY INSTALLMENT. From July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024, a lump sum monthly installment of at least one-twelfth (1/12) of a portion of the annual appropriation provided for in the Division of Dependency-Neglect Representation appropriation of this Act, or so much thereof as may be made available, shall be provided from the State Administration of Justice Fund to the State Central Services Fund to provide a portion of the funds for that appropriation.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 172

SECTION#: 37

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State and Arkansas Legislative Council or Joint Budget Committee, the Agency is authorized to transfer appropriation from any line item authorized in Court Automation Appropriation of the Administrative Office of the Courts in this Act to any other line item authorized in Court Automation Appropriation.

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 Administrative Office of the Courts may operate more efficiently if some flexibility is provided to the Administrative Office of the Courts 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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 206

SECTION#: 8

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~SPECIAL LANGUAGE — CODE AMENDMENT. Arkansas Code Title 16, Chapter 10, Subchapter 1, is amended to codify special language in appropriation acts and to add an additional section to read as follows:~~

NO EXECUTIVE RECOMMENDATION

~~———— 16-10-142. Court reporters and trial court administrators.~~

~~———— (a)(1) The Administrative Office of the Courts is responsible for requesting and verifying the need for any additional appropriation, any position-level change, any increase in the Administration of Justice Fund allocation amount as authorized in the operative appropriation act, and any increases to be payable from the State Central Services Fund as appropriated in the operative appropriation act, for trial court administrators and official court reporters.~~

~~———— (2) An annual or biennial request for an increase for trial court administrators or official court reporters shall not exceed the total or projected total appropriation as authorized by the General Assembly.~~

~~———— (b) During a fiscal year, the office shall not approve any change in salary level, operating expense, or other distribution for trial court administrators which exceeds the actual or projected appropriation available for trial court administrators or for court reporters which exceeds the actual or projected appropriation available for court reporters.~~

~~———— (c) In order for the General Assembly to make an informed decision on any appropriation increase request, the office shall include with any request for an appropriation increase for trial court administrators or court reporters that exceeds the previous fiscal year total appropriation the following information:~~

~~———— (1) A letter explaining the purpose or reason for the~~

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 206

SECTION#: 8

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~requested appropriation increase along with the total dollar amount requested, the position level change or salary increase requested, and the funding source of the increase;~~

~~_____ (2) A report that includes:~~

~~_____ (A) Current salaries and salaries from previous fiscal years;~~

~~_____ (B) Current years of service;~~

~~_____ (C) A list of salary increases received by an employee during the current or previous fiscal year; and~~

~~_____ (D) The requested increase in salary and match for each trial court administrator or court reporter; and~~

~~_____ (3) A copy of the rules, policies, or procedures established or utilized by the office in conjunction with the Arkansas Judicial Council, Inc., that are used to determine current salaries and salary increases for trial court administrators or court reporters.~~

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0018 Court of Appeals

ACT#: 35

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 16, Chapter 12, Subchapter 1, is amended to codify special language in appropriation acts and to add an additional section to read as follows:

16-12-115. Mileage reimbursement.

(a) A judge of the Court of Appeals may be reimbursed for necessary mileage.

(b) Reimbursement under subsection (a) of this section shall:

(1) Be paid out of funds appropriated in the operations appropriation for the Court of Appeals;

(2) Be at the same mileage reimbursement rate as established in state travel rules for state employees;

(3) Be limited to travel within the state between the judge's official residence and the Court of Appeals, not exceeding three (3) round trips per week; and

(4) Not be allowed for a judge whose official residence is located in Pulaski County.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0059 Auditor of State

ACT#: 10

SECTION#: 8

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Auditor of State is authorized to transfer appropriation from any line item authorized in Operations to any other line item authorized in Operations and the Agency is authorized to transfer appropriation from any line item authorized in Unclaimed Property Program to any other line item authorized in Unclaimed Property Program.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0059 Auditor of State

ACT#: 10

SECTION#: 9

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

POSITION REQUIREMENTS. The Operations Manager shall hold and maintain a Certified Public Accountant license in good standing in the state of Arkansas. The Internal Auditor shall hold and maintain an active certification as a Certified Internal Auditor, with the Institute of Internal Auditors, or a Certified Public Accountant license in good standing in the state of Arkansas.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0069 Treasurer of State

ACT#: 53

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. If the State Treasurer should determine that the appropriations made available for payments of maturing bonds and interest for the College Savings General Obligation Bonds, the Higher Education General Obligation Bonds, the State Waste Disposal and Pollution Abatement Facilities General Obligation Bonds, and the State Water Resources Development General Obligation Bonds are insufficient, appropriation may be transferred from the Refunds/Reimbursement line item to the Debt Service line item for payment of said bonds.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0069 Treasurer of State

ACT#: 69

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Treasurer of State is authorized to transfer appropriation from any line item authorized in Operations Appropriation of the Treasurer's Office in this Act to any other line item authorized in Operations Appropriation.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 118

SECTION#: 9

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DISTRIBUTION OF FUNDS. Funding provided in Property Tax Relief Fund Revenues Distribution to Counties and Property Tax Relief Fund Revenues Distribution to Cities of this Act from the Property Tax Relief Trust Fund shall not be distributed unless there are sufficient funds in the Property Tax Relief Trust Fund as of the date that the Chief Fiscal Officer of the State certifies the amount in excess of the required reimbursement to the counties as provided in §26-26-310(b)(2)(C)(i). If there are sufficient funds remaining in the Property Tax Relief Trust Fund on December 31, ~~2022~~ 2023, as certified, the Treasurer shall distribute two million dollars (\$2,000,000) to counties and two million dollars (\$2,000,000) to cities for the fiscal year ending June 30, ~~2023~~ 2024 from the balance remaining on December 31, ~~2022~~ 2023 from the Property Tax Relief Trust Fund. The distribution to counties shall be made in accordance with the distribution formula in §19-5-602(c). The distribution to cities shall be made in accordance with the distribution formula in §19-5-601(b). The funds attributable to sales and use taxes levied prior to July 1, ~~2022~~ 2023 shall not be transferred from the Property Tax Relief Trust Fund to the cities and counties.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 118

SECTION#: 10

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 19-5-602, concerning the County Aid Fund, is amended to codify special language in appropriation acts by adding an additional subsection to read as follows:

(e) Any appropriation provided by the General Assembly for aid to counties may be supplemented, if necessary, by a transfer from an appropriation provided for unanticipated special revenues.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 118

SECTION#: 11

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

LOANS TO CITIES AND COUNTIES. On July 1 of each fiscal year, the Chief Fiscal Officer of the State shall request a transfer by the State Treasurer from the Budget Stabilization Trust Fund to the County Aid Fund and to the Municipal Aid Fund to assist the various cities and counties in meeting cash flow needs early in the state fiscal year. The transfer shall be a loan to be repaid in equal installments from general revenue distributions each month during the fiscal year for which the loan was made and shall be in addition to any other loans authorized by law for the County Aid and Municipal Aid Funds. The amount of such loan for each fiscal year shall be \$3,517,657 to the Municipal Aid Fund and \$1,906,079 to the County Aid Fund, or so much thereof as may be available in the Budget Stabilization Trust Fund as determined by the Chief Fiscal Officer of the State. Upon such transfer being completed, the State Treasurer shall immediately distribute such funds to each of the several municipalities and counties in the same manner as general revenues are distributed.

It is the intent of the General Assembly that the Chief Fiscal Officer of the State and the State Treasurer shall make every reasonable, and financially sound effort to insure that local governments receive the full amount of the loan authorized herein on July 1 of each year and that the monies authorized for local governments from general revenues be distributed in equal monthly payments.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 118

SECTION#: 12

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. At the close of each fiscal year any unexpended funds for the County Aid and Municipal Aid line items shall be carried forward and distributed pursuant and in addition to the funding formula established under A.C.A 19-5-601 and 19-5-602 within forty-five (45) days.

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

(1) Prior to June 30, ~~2023~~ 2024 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

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 118

SECTION#: 12

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 118

SECTION#: 009

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DISTRIBUTION OF FUNDS. Funding provided in Property Tax Relief Fund Revenues Distribution to Counties and Property Tax Relief Fund Revenues Distribution to Cities of this Act from the Property Tax Relief Trust Fund shall not be distributed unless there are sufficient funds in the Property Tax Relief Trust Fund as of the date that the Chief Fiscal Officer of the State certifies the amount in excess of the required reimbursement to the counties as provided in §26-26-310(b)(2)(C)(i). If there are sufficient funds remaining in the Property Tax Relief Trust Fund on December 31, ~~2022~~ 2023, as certified, the Treasurer shall distribute two million dollars (\$2,000,000) to counties and two million dollars (\$2,000,000) to cities for the fiscal year ending June 30, ~~2023~~ 2024 from the balance remaining on December 31, ~~2022~~ 2023 from the Property Tax Relief Trust Fund. The distribution to counties shall be made in accordance with the distribution formula in §19-5-602(c). The distribution to cities shall be made in accordance with the distribution formula in §19-5-601(b). The funds attributable to sales and use taxes levied prior to July 1, ~~2022~~ 2023 shall not be transferred from the Property Tax Relief Trust Fund to the cities and counties.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 118

SECTION#: 010

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 19-5-602, concerning the County Aid Fund, is amended to codify special language in appropriation acts by adding an additional subsection to read as follows:

(e) Any appropriation provided by the General Assembly for aid to counties may be supplemented, if necessary, by a transfer from an appropriation provided for unanticipated special revenues.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 118

SECTION#: 011

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

LOANS TO CITIES AND COUNTIES. On July 1 of each fiscal year, the Chief Fiscal Officer of the State shall request a transfer by the State Treasurer from the Budget Stabilization Trust Fund to the County Aid Fund and to the Municipal Aid Fund to assist the various cities and counties in meeting cash flow needs early in the state fiscal year. The transfer shall be a loan to be repaid in equal installments from general revenue distributions each month during the fiscal year for which the loan was made and shall be in addition to any other loans authorized by law for the County Aid and Municipal Aid Funds. The amount of such loan for each fiscal year shall be \$3,517,657 to the Municipal Aid Fund and \$1,906,079 to the County Aid Fund, or so much thereof as may be available in the Budget Stabilization Trust Fund as determined by the Chief Fiscal Officer of the State. Upon such transfer being completed, the State Treasurer shall immediately distribute such funds to each of the several municipalities and counties in the same manner as general revenues are distributed.

It is the intent of the General Assembly that the Chief Fiscal Officer of the State and the State Treasurer shall make every reasonable, and financially sound effort to insure that local governments receive the full amount of the loan authorized herein on July 1 of each year and that the monies authorized for local governments from general revenues be distributed in equal monthly payments.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 118

SECTION#: 012

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. At the close of each fiscal year any unexpended funds for the County Aid and Municipal Aid line items shall be carried forward and distributed pursuant and in addition to the funding formula established under A.C.A 19-5-601 and 19-5-602 within forty-five (45) days.

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

(1) Prior to June 30, ~~2023~~ 2024 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

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 118

SECTION#: 012

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0053 Attorney General, Office of the

ACT#: 54

SECTION#: 15

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 25-16-716 is amended to codify special language in appropriation acts to read as follows:

25-16-716. ~~Fee reimbursement~~ Attorney Fees.

(a)~~(1)~~ The Office of the Attorney General may charge a fee to a governmental unit to reimburse the ~~office~~ Office of the Attorney General for an expenditure made on behalf of a governmental unit.

~~(b)(2)~~ A fee under subsection (a) of this section shall be deposited by the ~~office~~ Office of the Attorney General into the State Central Services Fund as a refund to an expenditure.

(b) All monies and funds received by the Office of the Attorney General as attorney fees shall be deposited into the State Central Services Fund as direct revenues of the Office of the Attorney General.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0053 Attorney General, Office of the

ACT#: 54

SECTION#: 16

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Office of Attorney General is authorized to transfer appropriation from any line item authorized in the Operations Appropriation of the Office of Attorney General in this Act to any other line item authorized in the Operations Appropriation.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0053 Attorney General, Office of the

ACT#: 54

SECTION#: 17

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND TRANSFER. Immediately upon the effective date of this act, the Attorney General may deposit or transfer by check monies from the unobligated cash funds of the Office of Attorney General received from court orders or settlement agreements to the State Central Services Fund.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0051 Lieutenant Governor, Office of the

ACT#: 3

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 25, Chapter 16, Subchapter 3, is amended to add an additional section to codify special language in appropriation acts to read as follows:

25-16-303. Appropriation transfer.

The office of the Lieutenant Governor may transfer an appropriation from any line item authorized in the operations appropriation of the office of the Lieutenant Governor to any other line item authorized in the operations appropriation of the office of the Lieutenant Governor if:

(1) The Chief Fiscal Officer of the State approves the transfer of the appropriation; and

(2) The transfer is reviewed by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0063 Secretary of State

ACT#: 138

SECTION#: 14

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Agency is authorized to transfer appropriation from any line item authorized in Operations appropriation to any other line item authorized in Operations appropriation.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0063 Secretary of State

ACT#: 138

SECTION#: 15

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

STATE CAPITOL POLICE. In the event that sufficient revenues, in the judgment of the Secretary of State exist, the Secretary is hereby authorized to make additional salary payments from such funds to those employees who have attained law enforcement certification above the basic certificate level, as defined by the Arkansas Commission on Law Enforcement Standards. It is the intent of this Section that such payment shall be optional, at the discretion of the Secretary, dependent on sufficient revenues and shall not be implemented using funds specifically set aside for other programs within the Department.

Employees shall be eligible for all or a portion of additional salary payments scheduled as follows:

- I. General Certificate - \$ 300 annually
- II. Intermediate Certificate - \$ 600 annually
- III. Advanced Certificate - \$ 900 annually
- IV. Senior Certificate - \$1,200 annually

Payment of such funds may be made monthly, quarterly, semiannually or annually depending upon the availability of revenues and shall be restricted to the following classifications:

- 1. Sec. of State Capitol Police Chief
- 2. Sec. of State Police Sergeant
- 3. Sec. of State Corporal
- 4. Sec. of State Capitol Police Captain

Payments made under this Section which are awarded as partial or lump sum payments shall not be considered as salary for purposes of retirement benefits but shall be subject to withholding of all applicable federal and

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0063 Secretary of State

ACT#: 138

SECTION#: 15

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

state taxes. Payments made under this Section shall not be construed as exceeding the maximum annual salary of the employee.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

Recommendation: Delete, this language is codified at § 12-14-106.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0063 Secretary of State

ACT#: 138

SECTION#: 16

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PERMANENT GIFT SHOP. The Arkansas Secretary of State shall operate a gift shop to be permanently located in a space on the first floor of the State Capitol Building. It shall be the duty of the Secretary of State to maintain a space on the first floor of the State Capitol Building for the use of a gift shop. The Arkansas Secretary of State is prohibited from removing a gift shop from the first floor of the State Capitol Building or to nullify or void the provisions of this section. A space on the first floor of the State Capitol Building shall be the only location for the Arkansas Secretary of State gift shop operations and shall be the only location items of the Arkansas Secretary of State gift shop are sold to the public.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0034 Governor, Office of the

ACT#: 2

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Agency is authorized to transfer appropriation from any line item authorized in Operations Appropriation of the Governor's Office in this Act to any other line item authorized in Operations Appropriation.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMENDATIONS

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0034 Governor, Office of the

ACT#: 2

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 25, Chapter 16, Subchapter 2, is amended to add an additional section to codify special language in appropriation acts to read as follows:

25-16-207. Maximum salary increase.

To recruit and retain exceptionally well-qualified personnel, the office of the Governor may exceed the maximum salary level of personnel if:

(1) The maximum salary is increased by no more than twenty percent (20%);

(2) The maximum salary increase is requested for no more than one-third (1/3) of the positions authorized in the operation appropriation act for the office of the Governor; and

(3) The Office of the Governor receives approval for the maximum salary increase from the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

NO EXECUTIVE RECOMMENDATIONS

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0314 Governor's Mansion Commission

ACT#: 50

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ARKANSAS GOVERNOR'S MANSION - CASH FUND. The Chief Fiscal Officer of the State shall at each end of the fiscal year cause to be transferred into the State Central Services Fund the excess of the Arkansas Governor's Mansion - Cash Fund over \$300,000 to defray state support for related purposes, including, but not limited to personal services and operating expenses, as required to carry out the functions, powers and duties of the Arkansas Governor's Mansion pursuant to ACA §22-3-801 - 806. The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

NO EXECUTIVE RECOMMENDATIONS

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0009 Legislative Audit

ACT#: 55

SECTION#: 3

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 10, Chapter 4, Subchapter 4, is amended to add an additional section to read as follows:

10-4-430. Transfers of appropriation.

(a) Except as provided in subsection (b) of this section, the Legislative Auditor may direct the Chief Fiscal Officer of the State to transfer appropriation between the line items of the Operations section of the operative appropriation act for Arkansas Legislative Audit in amounts as are determined to be necessary.

(b) The Regular Salaries line item in the Operations section of the operative appropriation act for Arkansas Legislative Audit shall not be increased or decreased by a transfer under subsection (a) of this section until the transfer is reviewed by the:

(1) Legislative Council; or

(2) Joint Budget Committee, if the General Assembly is in session.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0009 Legislative Audit

ACT#: 55

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 10, Chapter 4, Subchapter 4, is amended to add an additional section to read as follows:

NO EXECUTIVE RECOMMENDATION

10-4-431. Salaries - Arkansas Legislative Audit.

(a) Any adjustments in annual salary rates for employees, labor market adjustments, merit pay adjustments, or employee retention or recruitment requirements shall be made at the discretion of the Legislative Auditor.

(b)(1) In addition to other salary payments under this section, the Legislative Auditor may implement a merit program to reward employees for exceptional service.

(2) The merit program under subdivision (b)(1) of this section shall be approved by the Legislative Joint Auditing Committee before implementation of the merit program.

(c) In order that exceptionally well-qualified personnel may be recruited and retained, Arkansas Legislative Audit may exceed the maximum salary levels by no more than twenty percent (20%) for no more than one-third (1/3) of the positions authorized in its operative appropriation act after receiving approval from the:

(1) Legislative Council; or

(2) Joint Budget Committee, if the General Assembly is in session.

(d) Salary payments under this section shall not be restricted to maximum amounts authorized by law.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0009 Legislative Audit

ACT#: 55

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 10, Chapter 4, Subchapter 4, is amended to add an additional section to read as follows:

10-4-432. Funds received in connection with Arkansas Scholarship Lottery Act.

Funds received by Arkansas Legislative Audit for performing its duties under the Arkansas Scholarship Lottery Act, § 23-114-101 et seq., shall be deposited into the State Central Services Fund to be utilized solely by Arkansas Legislative Audit in performing those duties.

NO EXECUTIVE RECOMMENDATION

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9902 Department of Commerce

ACT#: 218

SECTION#: 50

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SHARED SERVICES.

AGENCY REQUEST

(a)(1) The Chief Fiscal Officer of the State may create a Shared Services paying account 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 in the Shared Services Paying Account Appropriation by the Department of Commerce.

(2) 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 on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(3) The transfer authority provided to the department in subdivision (a)(2) 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.

(4) The provisions of this section shall be in effect from the date of passage through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0790 DOC - Economic Development Commission

ACT#: 180

SECTION#: 48

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 15-6-107, concerning the assistance programs and grants administered by the Rural Services Division of the Arkansas Economic Development Commission, is amended to codify special language in appropriation acts and to add an additional subsection to read as follows:

(d)(1) The division shall develop rules for the disbursement of matching fund grants to county fairs for the construction, renovation, or improvement of county fairgrounds.

(2)(A) A county fair receiving a grant under subdivision (d)(1) of this section shall match the amount of the grant.

(B) The match under subdivision (d)(2)(A) of this section shall be an in-kind match or a cash match.

(C) A county fair shall not receive more than thirty thousand dollars (\$30,000) for the biennium.

~~SPECIAL LANGUAGE — CODE AMENDMENT. — Arkansas Code § 15-6-107, concerning the assistance programs and grants administered by the Rural Services Division of the Arkansas Economic Development Commission, is amended to codify special language in appropriation acts and to add an additional subsection to read as follows:~~

~~—— (d)(1) The division shall develop rules for the disbursement of matching fund grants to county fairs for the construction, renovation, or improvement of county fairgrounds.~~

~~———— (2)(A) A county fair receiving a grant under subdivision (d)(1) of this section shall match the amount of the grant.~~

~~———— (B) The match under subdivision (d)(2)(A) of this section shall be an in-kind match or a cash match.~~

~~———— (C) A county fair shall not receive more than thirty thousand dollars (\$30,000) for the biennium.~~

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0790 DOC - Economic Development Commission

ACT#: 218

SECTION#: 32

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0790 DOC - Economic Development Commission

ACT#: 218

SECTION#: 33

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0790 DOC - Economic Development Commission

ACT#: 218

SECTION#: 34

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

AGENCY REQUEST

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

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ACT#: 218

SECTION#: 34

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0790 DOC - Economic Development Commission

ACT#: 218

SECTION#: 35

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6-50-102 is amended to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

6-50-102. Training ~~workers in existing industries~~ activities.

(a)~~(1)~~ The role and function of the Arkansas Industry Training Program of the Arkansas Economic Development Council and the Arkansas Economic Development Commission is expanded to authorize the program to provide training of workers in existing industries as well as in new and expanding businesses and industries.

(2) Funds appropriated to the commission for the Arkansas Industry Training Program may be used for personal services, operating expenses, grants and aid, capital acquisition, and other purposes that provide industry-specific training opportunities.

(b)~~(1)~~ Such training may be for Permissible training under subsection (a) of this section includes without limitation:

~~(1)(A)~~ Upgrading skills and abilities of workers to operate modern, more sophisticated equipment;

~~(2)(B)~~ Providing workers with skills needed for initiating more modern processes and using more sophisticated materials; and

~~(3)(C)~~ Other situations which create a technical-upgrade training need of employees.

(2) The commission shall prepare a quarterly report detailing its training activities and submit that report to the Governor and the Legislative Council or, if the General Assembly is in session, the Joint

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ACT#: 218

SECTION#: 35

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Budget Committee.

(c) The resources provided shall not be used to address worker training needs caused by turnover and normal attrition.

(d) The commission shall cooperate with the Arkansas Higher Education Coordinating Board in the operation of this program.

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ACT#: 218

SECTION#: 36

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 15-4-210(a), concerning the operation of a foreign office by the Arkansas Economic Development Commission, is amended to codify special language in appropriation acts to read as follows:

(a)(1) The Arkansas Economic Development Commission may engage the services of contract employees to promote the development of:

- (1) Foreign direct investment in the state;
- (2) Increased trade with foreign countries; and
- (3) Improved relations with countries with which the state

currently trades and countries that present future opportunities for enhanced economic development in the state.

(2)(A) The Commission may enter into contractual arrangements with private or public companies, corporations, individuals, or organizations for the purpose of operating foreign offices.

(B) The foreign offices under subdivision (a)(2)(A) of this section shall only:

(i) Provide export trade assistance to Arkansas-based businesses;

(ii) Facilitate the repatriation to Arkansas of manufacturing businesses operating overseas; and

(iii) Encourage direct investment in Arkansas by foreign companies that are not state-owned or state-controlled.

(3) This section does not preclude the use of standard professional services contracts for the operation of the foreign offices or the payment of professional services contracts from the special line items

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2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

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ACT#: 218

SECTION#: 36

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

as established by appropriation for the operation of foreign offices.

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0790 DOC - Economic Development Commission

ACT#: 218

SECTION#: 37

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

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0790 DOC - Economic Development Commission

ACT#: 218

SECTION#: 38

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 15-6-106(a), concerning the functions, powers, and duties of the Rural Services Division of the Arkansas Economic Development Commission, is amended to codify special language in appropriation acts and to add additional subdivisions to read as follows:

(12) To have the sole power to recommend grant applications for funding and to provide final approval for the disbursement of grant funds from the Rural Development Set-Aside funds; and

(13) To review all applications for grant funds and to certify the applications eligible for grant funds under Arkansas Economic Development Commission guidelines and federal guidelines.

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 15-6-106(b) and (c), concerning the duties of the Rural Services Division of the Arkansas Economic Development Commission, are amended to codify special language in appropriation acts to read as follows:

(b)(1) The director may prescribe and issue, pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq., such reasonable rules as may be necessary to carry out the provisions of this chapter.

(2) The commission and the division shall promulgate rules governing the application for and disbursement of grant funds from the Rural Development Set-Aside.

(c) The division shall prepare and submit biennially:

(1) A comprehensive biennial report on January 1 a

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~comprehensive report~~ concerning the assistance activities undertaken by the division, any recommendations for legislative proposals, data concerning program activities in rural areas, and other pertinent information ~~which~~ that will indicate the activities conducted by the division in the previous biennium; and

(2) An annual report to the Legislative Joint Auditing Committee regarding the disposition of the Rural Development Set-Aside funds.

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ACT#: 218

SECTION#: 39

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

AGENCY REQUEST

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2022~~
~~2023~~ through June 30, ~~2023~~ 2024.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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SECTION#: 41

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 15-4-206, concerning the Director of the Arkansas Economic Development Commission, is amended to codify special language in appropriation acts and to add an additional subsection to read as follows:

(c)(1) The Arkansas Industrial and Economic Development Foundation may make additional payments, from private funding sources, to the director if the additional payments have received the prior approval of the:

(A) Arkansas Economic Development Commission;

(B) Arkansas Industrial and Economic Development Foundation; and

(C) Governor.

(2) The additional payments under subdivision (c)(1) of this section shall not be:

(A) Considered salary; and

(B) Construed to exceed the maximum salaries established by the General Assembly for unclassified employees.

(3) This subsection does not reduce or eliminate any other authority for the payment of allowances or bonuses to unclassified employees.

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EXECUTIVE RECOMMENDATION

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

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

- (1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 15-3-116, concerning the deposit of moneys received by the Division of Science and Technology of the Arkansas Economic Development Commission, is amended to codify special language in appropriation acts and to add an additional subsection to read as follows:

(e) Notwithstanding any other law to the contrary regarding general revenue year-end fund balances, any moneys received from the repayment of seed capital investments authorized by the division and expensed from the Seed Capital Investments line item from in the Division of Science and Technology - State Operations Section of within this Act shall:

(1) Be deposited into the State Treasury to the credit of the Arkansas Economic Development Commission Fund Account; and

(2) Remain in the Arkansas Economic Development Commission Fund Account to be made available solely for the benefit of the Division of Science and Technology of the Arkansas Economic Development Commission to provide additional seed capital investments.

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EXECUTIVE RECOMMENDATION

CARRY FORWARD - TECHNOLOGY DEVELOPMENT. The Division of Science and Technology of the Arkansas Economic Development Commission is authorized to carry forward an amount of up to \$150,000 of any obligated but unexpended funds in the Technology Development line item in the Division of Science and Technology - State Operations Section of this Act for basic or applied research grants which remains at the end of the fiscal year ~~2023~~ 2024 to be used for the same purpose.

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

(1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

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

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

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

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

The provisions of this section shall be in effect only from July 1 ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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SECTION#: 45

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2022~~
~~2023~~ through June 30, ~~2023~~ 2024.

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EXECUTIVE RECOMMENDATION

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

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

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ACT#: 218

SECTION#: 47

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2022~~
~~2023~~ through June 30, ~~2023~~ 2024.

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0790 DOC - Economic Development Commission

ACT#: 218

SECTION#: 48

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER OF FUNDS. In the event that revenue is available for transfer to and in support of the Arkansas Acceleration Fund Act, the Executive Director of the Arkansas Economic Development Commission shall certify to the Chief Fiscal Officer of the State the amount needed for transfer from the Arkansas Economic Development Commission Fund Account to the Arkansas Acceleration Fund. Upon the approval of the Chief Fiscal Officer of the State, the amount certified shall be transferred. The Chief Fiscal Officer of the State shall initiate the necessary transfer documents to reflect all such transfers upon the fiscal records of the State Auditor, the State Treasurer and the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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ACT#: 218

SECTION#: 49

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

- (1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0790 DOC - Economic Development Commission

ACT#: 218

SECTION#: 51

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD - ARKANSAS ACCELERATION FUND PROGRAM. Any unexpended balance of funds for the Arkansas Acceleration Fund Program line item in the Division of Science and Technology - State Operations Section of this Act which remain at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law.

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

(1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement set forth its reasons(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

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EXECUTIVE RECOMMENDATION

Committee; and

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0425 DOC - Insurance Department

ACT#: 26

SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. In the event the State Insurance Department is unable to maintain a full roster of examination personnel, and upon approval of the Chief Fiscal Officer of the State, the resulting unused appropriations in Regular Salaries, Extra Help, and Personal Services Matching may be transferred to the Professional Services special line item for the purpose of contracting with qualified individuals or firms for examination assistance.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0425 DOC - Insurance Department

ACT#: New

SECTION#: New

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

REFUND TO EXPENDITURE. The proceeds from the reimbursement of travel expenses received by the Arkansas Insurance Department, 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, 2023 through June 30, 2024.

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0410 DOC - State Securities Department

ACT#: 64

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 23, Chapter 42, Subchapter 1, is amended to add an additional section to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

23-42-111. Quarterly reports.

(a) The State Securities Department shall provide to the Legislative Council, or to the Joint Budget Committee if the General Assembly is in session, on a quarterly basis a report of all funds received or any external fund transactions recognized or required through court orders or settlement agreements.

(b) The report required under subsection (a) of this section shall include:

(1) The case name of the court order or settlement agreement;

(2) The amount of funds received or transaction recognized or required by the department for each court order or settlement agreement;

(3)(A) A plan for disbursement of the received funds.

(B) If funds received from a court order or settlement agreement are expended for any purpose, including investor education and enforcement activities, the report shall itemize specific activities subject to the exclusions provided in § 25-1-403(1)(B);

(4) An itemization of the specific investor education and enforcement activities funded for the department;

(5) An explanation of whether the funds received or transactions recognized or required from a court order or settlement

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0410 DOC - State Securities Department

ACT#: 64

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

agreement are directed to a specific entity, and if so, the department shall provide a summary of input regarding the drafting of the court order or settlement agreement;

(6) A report of the rationale for disbursing funds to a specific entity if the department receives funds from a court order or settlement agreement that does not require disbursement of funds to a specific entity; and

(7) A report of current balances of all unappropriated fund holdings the department received from a court order or settlement agreement.

(c) The department shall provide the reports required under this section no later than the fifteenth day of the month immediately following the end of each quarter.

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0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD - NEW HIRE REGISTRY. Any balance in the funds made available by this Act for the New Hire Registry which remain on June 30, ~~2023~~ 2024, may be carried forward into the next fiscal year, to be used for the same purpose.

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

(1) Prior to June 30, ~~2023~~ 2024 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

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

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

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

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ACT#: 181

SECTION#: 22

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 23

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXTRA HELP. There is hereby authorized, for the Division of Workforce Services for the ~~2022-2023~~ 2023-2024 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four hundred thirty three (433) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. Any of these positions utilized in a manner which are funded by federal sources are specifically exempt from limitation of hours, either by Act or Regulation.

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 11, Chapter 10, Subchapter 1, is amended to add an additional section and to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

11-10-112. Use of certain federal funds.

(a) Conditioned upon the availability of federal funding provided under Section 209 of the Temporary Extended Unemployment Compensation Act of 2002; Title II of the Job Creation and Worker Assistance Act of 2002, Pub. L. No. 107-147; Title IX of the Social Security Act, 42 U.S.C. § 1103; the Federal Unemployment Tax Act, 26 U.S.C. § 3301; or the Unemployment Insurance Program Letter 39-97 (62 Fed. Reg. 63960 (December 3, 1997), UIPL 39-97, Change 1 (January 16, 2002), and UIPL 20-02 (April 4, 2002)); or their successors, the Secretary of the Department of Labor and Licensing may accept "Reed Act" distributions for the following purposes, including without limitation:

(1) Construction and improvement of buildings;

(2) Rental or lease costs;

(3) The acquisition of land;

(4) Payment of salaries and related benefits of central and local office staff of the Division of Workforce Services;

(5) Maintenance and operation of central and local offices of the Division of Workforce Services;

(6) Payment of unemployment insurance benefits; or

(7) Other allowable uses as provided by federal law.

(b) Funding obligated under this section shall not exceed the amount by which the aggregate of the amounts transferred to the account

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SECTION#: 24

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

_____ of this state under federal law exceeds the aggregate of the amounts used by this state and charged against the amounts transferred to the account of this state.

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0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 11-10-310, concerning the duties of the Director of the Division of Workforce Services and personnel, is amended to add additional subsections to codify special language in appropriation acts to read as follows:

(e) The director may establish new or additional full-time positions if:

(1) The new or additional full-time positions are necessary

to:

(A) Carry out the objectives of the Division of Workforce Services' programs; or

(B) Meet federal requirements of new or expanded programs when such needs are financed by federal funds;

(2) The director receives the approval of the Office of Personnel Management;

(3) The director seeks review by the Legislative Council, or if the General Assembly is in session, the Joint Budget Committee, prior to establishing the new or additional full-time positions;

(4) The director authorizes the employment of no more than two hundred (200) persons in new or additional full-time positions in addition to those positions authorized in the salary schedule; and

(5) The rate of pay for the new or additional full-time positions does not exceed those set out in the salary schedule for comparable positions as authorized under the regular salaries section of the division's appropriation act.

AGENCY REQUEST

(f) If the division requests continuation of a growth pool position as

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EXECUTIVE RECOMMENDATION

established under this section, the position shall be requested as a new position in the division's next budget request.

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ACT#: 181

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

AGENCY REQUEST

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0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 28

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 29

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 30

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

AGENCY REQUEST

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

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

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

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

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

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

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

- (i) Food;

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 31

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FEDERAL MATCHING. The funds appropriated in Sections for Adult Basic and General Adult Education of this Act may also be used to match any available federal funds from any agency in order to provide the maximum amount of money possible for the purposes enumerated in such Section.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0810 DOC - Division of Workforce Services

ACT#: 181

SECTION#: 32

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0520 DOC - Arkansas Rehabilitation Services

ACT#: 68

SECTION#: 14

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 25, Chapter 30, Subchapter 2, is amended to add an additional section and to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

25-30-207. Comprehensive system of personnel development.

(a) Under The Rehabilitation Act Amendments of 1992, Pub. L. No. 102-569, a state vocational rehabilitation agency is required to establish qualified personnel standards for rehabilitation personnel, including vocational rehabilitation counselors, that are consistent with national or state-approved or recognized certification, licensing, or registration that apply to a particular profession.

(b)(1) In order to comply with the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq., as it existed on January 1, 2023, and state plan requirements, Arkansas Rehabilitation Services is granted a general waiver of the Financial Management Guide, R1-19-4-522 Continuing Professional Education.

(2) The waiver granted under subdivision (b)(1) of this section allows Arkansas Rehabilitation Services to provide college level coursework in a degree program for an eligible employee selected by Arkansas Rehabilitation Services.

(c) This section covers any formula and discretionary grants funded by the United States Department of Education Rehabilitation Services Administration, including without limitation the following:

(1) The vocational rehabilitation program;

(2) Supported employment;

(3) Independent living; and

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0520 DOC - Arkansas Rehabilitation Services

ACT#: 68

SECTION#: 14

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(4) The staff development grant.

(d) This section applies to federal financial participation, state general revenue share, and program income.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0520 DOC - Arkansas Rehabilitation Services

ACT#: 68

SECTION#: 15

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 25, Chapter 10, Subchapter 2, is amended to add an additional section and to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

25-10-210. Comprehensive system of personnel development.

(a) Under The Rehabilitation Act Amendments of 1992, Pub. L. No. 102-569, a state vocational rehabilitation agency is required to establish qualified personnel standards for rehabilitation personnel, including vocational rehabilitation counselors, that are consistent with national or state-approved or recognized certification, licensing, or registration that apply to a particular profession.

(b)(1) In order to comply with the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq., as it existed on January 1, 2023, and state plan requirements, the Division of State Services for the Blind is granted a general waiver of the Financial Management Guide, R1-19-4-522 Continuing Professional Education.

(2) The waiver granted under subdivision (b)(1) of this section allows the division to provide college level coursework in a degree program for an eligible employee selected by the division.

(c) This section covers any formula and discretionary grants funded by the United States Department of Education Rehabilitation Services Administration, including without limitation the following:

- (1) The vocational rehabilitation program;
- (2) Supported employment;
- (3) Independent living; and
- (4) The staff development grant.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0520 DOC - Arkansas Rehabilitation Services

ACT#: 68

SECTION#: 15

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(d) State general revenue shall not be expended for tuition for a degree authorized under this section.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0341 DOC - Arkansas Waterways Commission

ACT#: 57

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

ASSOCIATION DUES. Of the amounts appropriated for regional contributions by the State Contributions line item in the Operations appropriation of this Act, three thousand dollars (\$3,000.00), or three-sevenths (3/7) whichever is less of the appropriated or funded amount, each fiscal year shall be allocated for membership dues for the Lower Mississippi Valley Flood Control Association and one thousand dollars (\$1,000.00), or one-seventh (1/7) whichever is less of the appropriated or funded amount, each fiscal year shall be allocated for membership dues for each of the following associations: Ouachita River Valley Association, Red River Valley Association, Arkansas Waterways Association, and White River Valley Coalition.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0341 DOC - Arkansas Waterways Commission

ACT#: 57

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

PROMOTIONAL ITEMS. Upon approval of the Chief Fiscal Officer of the State, the Arkansas Waterways Commission is hereby authorized to transfer appropriation from Operating Expenses to Promotional Items in the Operations Appropriation provided by this Act in an amount not to exceed one thousand five hundred dollars (\$1,500) each fiscal year to meet the Commission's educational/outreach needs.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9901 Department of Agriculture

ACT#: 176

SECTION#: 39

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SHARED SERVICES.

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

(2) 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 set on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(3) The transfer authority provided to the department in subdivision (a)(2) of this section may be used to make transfersonly within the department's appropriation act or between other appropriations acts authorized for the department.

(4) The provisions of this section shall be in effect from the date of passage through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 176

SECTION#: 38

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FAIR FUND TRANSFER. On July 1 of each fiscal year, or as soon as is practical, the Chief Fiscal Officer of the State may transfer the amount needed for distribution by the Department of Agriculture to fund fairs from the Miscellaneous Agencies Fund Account to the Agri Fair Fund.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 176

SECTION#: 40

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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0400 Agriculture, Department of

ACT#: 176

SECTION#: 40

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 176

SECTION#: 41

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 176

SECTION#: 42

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 176

SECTION#: 43

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

The provisions of this section shall be in effect only from July 1, 2022 2023 through June 30, 2023 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 176

SECTION#: 44

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 176

SECTION#: 44

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

The provisions of this section shall be in effect only from July 1, ~~2022~~
2023 through June 30, ~~2023~~ 2024.

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0455 Natural Resources Commission, Arkansas

ACT#: 48

SECTION#: 25

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the transfer of obligated water, sewer, and solid waste funds, as provided in the appropriation act for the Natural Resources Commission in the appropriation entitled "Water, Sewer and Solid Waste - State", from the Miscellaneous Agencies Fund Account, to the Water, Sewer and Solid Waste Revolving Fund.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 48

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the carry forward of funds to support the amount of obligated grants that are certified by the Natural Resources Commission for Matching Grants in the appropriation entitled "Water Quality Plan Implementation".

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

- (1) Prior to June 30, ~~2023~~ 2024 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 from the first fiscal year to the second fiscal year, 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

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0455 Natural Resources Commission, Arkansas

ACT#: 48

SECTION#: 26

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Committee; and

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 48

SECTION#: 27

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. At the end of the fiscal year, the Chief Fiscal Officer of the State shall authorize the carry forward of funds to support the amount of obligated grants that are certified by the Natural Resources Commission for Water Quality Technicians in the appropriation entitled "Water Quality Plan Implementation".

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

(1) Prior to June 30, ~~2023~~ 2024 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 from the first fiscal year to the second fiscal year, 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

AGENCY REQUEST

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 48

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CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Committee; and

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

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.