

**REPORT
OF THE
SUBCOMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE
REVIEW (PEER)
OF THE ARKANSAS LEGISLATIVE COUNCIL**

May 18, 2018

Mr. Chairmen:

Your Subcommittee on Performance Evaluation and Expenditure Review (PEER) met on Wednesday, May 16, 2018, and after having reviewed the following items, reports that the Subcommittee's review and/or approval is complete unless otherwise noted.

A. Cash Fund Appropriation Increase Requests – FY18

1. Department of Arkansas Heritage – Delta Cultural Center - \$50,000
2. Parks and Tourism – War Memorial Stadium - \$350,000
3. Arkansas Economic Development Commission - \$30,000
4. Administrative Office of the Courts - \$300,000

B. Items for Approval

1. Appropriation and/or Fund Transfer Request(s) – FY18

Arkansas Department of Transportation - \$65,000,000 from Operating Expenses to Capital Outlay

2. Rainy Day Fund Release Request(s) – FY18

- a. Administrative Office of the Courts - \$300,000 for Security Grants
- b. Arkansas Economic Development Commission - \$500,000 for a Transformation Consultant

3. Reallocation of Resources – FY18

Department of Human Services (See Attachment 1)

C. Budget Classification Transfer Requests – FY18

1. Department of Environmental Quality - \$415,000 from Professional Fees to Operating Expenses in the amount of \$375,000 and to Capital Outlay in the amount of \$40,000
2. Office of Medicaid Inspector General - \$2,653 to Operating Expenses from Conference and Travel Expenses in the amount of \$1,653 and from Professional Fees in the amount of \$1,000

D. Miscellaneous Federal Grant Appropriation Request – FY18

Agriculture Department - \$100,000

E. Merit Adjustment Fund/Pay Plan Holding Account Transfer

1. Aeronautics Department - \$9,200
2. Department of Veterans Affairs - \$95,195
3. Real Estate Commission - \$28,100
4. Department of Education - \$97,000
5. Board of Accountancy - \$18,000
6. Arkansas Economic Development Commission - \$105,000
7. Home Inspector Licensing Board - \$700
8. Securities Department - \$145,000
9. Department of Emergency Management - \$34,500
10. Auditor of State - \$900,000
11. Administrative Office of the Courts – \$22,000
12. Crime Information Center - \$55,000
13. Supreme Court - \$106,000
14. Department of Environmental Quality - \$91,500
15. Public Service Commission - \$12,000
16. Public Defender Commission - \$704,000
17. Office of Prosecutor Coordinator - \$42,000
18. Agriculture Department - \$112,300
19. Arkansas Development Finance Authority - \$12,000
20. Physical Therapy Board - \$1,500
21. Ethics Commission - \$28,000
22. Disabled Veterans Service Office - \$1,850
23. Towing and Recovery Board - \$5,000
24. Veterans Child Welfare Service Office - \$2,750
25. Riverside Vo-Tech - \$3,500
26. Northwest Technical Institute - \$3,500
27. Department of Higher Education - \$1,200
28. Veterinary Medical Examiners Board - \$1,000
29. Department of Environmental Quality - \$200
30. Social Work Licensing Board - \$5,500
31. Department of Finance and Administration – Division of Administrative Services - \$11,400
32. Crime Laboratory - \$148,671

F. Item Approved on an Emergency Basis (See Attachment 2)

Pay Plan Holding Account Transfer Request – FY18

--Department of Finance and Administration – Division of Racing - \$75,900

G. 2018 Pre-Session Budget Hearing Parameters (See Attachment 3)

The Subcommittee was also presented the

Office of the Treasurer – Professional Fees Expenditure Report for April 2018;
Department of Human Services Inter-Agency and Inter-Divisional Match Fund Transfers for Third Quarter FY18;
Office of Attorney General Cash Settlement Fund Report for Third Quarter FY18;
Arkansas State Police Asset Forfeiture Expenditures for Third Quarter FY18;
Federal Grant Applications Quarterly Report – January–March, 2018; and
Federal Grant Awards Quarterly Report – January–March, 2018

Respectfully submitted by Subcommittee Co-Chairs, Senator Bruce Maloch and Representative David Meeks

**DEPARTMENT OF HUMAN SERVICES
TRANSFER REQUEST SUMMARY
FISCAL YEAR 2018**

[illegible]

**ALC Report
For Emergency Review of
Pay Plan Request**

Attachment 2

May 7, 2018

On May 7, 2018, Senator Bill Sample and Representative Jim Dotson, Co-Chairs of the Legislative Council, and Senator Bruce Maloch and Representative David Meeks, Co-Chairs of the PEER Subcommittee, received written notification from Larry Walther, the Chief Fiscal Officer of the State, requesting Emergency Review of a Pay Plan Appropriation Request.

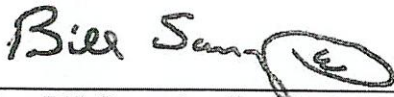
Under Rule 16 of the Rules of the Arkansas Legislative Council, on May 7, 2018 the Co-Chairs of the Legislative Council and PEER Subcommittee unanimously determined that emergency review of the Pay Plan request was necessary to enable the agency to perform essential services. As such, the Co-Chairs of the Legislative Council and the Co-Chairs of the PEER Subcommittee may act on behalf of the Legislative Council in regard to this request, and state herein that this request shall be filed as reviewed and reported to the Legislative Council at its next regularly scheduled meeting in accordance with Rule 16.

Below is a summary of the Pay Plan request that was given emergency review.

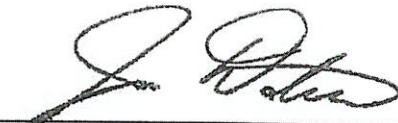
Pay Plan Appropriation Request – FY18

Department of Finance and Administration/Division of Racing - \$75,900

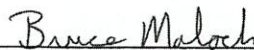
Respectfully Submitted,



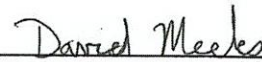
Senator Bill Sample, Co-Chair
Arkansas Legislative Council



Representative Jim Dotson, Co-Chair
Arkansas Legislative Council

 by: BP

Senator Bruce Maloch, Co-Chair
ALC PEER Subcommittee

 by: BP

Representative David Meeks, Co-Chair
ALC PEER Subcommittee



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF THE DIRECTOR
1509 West Seventh Street, Suite 401
Post Office Box 3278
Little Rock, Arkansas 72203-3278
Phone: (501) 682-2242
Fax: (501) 682-1029
<http://www.state.ar.us/dfa>

May 7, 2018

Senator Bill Sample, Chair
Representative Jim Dotson, Chair
Arkansas Legislative Council
State Capitol
Little Rock, AR 72201

RE: Emergency Action Procedures Request

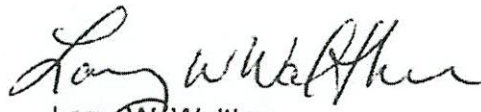
Dear Co-Chairs:

This is to inform you that there is an item for Legislative Council review that requires your immediate attention. Because of the time-sensitive nature of these item, the Department of Finance and Administration respectfully requests an expedited review.

This item is a request for Regular Salaries and Personal Services Matching appropriation. The request is needed to meet the May 11, 2018 payroll and the remaining payroll obligations for the fiscal year for the Arkansas Department of Finance and Administration – Division of Racing.

I ask that you please institute emergency action procedures for consideration of these matters and sign them out of Committee per Rule 16 of the Rules of the Arkansas Legislative Council.

Sincerely,


Larry W. Walther
Director

LWW:ald

**REQUEST FOR SALARY and/or
PERSONAL SERVICES MATCHING APPROPRIATION
Fiscal Year 2018**

Agency 0631 DFA Division of Racing

<u>Fund</u>	<u>Funds Center</u>	<u>Commitment Item</u>	<u>Additional Appropriation</u>
HUA3100	146	501:00:01	\$28,300
HUA3100	146	501:00:03	\$45,000
NRC0000	7WJ	501:00:03	\$2,600

TOTAL \$75,900

Reason for requested increase:

Additional Appropriation in Extra Help and Matching needed due to the implementation of Act 365 of 2017.

Agency # 0631



**STATE OF ARKANSAS
BUREAU OF
LEGISLATIVE RESEARCH**

Marty Garrity, Director
Kevin Anderson, Assistant Director
for Fiscal Services
Matthew Miller, Assistant Director
for Legal Services
Richard Wilson, Assistant Director
for Research Services

Memorandum

TO: Senator Bruce Maloch, Representative David Meeks and PEER Subcommittee Members

FROM: Kevin Anderson, Assistant Director Fiscal Division, Bureau of Legislative Research

DATE: May 16, 2018

SUBJECT: 2018 Budget Hearing Parameters

PRE-SESSION BUDGET HEARING PARAMETERS

Listed for consideration by the PEER Subcommittee and approval of the Arkansas Legislative Council are the 2019 Pre-Session Budget Hearing Parameters, schedule and budget forms. These parameters will provide for the preparation of budget materials provided to the Arkansas Legislative Council / Joint Budget Committee and scheduling meeting times in advance with Agencies and Institutions for these hearings. The Arkansas Legislative Council / Joint Budget Committee may at any time revise hearing dates or budget materials, however with your approval of these parameters the Department of Finance and Administration and Arkansas Legislative Council / Joint Budget Committee staff may begin the preparation necessary for the 2018 Budget Hearings.

- 1) The hearings will be held in Big Mac Committee Room A.
- 2) The hearings dates and times will be set by the Legislative Council Chairs as needed. The tentatively scheduled start date is Tuesday, October 16, 2018 at 9 am.
- 3) Staff will provide members of the General Assembly the exact meeting day and times for each Agency and Institution and a copy of the draft rules.
- 4) Budget subcommittees may be appointed to consider selected budgetary matters as required.
- 5) Member's seats are permanently assigned and name plates will be used.
- 6) Each Committee member will receive a copy of the budget requests provide by the Department of Finance and Administration and Department of Higher Education, a Tax Handbook, "A" Book (10 year Expenditure History) and "B" Book (Selected Statistical Data).
- 7) The Department of Finance and Administration will provide the Bureau of Legislative Research staff the budget request no later than ten days prior to the budget hearing scheduled date. The Department may also submit Governor Letters requesting changes for the Committee to consider as needed from time to time.

- 8) The Department of Higher Education will provide to the Committee and Bureau of Legislative Research staff the budget requests reflecting institution of higher education requests and the Arkansas Higher Education Coordinating Board recommendation no later than ten days prior to the date of the scheduled budget hearing date.
- 9) The Department of Finance and Administration will submit the budget request for each Agency that will contain the following (Samples of the budget documents are attached):
 - a) A summary of contracts over \$50,000 awarded to minority owned businesses as required by Arkansas Code 25-36-104.
 - b) An employment summary as required by Arkansas Code 19-4-307.
 - c) The agency information technology compliance plan as required by Arkansas Code 25-4-110 (c) (1).
 - d) A summary of agencies publications as required by Arkansas Code 25-1-204.
 - e) A summary and schedule with and without any requested or proposed change in tax or fee levied for the support of that Agency.
 - f) Agency Department Summaries and Division Summaries listing the total of each appropriation in one spreadsheet for the Department and each Division(s) that will include, the total department or divisions funding source(s), fund balances, last fiscal year's expenditures, current fiscal year budgeted, current fiscal year authorized appropriation and the agency request and executive recommended appropriation and funding for the next two years, which will include the total number of positions associated with each appropriation.
 - g) Individual appropriation narrative(s) titled "Analysis of the Budget Request" with a narrative containing a summary of the appropriation, necessary background information and defining the source of funding. The "Analysis of Budget Request" narrative will include the summary of the Agency Request including a summary of requested Capital Outlay request, one-time operating expenses requested in the previous biennium and a summary of the Executive Recommendation.
 - h) Any appropriation commitment item that has an agency request or executive recommendation over 10% of the previous year's actual expenditures will require justification in the "Analysis of the Budget Request".
 - i) Following each Analysis of the Budget Request the manuals will include a spreadsheet for each individual appropriation(s) listing the funding source(s), fund balances, last fiscal year's expenditures, current fiscal year budgeted, current fiscal year authorized appropriation, and the agency request, executive recommendation for the next two fiscal years by commitment item and total number of associated positions.
- 10) Audit findings will be presented to the committee.
- 11) Appropriation bills will be drafted and sponsored by the Joint Budget Committee in accordance with the recommendations of the Legislative Council/Joint Budget Committee as adopted during budget hearings.



PREPARED FOR THE ARKANSAS LEGISLATIVE COUNCIL
BY THE DEPARTMENT OF FINANCE & ADMINISTRATION
OFFICE OF BUDGET

COMPARING APPROPRIATIONS AND OPERATIONS
FOR THE
2017 - 2019 BIENNIUM
WITH REQUESTS FOR THE
2019 - 2021 BIENNIUM

SUMMARY BUDGET INFORMATION

Agency Name

1

SUMMARY BUDGET INFORMATION

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Action Required: (2MF) Cash Operations	#
(573) Health Initiative	14
(975) Health Operations	#

ARKANSAS PLANNING BUDGETING & ADMINISTRATIVE SYSTEM
STATE CONTRACTS OVER \$50,000 AWARDED TO MINORITY OWNED
BUSINESSES Fiscal Year 2018
Required by A.C.A. 25-36-104

AGENCY: AGENCY NUMBER/AGENCY NAME

		Minority Type per A.C.A. 15-4-303 (2)						
Minority Business	Total Contract Awarded	African American	Hispanic American	Indian American	Asian American	Pacific Islander American	Disabled Veteran	
ABC Business Solutions	\$51,000				X			
Smith's Office Supplies	\$53,000	X						

TOTAL NUMBER OF MINORITY CONTRACTS AWARDED

2

TOTAL EXPENDITURES FOR CONTRACTS AWARDED

\$65,000

% OF MINORITY CONTRACTS AWARDED

33.33 %

AGENCY NAME & NUMBER
 AGENCY DIRECTOR

Employment Summary

White Employees	Male	Female	Total	%
Black Employees	0	1	1	12 %
Other Racial Minorities	1	6	7	88 %
	0	0	0	0 %
Total Minorities			7	88 %
Total Employees			8	100 %

Agency Information Technology Projects Recommended for Oversight

Statement will be inserted if agency is not in compliance with A.C.A. 25-4-110(c)(1).

Change in Fee Schedule

CURRENT FEE STRUCTURE

Description	Fee Amount	Estimated Receipts 2017-2018	Authorizing Act or AR Code	Fee Amount	PROPOSED CHANGE		
					Estimated Receipts		Reason for Change
Fee	\$0.00	\$0	A.C.A. #-#-###	\$0.00	2019-2020	2020-2021	
					\$0	\$0	To cover cost of ...

Publications

A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
Arkansas Study Report	A.C.A. §20-2-101 (Act 912 of 1991)	N	Y	100	Requests by the Public, Institutions, and Agencies

Department Appropriation Summary

Appropriation	Historical Data						Agency Request and Executive Recommendation					
	2017-2018		2018-2019		2018-2019		2019-2020		2019-2020		2020-2021	
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos
2MF Treasury Cash	\$263,000	0	\$13,000	0	\$65,000	0	\$65,000	0	\$65,000	0	\$65,000	0
573 Health Initiative	\$1,345,467	6	\$1,639,587	6	\$1,667,001	6	\$1,740,605	7	\$1,591,028	6	\$1,740,605	7
975 Health Operations	\$205,789	3	\$202,066	3	\$206,811	3	\$203,941	3	\$203,941	3	\$203,941	3
Total	\$1,814,256	9	\$1,854,653	9	\$1,938,812	9	\$2,009,546	10	\$1,864,563	9	\$2,009,546	10
Funding Sources												
Fund Balance	\$2,520	0.1	\$17,901	1.0			\$9,501	0.5	\$9,901	0.5	\$0	0.0
General Revenue	\$205,789	11.2	\$202,066	10.8			\$203,941	10.6	\$203,941	11.0	\$203,941	10.7
Cash Fund	\$278,381	15.2	\$5,000	0.3			\$0	0.0	\$0	0.0	\$0	0.0
Tobacco Settlement	\$1,345,467	73.4	\$1,639,587	87.9			\$1,704,184	88.9	\$1,642,223	88.5	\$1,704,936	89.3
Total Funds	\$1,832,157	100.0%	\$1,864,554	100.0%			\$1,918,026	100.0%	\$1,856,065	100.0%	\$1,908,877	100.0%
Excess Appropriation/(Funding)	(\$17,901)		(\$9,901)				\$55,099		\$55,099		\$65,000	
Grand Total	\$1,814,256		\$1,854,653				\$1,973,125		\$1,911,164		\$1,973,877	

463 - FY2016 Budget amount exceeds the Authorized amount due to salary adjustments during the 2015-2017 biennium (\$902,002 was recouped).

463 - Tobacco Settlement fund balances are recouped at the end of the biennium and redistributed in the same proportion as the original distribution.

Analysis of Budget Request

Appropriation: 573 - Health Initiative
Funding Sources: SNE - State Needs Program Account

The Tobacco Settlement Funded Health Initiative is one of the programs established by Initiated Act 1 of 2000. This Initiative was established and is administered by the Agency to provide screening, monitoring, and treatment of hypertension, stroke, and other disorders.

The Agency's total Change Level request includes additional appropriation in the amount of \$73,604 in each year of the biennium and is comprised of the following:

- An increase of one (1) position, with corresponding increases of \$42,261 in Regular Salaries and \$1,343 in Personal Services Matching, for an additional Administrative Specialist II, who will assist the agency in handling an increasing administrative load.
- An increase in Operating Expenses appropriation of \$28,000 in each year of the biennium for normal operations including postage and shipping, rent and wireless phone service. An increase is requested in network service expenses to the Department of Information Systems (DIS) for service calls and website rates based on service. The Agency is implementing a radio and television campaign which will cause the need for an increase in advertising. Also included is an increase in rent, rent of office equipment, office supplies and travel related expenses.
- The Agency requests an increase in Conference and Travel Expenses appropriation of \$2,000 each year of the biennium due to increases in conference and seminar expenses and the attendance of more skill building conferences.
- Finally, the Agency requests reallocation of \$5,000 from Operating Expenses to Conference and Travel Expenses to properly reclassify Conference and Seminar Fees.

The Agency has requested no Capital Outlay for the biennium and had no one-time requests for Operating Expenses in the last biennium.

The Executive Recommendation provides for a total reduction of (\$71,379) from the current Authorized Level in both years of the biennium including the following:

- Reductions of (\$4,594) in Regular Salaries and (\$16,399) in Personal Service Matching.
- A reduction of (\$16,399) in Personal Service Matching from the Authorized Level to better align with the prior year actual expenditures.
- As requested, a reallocation of \$5,000 from Operating Expenses to Conference and Travel.
- A reduction in Operating Expenses of (\$6,421) versus the current Authorized Level.
- A reduction of (\$48,559) in Professional Fees from the Authorized Level to better align with the prior year actual expenditures.

Appropriation Summary

Appropriation: 573 - Health Initiative
Funding Sources: SNE - State Needs

Historical Data				Agency Request and Executive Recommendation			
Commitment Item	2017-2018	2018-2019	2018-2019	2019-2020	2020-2021		
	Actual	Budget	Authorized	Agency	Executive	Agency	
Regular Salaries	\$176,666	\$199,128	\$203,722	\$245,983	\$199,128	\$199,128	
#Positions	6	6	6	7	6	6	
Personal Services Matching	\$74,471	\$80,117	\$96,516	\$97,859	\$80,117	\$80,117	
Operating Expenses	\$290,104	\$333,229	\$339,650	\$362,650	\$328,229	\$328,229	
Conference & Travel Expenses	\$15,378	\$20,000	\$20,000	\$27,000	\$25,000	\$25,000	
Professional Fees	\$367,564	\$448,559	\$448,559	\$448,559	\$400,000	\$400,000	
Data Processing	\$0	\$0	\$0	\$0	\$0	\$0	
Promotional Items	\$1,526	\$0	\$0	\$0	\$0	\$0	
Capital Outlay	\$0	\$0	\$0	\$0	\$0	\$0	
Screen/Monitor/Treat & Outreach	\$419,758	\$558,554	\$558,554	\$558,554	\$558,554	\$558,554	
Total	\$1,345,467	\$1,639,587	\$1,667,001	\$1,740,605	\$1,591,028	\$1,591,028	
Funding Sources							
Tobacco Settlement	\$1,345,467	\$1,639,587		\$1,740,605	\$1,591,028	\$1,591,028	
Total Funding	\$1,345,467	\$1,639,587		\$1,740,605	\$1,591,028	\$1,591,028	
Excess Appropriation/(Funding)	\$0	\$0		\$0	\$0	\$0	
Grand Total	\$1,345,467	\$1,639,587		\$1,740,605	\$1,591,028	\$1,591,028	



SPECIAL LANGUAGE VOLUME 1 2019 - 2021

AGENCY NAME

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REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT

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2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

Agency Number & Name

ACT#: 80

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD. Such funding as is authorized in this Act which remains at the end of the first fiscal year of the biennium may be carried forward into the second fiscal year of the biennium there to be used for the same purposes.

AGENCY REQUEST

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

- (1) Prior to June 30, ~~2017~~ 2018 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 from the first fiscal year of the biennium to the second fiscal year of the biennium by the September Arkansas Legislative Council or Joint Budget Committee meeting in the second fiscal year of the biennial period which report shall include the name of the Agency, Board, Commission or Institution and the amount of the appropriation and/or 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

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

Agency Number & Name

ACT#: 80

SECTION#: 4

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Institution 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 biennial budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

Agency Number & Name	ACT#: 80	SECTION#: 5
CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)	EXECUTIVE RECOMMENDATION	
TRANSFER RESTRICTIONS. The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19-4-522, but only as provided by this act.	NOT RECOMMENDED	

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

The provisions of this section shall be in effect only from July 1, 2017 2018 through June 30, 2018 2019.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

Agency Number & Name

ACT#: 80

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFERS OF APPROPRIATION. In the event the amount of any of the budget classifications of maintenance and general operation in this act are found by the administrative head of the agency to be inadequate, then the agency head may request, upon forms provided for such purpose by the Chief Fiscal Officer of the State, a modification of the amounts of the budget classification. In that event, he shall set out on the forms the particular classifications for which he is requesting an increase or decrease, the amounts thereof, and his reasons therefore. In no event shall the total amount of the budget exceed either the amount of the appropriation or the amount of the funds available, nor shall any transfer be made from the capital outlay or data processing subclassifications unless specific authority for such transfers is provided by law, except for transfers from capital outlay to data processing when determined by the Department of Information Systems that data processing services for a state agency can be performed on a more cost-efficient basis by the Department of Information Systems than through the purchase of data processing equipment by that state agency.

The General Assembly has determined that the agency in this act could be operated more efficiently if some flexibility is given to that agency and that flexibility is being accomplished by providing authority to transfer between certain items of appropriation made by this act. Since the General Assembly has granted the agency broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council in the utilization of the transfer

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

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

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

Agency Number & Name

ACT#: 80

SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

authority. Therefore, the requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, 2017 2018 through June 30, 2018 2019.

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

The provisions of this section shall be in effect only from July 1, 2017 2018 through June 30, 2018 2019.

2019 - 2021 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

Agency Number & Name

ACT#: 80

SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

AGENCY REQUEST

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

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2017~~ 2018 through June 30, ~~2018~~ 2019.

2018 ALC/JBC BUDGET HEARING

WEEK 1 October 16-18

TUESDAY 10/16/2018	
9:00 AM	Seat Selection/Rules Boards and Commissions (Continue As Needed 10/31, 1:30) Lunch Break
1:30 PM	Information Systems Game & Fish Commission Bank Department Aeronautics Department Development Finance Authority
WEDNESDAY 10/17/2018	
9:00 AM	Workers' Compensation Commission Public Defender Commission Disability Determination Public Service Commission State Securities Department Lunch Break
1:30 PM	Teacher Retirement Public Employee Retirement Capitol Zoning Commission Waterways Commission Fair Housing Commission Health Services Permit Agency
THURSDAY 10/18/2018	
9:00 AM	Parks & Tourism Assessment Coordination Minority Health Commission Tobacco Control Board Tobacco Settlement Commission

WEEK 2 October 23-25

TUESDAY 10/23/2018	
9:00 AM	State Police Crime Information Center Crime Laboratory Law Enforcement Training Sentencing Commission Parole Board Martin Luther King, Jr. Comm. Lunch Break
1:30 PM	Geographic Information Sys. Geological Survey Veterans Affairs Disabled Veterans' Veterans' Child Welfare
WEDNESDAY 10/24/2018	
9:00 AM	DFA Lunch Break
1:30 PM	Transportation Department Military Department Environmental Quality Election Commissioners Board
THURSDAY 10/25/2018	
9:00 AM	Heritage Department

WEEK 3 Oct. 30 - Nov. 1

TUESDAY 10/30/2018	
9:00 AM	Higher Education Institutions Lunch Break
1:30 AM	Higher Education Institutions
WEDNESDAY 10/31/2018	
9:00 AM	Higher Education Department Labor Department Insurance Department Judicial Discipline Spinal Cord Commission Lunch Break
1:30 PM	Brds & Inst(Continued As Needed)
THURSDAY 11/1/2018	
9:00 AM	Brds & Inst(Continued As Needed)

2018 ALC/JBC BUDGET HEARING

WEEK 4 November 7-8

TUESDAY 11/6/2018	<i>Election Day - No Budget Hearings</i>
WEDNESDAY 11/7/2018	
9:00 AM	Workforce Services Career Education Department Career Education - Public School Career Education - Rehabilitation
1:30 PM	<u>Lunch Break</u> Health Department Economic Development Commission Emergency Management Crowley's Ridge Technical Institute Northwest Technical Institute Riverside Vo-Tech
THURSDAY 11/8/2018	
9:00 AM	Agriculture Department Natural Resources Commission Claims Commission Ethics Commission

WEEK 5 November 13-15

TUESDAY 11/13/2018	
9:00 AM	Medicaid Inspector General Department of Human Services
1:30 PM	<u>Lunch Break</u> DHS (Continued)
WEDNESDAY 11/14/2018	
9:00 AM	<i>General Revenue Forecast</i> Education Department Education - Public School Fund Public School Academic Facilities Education-State Library
1:30 PM	<u>Lunch Break</u> Correction Department Community Correction Education-School for the Deaf Education-School for the Blind AETN

WEEK 5 Continued

THURSDAY 11/15/2018	
9:00 AM	Supreme Court AOC Court of Appeals Auditor of State Treasurer of State Board of Finance County Aid Municipal Aid
1:30 PM	<u>Lunch Break</u> Office of the Governor Governor's Mansion Lieutenant Governor Attorney General Secretary of State Land Department Prosecutor Coordinator's Office Legislative Audit Bureau of Legislative Research