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IN APPROPRIATION ACT**

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**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 80**

**SECTION#: 5**

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

**EXECUTIVE RECOMMENDATION**

AOC RESPONSIBILITY FOR COURT REPORTERS AND TRIAL COURT ADMINISTRATORS.

NO EXECUTIVE RECOMMENDATION

(a) The Administrative Office of the Courts shall be responsible for the financial oversight of the Official Court Reporters of the Circuit Courts and Trial Court Administrators, which shall include but not be limited to biennial and annual budget requests, all budgeting activities, monitoring expenses, travel, substitute expenses, indigent transcript payments and to ensure projected annual expenditures do not exceed total available funding. (b)

The Administrative Office of the Courts with assistance from the Arkansas Judicial Council shall establish an official procedure or rules for all new hires, terminations and salary adjustments for Trial Court Administrators and Official Court Reporters. The official procedures or rules shall be implemented prior to July 1, ~~2016~~2017 and shall be administered for all Trial Court Administrators and Official Court Reporters.

The provisions of this section shall be in effect only from July 1, ~~2016~~2017 through June 30, ~~2017~~2018.



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 80**

**SECTION#: 6**

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

**EXECUTIVE RECOMMENDATION**

FUNDING FROM THE ADMINISTRATION OF JUSTICE FUND.

NO EXECUTIVE RECOMMENDATION

(a) (i) The Administrative Office of the Courts shall be responsible for requesting and verifying the need for any additional appropriation, any position change level, and any increase in the Administration of Justice Fund Allocation Section as authorized annually through special language in the Department of Finance and Administration's Disbursing Act, for the Trial Court Administrators and Official Court Reporters.

(ii) Any annual or biennial request for an increase in the Administration of Justice Fund allocation section for Trial Court Administrators and/or Official Court Reporters shall not exceed the total or projected total revenues available for the Trial Court Administrator Fund or the Court Reporter's Fund from the Administration of Justice Fund as determined by the Administrative Office of the Courts with assistance from the Department of Finance and Administration.

(b) (i) During a fiscal year the Administrative Office of the Courts shall not approve any change level in salary, operating expense and other distributions for Trial Court Administrators which will exceed actual or projected fund balances in the Trial Court Administrator Fund.

(ii) During a fiscal year the Administrative Office of the Courts shall not approve any change level in salary, operating expense and other distributions for Court Reporters which will exceed actual or projected fund balances in the Court Reporter's Fund.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 80**

**SECTION#: 7**

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

**EXECUTIVE RECOMMENDATION**

TRIAL COURT ADMINISTRATOR EMPLOYMENT. In the event that any Trial Court Administrator terminates employment for any reason and is eligible for the payment of accumulated annual leave, the employment date for the new employee shall be delayed and the position shall remain vacant for the period of time required to account for the cost of the payment of accumulated annual leave.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 87**

**SECTION#: 4**

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

**EXECUTIVE RECOMMENDATION**

JUVENILE INTAKE AND PROBATION OFFICERS STATE REIMBURSEMENTS.

Arkansas Code 16-13-331 is amended to read as follows:

16-13-331. State reimbursement.

(a) The Administrative Office of the Courts shall administer the state reimbursement to the counties for the juvenile officers' previous year's salaries.

(b) In order for a county to receive the state reimbursement for juvenile intake and probation officers, the county must submit the following documentation to the Administrative Office of the Courts, including, but not limited to:

- (1) Proof of each juvenile officer's certification and continuing education hours;
- (2) A copy of each juvenile officer's W-2 form for the salary year that is being reimbursed; and
- (3) A completed form concerning the employment status of the officer which shall be designed and distributed by the Administrative Office of the Courts.

(c) If a county contracts with a service provider to provide juvenile intake and probation services pursuant to § 16-13-330, the county must submit documentation to the Administrative Office of the Courts, including, but not limited to:

- (1) A copy of the contract for the salary year that is being reimbursed;
- (2) A copy of each juvenile officer's certification and continuing education hours;
- (3) A copy of each juvenile officer's W-2 form for the salary year that is

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 87**

**SECTION#: 4**

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

**EXECUTIVE RECOMMENDATION**

being reimbursed; and

(4) A completed form concerning the employment status of each officer which shall be designed and distributed by the Administrative Office of the Courts.

(d)(1) A county may determine that part-time service of a juvenile officer is sufficient to meet the needs of a county.

(2)(A) Multiple counties in a judicial district may share the cost of the salary of the intake and probation officer.

(B) One (1) county may be designated as the county to be reimbursed by the state, or each county shall designate the portion of the salary that it pays for juvenile intake and probation services.

(3)(A) A county may contract with a service provider for full-time or part-time juvenile intake and probation officer services, and the county shall indicate the percentage of the contractor's time that is spent providing juvenile intake and probation officer services for the county.

(B) The county or the contractor shall be reimbursed for one-half (1/2) of the portion of the salary that is used for such services, up to fifteen thousand dollars (\$15,000).

(e) Nothing in this section removes the obligation of each circuit judge designated to hear juvenile cases in a district plan under Arkansas Supreme Court Administrative Order Number 14, originally issued April 6, 2001, to have a minimum of one (1) intake officer, pursuant to § 16-13-328, and one (1) probation officer, pursuant to § 16-13-327.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 239**

**SECTION#: 36**

**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 Section 8 herein. The appropriation to the Administrative Office of the Courts provided in Section 8 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 239**

**SECTION#: 37**

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

**EXECUTIVE RECOMMENDATION**

CONTRACTING WITH STATE ATTORNEYS. The Administrative Office of the Courts Division of Dependency-Neglect Representation shall have the authority to enter into a Professional Services Agreement with any qualified attorney who at any time previously served as a State Attorney and was paid by the State as a state employee prior to being appointed to provide representation in the dependency-neglect cases by a Circuit Judge. In addition, the Division shall have the authority to enter into a professional services contract with a qualified person who is serving as a part-time Public Defender or other part-time State Attorney and paid as an employee of the State of Arkansas when the Public Defender or other part-time State Attorney has been appointed to provide Dependency-Neglect Services by a Circuit Judge. The part-time Public Defender or other part-time State Attorney shall be eligible for additional compensation which shall not be construed as exceeding the line item maximum for the grade of that position when the Administrative Office of the Courts reimburses the part-time Public Defender or other part-time State Attorney for Dependency-Neglect Representation services performed. This does not prevent the Administrative Office of the Courts from contracting with any qualified attorney in the state.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 239**

**SECTION#: 38**

**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 Item Numbers (01), (02), (03) (A) and (C) and (06) of Section 10 herein for the payment of employees and/or contractors providing legal services for the Division of Dependency-Neglect Representation.

NO EXECUTIVE RECOMMENDATION

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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 239**

**SECTION#: 39**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER AUTHORITY. The Department of Finance and Administration shall transfer funds, from time to time, from the State Administration of Justice Fund to the State Central Services Fund in such amounts as are required to reimburse the State Central Services Fund for a portion of the expenses of the Administrative Office of the Courts - Division of Dependency-Neglect Representation.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 239**

**SECTION#: 40**

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

**EXECUTIVE RECOMMENDATION**

FUNDING. Funds received by the Arkansas State Police from the Department of Transportation from the safety incentive funds received under P.L. 105-178, title I, Section 1404(a), 23 USC Section 163 for "Safety Incentives to Prevent Operation of Motor Vehicles by Intoxicated Persons" may be transferred to the Administrative Office of the Courts as directed by the Arkansas State Police for operating expenses of the District Court State Automation System.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 239**

**SECTION#: 41**

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

**EXECUTIVE RECOMMENDATION**

MONTHLY INSTALLMENT. From July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018, a lump sum monthly installment of at least one-twelfth (1/12) of a portion of the annual appropriation provided for in Section 10 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 239**

**SECTION#: 42**

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

**EXECUTIVE RECOMMENDATION**

INDIGENT PARENT COUNSEL REPRESENTATION. The Administrative Office of the Courts shall have the authority to use the appropriation provided in Item Number (05) Parent Counsel Reimbursements of Section 10 herein for the purpose of entering into professional service contracts on a full-time or part-time basis with attorneys who are qualified to provide counsel for indigent parents in dependency-neglect cases.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0023 Administrative Office of the Courts**

**ACT#: 239**

**SECTION#: 43**

**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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0053 Attorney General, Office of the**

**ACT#: 156**

**SECTION#: 17**

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

**EXECUTIVE RECOMMENDATION**

ATTORNEY FEES. The disbursing officer of the appropriations provided for herein, shall deposit all monies received by the Office of Attorney General as attorney fees in the State Central Services Fund as direct revenues.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0053 Attorney General, Office of the**

**ACT#: 156**

**SECTION#: 18**

**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, the Office of Attorney General is authorized to transfer appropriation from any line item authorized in Section 3 Appropriation - Operations of the Office of Attorney General in this Act to any other line item authorized in Section 3.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0053 Attorney General, Office of the**

**ACT#: 156**

**SECTION#: 19**

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

**EXECUTIVE RECOMMENDATION**

FEES. The Office of the Attorney General is hereby authorized to charge fees to other governmental units in order to reimburse the Office of the Attorney General for expenditures made on behalf of the other governmental units. Such fees are to be deposited into the State Central Services Fund in the State Treasury as a refund to expenditures.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0059 Auditor of State**

**ACT#: 84**

**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, the Auditor of State is authorized to transfer appropriation from any line item authorized in Section 3 Operations to any other line item authorized in Section 3 and the Agency is authorized to transfer appropriation from any line item authorized in Section 5 Unclaimed Property Program to any other line item authorized in Section 5.

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0059 Auditor of State**

**ACT#: 87**

**SECTION#: 4**

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

**EXECUTIVE RECOMMENDATION**

JUVENILE INTAKE AND PROBATION OFFICERS STATE REIMBURSEMENTS.

NO EXECUTIVE RECOMMENDATION

Arkansas Code 16-13-331 is amended to read as follows:

16-13-331. State reimbursement.

(a) The ~~Auditor of State~~ Administrative Office of the Courts shall administer the state reimbursement to the counties for the juvenile officers' previous year's salaries.

(b) In order for a county to receive the state reimbursement for juvenile intake and probation officers, the county must submit the following documentation to the ~~Auditor of State~~ Administrative Office of the Courts, including, but not limited to:

- (1) Proof of each juvenile officer's certification and continuing education hours;
- (2) A copy of each juvenile officer's W-2 form for the salary year that is being reimbursed; and
- (3) A completed form concerning the employment status of the officer which shall be designed and distributed by the ~~Auditor of State~~ Administrative Office of the Courts.

(c) If a county contracts with a service provider to provide juvenile intake and probation services pursuant to § 16-13-330, the county must submit documentation to the ~~Auditor of State~~ Administrative Office of the Courts, including, but not limited to:

- (1) A copy of the contract for the salary year that is being reimbursed;
- (2) A copy of each juvenile officer's certification and continuing education hours;
- (3) A copy of each juvenile officer's W-2 form for the salary year that is

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0059 Auditor of State**

**ACT#: 87**

**SECTION#: 4**

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

**EXECUTIVE RECOMMENDATION**

being reimbursed; and

(4) A completed form concerning the employment status of each officer which shall be designed and distributed by the ~~Auditor of State~~ Administrative Office of the Courts.

(d)(1) A county may determine that part-time service of a juvenile officer is sufficient to meet the needs of a county.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0059 Auditor of State**

**ACT#: 212**

**SECTION#: 3**

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

**EXECUTIVE RECOMMENDATION**

SPECIAL RATES OF PAY. Due to the need for competent deputy prosecuting attorneys throughout the state and the necessity of retaining qualified deputy prosecuting attorneys, the elected prosecuting attorneys, through the Prosecution Coordination Commission, are authorized to request special rates of pay for current and new deputy prosecuting attorneys up to the levels listed below for the following classifications:

TITLE	GRADE LEVEL
Dep. Pros. Atty-Attorney	C128 Career
Dep. Pros. Atty-Attorney Specialist	C129 Career
Dep. Pros. Atty-Attorney Supervisor	C130 Career

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0059 Auditor of State**

**ACT#: 212**

**SECTION#: 4**

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

**EXECUTIVE RECOMMENDATION**

LEGISLATIVE INTENT. It is the intent of the General Assembly, in the transition to a state-funded deputy prosecuting attorney system, to provide an appropriate and adequate level of legal representation through deputy prosecuting attorneys in all areas of the state. It is recognized by the General Assembly that in many areas of the state, resources have not been available to support deputy prosecuting attorney salaries at the necessary level. With the transition of local funding of deputy prosecuting attorney salaries to state funding, it is not the intent of the General Assembly to adversely affect those districts whose system has been working well or to implement a system which is too inflexible to respond to the needs of each judicial district. Therefore, the Prosecution Coordination Commission is charged with the responsibility of assisting in the maintenance of a system which equitably serves all areas of the state by providing quality deputy prosecuting attorneys.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 Blind, Arkansas School for the**

**ACT#: 245**

**SECTION#: 8**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION. Upon approval from the Chief Fiscal Officer of the State, the Arkansas School for the Blind shall transfer appropriation from Item No.(08) Summer Projects, in Section 3 of this Act, to Item No. (01) through Item No. (05) in Section 3 of this Act, to compensate staff who work during the summer months on summer projects, and to cover other expenses of summer project activities. The Summer Projects line item may also be used for the annual cost related to the compensation of eligible staff for shift differential pay as well as compensation of employees for performance of duties assigned as referenced in Section 9 of this Act. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 Blind, Arkansas School for the**

**ACT#: 245**

**SECTION#: 9**

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

**EXECUTIVE RECOMMENDATION**

SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special allowances available to any employee who performs one of the following duties in addition to their normal duties:

- 1) Teaching adult education classes, parent training, parent facilitators student tutorial services on weekends or evenings
- 2) Coaching one or more sports
- 3) Sponsoring a club or organization that involves additional hours outside of the normal working day
- 4) Interpretive Services

Compensation for additional duties may not exceed \$3,500 per school term for any one employee during each fiscal year. Such pay shall not be construed as exceeding the maximum salary authorized for said position.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf ~~and~~ Blind may make special allowances available to any employee who performs one of the following duties in addition to their normal duties:

- 1) Teaching adult education classes, parent training, ~~parent~~ facilitators student tutorial services on weekends or evenings
- 2) Coaching one or more sports
- 3) Sponsoring a club or organization that involves additional hours outside of the normal working day
- 4) Interpretive Services

Compensation for additional duties may not exceed \$3,500 per school term for any one employee during each fiscal year. Such pay shall not be construed as exceeding the maximum salary authorized for said position.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 Blind, Arkansas School for the**

**ACT#: 245**

**SECTION#: 10**

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

**EXECUTIVE RECOMMENDATION**

ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or other form of compensation from the Arkansas Schools for the Deaf or Blind shall be paid an additional salary or receive additional compensation, other than reimbursement for actual expenses, from that agency, nor from any other agency or institution of higher education, except from the Superintendent's written certification to and approval by the Chief Fiscal Officer of the State that the work performed by the employee for the other position does not interfere with the proper and required performance of the employee's primary duties, and that the combined salary payments from both positions will not exceed the maximum annual salary for whichever of the two positions has the higher authorized maximum annual salary.

Any employee knowingly violating the provisions of this section shall be subject to immediate termination and shall be barred from employment by any agency or institution of the State of Arkansas for a period of not less than three (3) years or until such employee shall repay to the State of Arkansas any sums received by such employee in violation of this section, together with interest at a rate of ten percent (10%) per annum.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 Blind, Arkansas School for the**

**ACT#: 245**

**SECTION#: 11**

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

**EXECUTIVE RECOMMENDATION**

BRAILLE AND LARGE PRINT TEXTBOOKS. The State Board of Education shall make reasonable rules and regulations to implement the Braille and Large Print Textbooks appropriation and is hereby authorized to negotiate directly with publishers of Braille and Large Print Textbooks for the purchase of such textbooks. The Arkansas School for the Blind (ASB) is authorized to use funds from this account for costs associated with providing Braille Textbooks and Large Print Textbooks to public schools. If funding allows and the need is present, the Arkansas School for the Blind is authorized to use funds from this account to purchase electronic textbooks and adaptive technology.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 Blind, Arkansas School for the**

**ACT#: 245**

**SECTION#: 12**

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

**EXECUTIVE RECOMMENDATION**

SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the regular school term, also work during summer months shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees. Payment of additional compensation shall be limited to employees in the following classifications:

AGENCY REQUEST

SUMMER SCHOOL POSITIONS	GRADE
Certified Bachelor's Teacher	C117
Licensed Social Worker	C118
Licensed Professional Counselor	C119
Certified Masters Teacher	C119
Licensed Master Social Worker	C120
Teacher Supervisor	C120
Educational Specialist	C120
Assistant Principal	C123

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 Blind, Arkansas School for the**

**ACT#: 245**

**SECTION#: 13**

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

**EXECUTIVE RECOMMENDATION**

CERTIFIED MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution, the salary of teachers entering state service as teachers for the sensory impaired may be adjusted to a rate of pay closest to but not less than the annual salary they would have received from their previous employer, effective upon employment at ASB.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

CERTIFIED MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution and with the approval of the Chief Fiscal Officer of the State, the salary of teachers entering state service as teachers for the sensory impaired may be adjusted to a rate of pay closest to but not less than the annual salary they would have received from their previous employer, effective upon employment at ASB.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 Blind, Arkansas School for the**

**ACT#: 245**

**SECTION#: 14**

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

**EXECUTIVE RECOMMENDATION**

TEACHER SALARY INCREASE. In the event that an act is enacted in which the public schools receive funds from the General Assembly to raise the salaries of teachers employed in the public school districts, the Arkansas School for the Deaf and the Arkansas School for the Blind shall be included.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

TEACHER SALARY INCREASE. In the event that an act is enacted in which the public schools receive funds from the General Assembly to raise the salaries of teachers employed in the public school districts, ~~the Arkansas School for the Deaf and~~ the Arkansas School for the Blind shall be included.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 Blind, Arkansas School for the**

**ACT#: 245**

**SECTION#: 15**

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

**EXECUTIVE RECOMMENDATION**

SPECIAL RATES OF PAY. Due to the need to meet the minimum compensation schedule as established by Act 74 of the 2nd Extraordinary Session of the 84th General Assembly, or its successor, for public school teachers, counselors, and librarians and other education professionals as listed in subsection (a) below, the Arkansas School for the Blind is authorized to adjust current or new employees to at least the minimum level of compensation for public school employees.

For current or new employees in the positions listed in subsection (a) below, the Arkansas School for the Blind may implement salary adjustments to maintain equity between their teacher salaries and those of Central Arkansas Public School Systems only after a plan for determining and implementing those adjustments has been reviewed by the Office of Personnel Management and by the Personnel Committee of the Arkansas Legislative Council and approved by the Chief Fiscal Officer of the State.

For purposes of implementing the plan, the Arkansas School for the Blind is authorized special rates of pay up to the maximum of the assigned grade for classifications listed in subsection (a) below.

(a) TITLE	GRADE
Certified Bachelor's Teacher	C117
Certified Masters Teacher	C119
Certified Masters Degree Librarian	C119
Education Counselor	C119
School Speech Pathologist	C119
Teacher Supervisor	C120
Educational Specialist	C120

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0510 Blind, Arkansas School for the**

**ACT#: 245**

**SECTION#: 15**

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

**EXECUTIVE RECOMMENDATION**

Assistant Principal C123

School Principal C126

Funding for the minimum compensation provided for in this section that is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Merit Adjustment Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The Arkansas School for the Blind shall, in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Merit Adjustment Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 11**

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

**EXECUTIVE RECOMMENDATION**

COMMUNITY CORRECTION PROGRAMS LINE ITEM USES. After seeking and receiving approval of the Governor and Chief Fiscal Officer of the State and upon approval by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Department of Community Correction, as authorized by the Board of Corrections, is authorized to use funds appropriated for "Community Correction Programs" line item of the Operations - Special Revenue appropriation provided in this Act to construct new or renovate existing facilities to support the development of community correction facilities in the state.

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

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 11**

**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, ~~2016~~  
2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 12**

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

**EXECUTIVE RECOMMENDATION**

MOTOR VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby authorized to purchase motor vehicles from the appropriations authorized for Capital Outlay in Section 3 and Section 4 in this Act.

The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, ~~2017~~ 2018.

~~MOTOR VEHICLE PURCHASE PROVISION. The Department of Community Correction is hereby authorized to purchase motor vehicles from the appropriations authorized for Capital Outlay in Section 3 and Section 4 in this Act.~~

~~The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, 2017 2018.~~



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 13**

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

**EXECUTIVE RECOMMENDATION**

PARKING FEES. On July 1, of each year the Department of Community Correction shall pay from the appropriation provided herein from non-general revenue, the total amount appropriated for War Memorial Stadium Commission Parking Services from Fees to the War Memorial Stadium Commission.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 14**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION. Upon seeking and receiving approval from the Chief Fiscal Officer of the State and review and approval by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Department of Community Correction is authorized to transfer appropriation from any line item authorized in Section 3 and Section 4 of this Act to any other line item authorized in Section 3 and Section 4 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 Department of Community Correction may operate more efficiently if some flexibility is provided to the Department of Community Correction 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 15**

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

**EXECUTIVE RECOMMENDATION**

REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections that a reallocation of resources within the Department of Community Correction and Department of Correction is necessary for the efficient and effective operation of the departments, the Board, with approval of the Governor and approval by the Arkansas Legislative Council or Joint Budget Committee, shall have the authority to instruct the department directors, to request from the Chief Fiscal Officer of the State, a transfer of positions, programs, funds, appropriations, and line-item appropriations within or between existing and newly created divisions, offices, sections, or units of the departments. If it is determined that the requested transfer should be made, the Chief Fiscal Officer of the State shall then initiate the necessary transfer documents to reflect the transfers upon the fiscal records of the State Treasurer, the State Auditor, the Chief Fiscal Officer of the State, and the Departments of Correction and Community Correction. Provided, however, that the Board shall be limited to submitting no more than two requests, encompassing a single purpose listed in this section, during any fiscal year per department. Transfer authority shall further be limited to no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, and positions specific to each agency. However, there shall be no transfers to or from the County Jail Reimbursement Fund. A Reallocation of Resources Transfer shall be limited to the following specific purposes:

- a) Costs to open and operate temporary beds;
- b) Payment of Debt Service;
- c) Payment of Overtime Expenses;

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 15**

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

**EXECUTIVE RECOMMENDATION**

- d) Unanticipated increases for medical or private prison contracts;
- e) Construction/renovation/equipping of new beds;
- f) Deficits in Farm or Industry Program;
- g) Losses not covered by insurance proceeds;
- h) Costs of personnel for critical services or necessary to carry out the mission of the agency.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Correction and the Department of Community Correction may operate more efficiently if some flexibility is provided to the Board of Corrections authorizing broad powers under the Reallocation of Resources provisions herein. 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 jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 16**

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

**EXECUTIVE RECOMMENDATION**

HOLIDAY COMPENSATION. The Department of Community Correction is authorized to pay employees for up to ninety-six (96) hours of unused holidays exceeding a balance in the employee’s holiday account of one-hundred fifty (150) hours following the end of the calendar year. Payments of unused holiday hours must be processed on or before June 1st in each fiscal year. Employees terminating employment from the Department of Community Correction will be eligible for all holiday pay accrued during the years of service. This request is contingent on approval by the Chief Fiscal Officer of the State after the Director of the Department of Community Correction has verified that sufficient revenues are available to make such payments to employees in the following classifications:

AGENCY REQUEST

Class Code Title	Maximum Annual Salary Rate
	Fiscal Year
	<del>2016-2017</del> 2017-2018
T033C ADC/DCC MAJOR	GRADE C120
T048C ADC/DCC CAPTAIN	GRADE C118
T054C ADC/DCC LIEUTENANT	GRADE C117
T065C ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
T075C ADC/DCC CORPORAL	GRADE C113
T083C ADC/DCC CORRECTIONAL OFFICER I	GRADE C112

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 17**

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

**EXECUTIVE RECOMMENDATION**

MEDICAL SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of Corrections that the Department of Community Correction cannot continue a medical contract with a private provider and the Board deems it necessary to utilize Department staff to provide the required services, the Department is allowed, upon notification of the Chief Fiscal Officer of the State and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, to utilize the contingent positions for medical services contained in this Act and make the appropriate transfers from the Professional Fees and Services line item contained in Section 3 of this Act to Regular Salaries, Personal Services Matching and various Maintenance and General Operations classifications. Further, the Department may utilize the service(s) of a state-based or national-based Professional Recruitment Service, or network, as may be necessary to recruit, fill, or maintain the occupancy of the positions stated herein.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 18**

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

**EXECUTIVE RECOMMENDATION**

REGULAR SALARIES - CONTINGENT POSITIONS. There is hereby established for the Department of Community Correction - Contingent Positions for the ~~2016-2017~~ 2017-2018 fiscal year, the following maximum number of regular employees.

AGENCY REQUEST

CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM CLASS NO. CODE TITLE	MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE FISCAL YEAR	
		<del>2016-2017</del>	2017-2018
(1) L009C NURSE MANAGER	1	GRADE C125	
(2) L033C PSYCH. EXAMINER	1	GRADE C121	
(3) M026C LICENSED SOCIAL WORKER	6	GRADE C118	
(4) L032C REGISTERED NURSE HOSPITAL	7	GRADE C121	
(5) L069C LIC PRACT NURSE	25	GRADE C113	
(6) C056C ADMIN SPECIALIST III	2	GRADE C112	
(7) G238C ADMINISTRATOR	1	GRADE C123	
(8) L081C DENTAL ASSISTANT	1	GRADE C109	
(9) L013N DENTAL DIRECTOR	1	GRADE N916	
(10) L071C DENTAL HYGIENIST	1	GRADE C113	
(11) L011N DENTIST	1	GRADE N916	
(12) Q109C MEDICAL RECORDS DIRECTOR	1	GRADE C118	
(13) L008N PHYSICIAN - STAFF	1	GRADE N917	
(14) L024N PSYCHIATRIC DIRECTOR	1	GRADE N919	
(15) L005N PSYCHIATRIST	1	GRADE N919	

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 18**

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

**EXECUTIVE RECOMMENDATION**

(16) L003C PSYCHOLOGIST - PT            1    GRADE C127

(17) C019C REGIONAL MANAGER           1    GRADE C117

(18) C056C SECRETARY/ADMIN ASST    1    GRADE C112

MAXIMUM NUMBER OF CONTINGENT

EMPLOYEES - MEDICAL SERVICES    54

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 19**

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

**EXECUTIVE RECOMMENDATION**

COMMUNITY CORRECTION PROGRAM LINE ITEM USES. The appropriations authorized under the line item established herein for "Community Correction Program" are to be used by the Department of Community Correction for establishment and operation of, to include construction, renovation, and contracting for establishment and operation of, residential and non-residential community correction programs such as, but not limited to, community correction centers, drug, alcohol, and mental health treatments, intensive supervision, restitution, and others as established and approved by the Board of Corrections and as may be provided by law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

COMMUNITY CORRECTION PROGRAM LINE ITEM USES. After seeking and receiving approval of the Governor and Chief Fiscal Officer of the State and upon approval by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Department of Community Correction, as authorized by the Board of Corrections, is authorized to use the appropriations authorized under the line item established herein for "Community Correction Program" are to be used by the Department of Community Correction for establishment and operation of, to include construction, renovation, and contracting for establishment and operation of, residential and non-residential community correction programs such as, but not limited to, community correction centers, drug, alcohol, and mental health treatments, intensive supervision, restitution, and others as established and approved by the Board of Corrections and as may be provided by law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 20**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER AUTHORITY FOR UTILITY AND FUEL RATE INCREASE. In the event of a ten percent (10%) increase in utility and fuel rates, the Department of Community Correction is authorized to transfer from any line item in Section 3 - State Operations to Operating Expense Item (05)(A) in Section 3 - State Operations for support of the increase after receiving approval of the Chief Fiscal Officer of the State. Prior to the utilization of the transfer authority a report shall be made to the Arkansas Legislative Council or Joint Budget Committee including justification for the transfer and the amount of transfer.

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

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 20**

**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, ~~2016~~  
2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0485 Community Correction, Department of**

**ACT#: 263**

**SECTION#: 21**

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

**EXECUTIVE RECOMMENDATION**

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 13**

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

**EXECUTIVE RECOMMENDATION**

REGULAR SALARIES - CONTINGENT POSITIONS. There is hereby established for the Department of Correction - Contingent Positions for the ~~2016-2017~~2017-2018 fiscal year, the following maximum number of regular employees.

AGENCY REQUEST

CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM NO.	CLASS CODE	TITLE	MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE	
				2016-2017	2017-2018
(01)		CHIEF OF MEDICAL SERVICES	1	\$225,000	
(02)		CHIEF OF DENTAL SERVICES	1	175,000	
(03)		PHYSICIANS SPECIALIST	15	170,000	
(04)		CHIEF OF PHARMACY	1	125,000	
(05)		CHIEF OF NURSING SERVICES	1	90,000	
(06)		UNIT/FACILITY MEDICAL MGR	15	90,000	
(07)		RNP/PA	13	85,000	
(08)		DIR OF MEDICAL RECORDS	1	75,000	
PATIENT CARE -					
(09)	L011N	DENTIST	15	GRADE N916	
(10)	L016N	REGISTERED PHARMACIST	3	GRADE N911	
(11)	L019C	REGISTERED NURSE COORD	13	GRADE C123	
(12)	L027C	REGISTERED NURSE SUPV	45	GRADE C122	
(13)	L064C	RADIOLOGY TECHNICIAN	8	GRADE C114	

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 13**

<b>CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)</b>				<b>EXECUTIVE RECOMMENDATION</b>
(14)	L069C LICENSED PRACTICAL NURSE	180	GRADE C113	
(15)	B111C LABORATORY TECHNICIAN	3	GRADE C110	
PATIENT CARE - CLASSIFIED POSITIONS				
(16)	L071C DENTAL HYGIENIST	8	GRADE C113	
(17)	C056C ADMINISTRATIVE SPEC III	11	GRADE C112	
(18)	C053C MEDICAL RECORDS TECH	26	GRADE C112	
(19)	C073C ADMINISTRATIVE SPEC II	9	GRADE C109	
(20)	L081C DENTAL ASSISTANT	14	GRADE C109	
CLASSIFIED - NON-PATIENT CARE				
(21)	CHIEF PSYCHIATRIC SERV.	1	\$400,000	
(22)	VP OPERATIONS	1	\$200,000	
(23)	REGIONAL MANAGER	3	\$120,000	
(24)	PSYCHIATRIC SPECIALIST	6	GRADE N919	
(25)	FISCAL DIVISION MANAGER	1	GRADE C127	
(26)	INFO SYSTEMS COORDINATOR	1	GRADE C124	
(27)	POLICY DEVELOP. COORDINATOR	1	GRADE C117	
(28)	ACCOUNTANT I	1	GRADE C116	
(29)	BUYER	2	GRADE C116	
(30)	COMPUTER SUPPORT TECH	1	GRADE C115	
(31)	INSTITUTIONAL HR COORDINATOR	1	GRADE C115	
(32)	HR SPECIALIST	1	GRADE C113	
(33)	FISCAL SUPPORT SPECIALIST	1	GRADE C112	
(34)	NURSING ASSISTANT	53	GRADE C110	
(35)	ACCOUNTING TECH	4	GRADE C109	
(36)	PURCHASING ASSISTANT	1	GRADE C106	

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**0480 Correction, Department of**

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

**EXECUTIVE RECOMMENDATION**

GRAND TOTAL CONTINGENT EMPLOYEES      462

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**SECTION#: 14**

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

**EXECUTIVE RECOMMENDATION**

MEDICAL/MENTAL HEALTH SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of Corrections that the Department cannot continue a medical contract with a private provider and the Board deems it necessary to utilize Department staff to provide the required services, the Department is allowed, upon notification of the Chief Fiscal Officer of the State and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, to utilize the contingent positions for medical services contained in this Act and make the appropriate transfers from the Professional Fees and Services line item contained in Section 3 of this Act to Regular Salaries, Personal Services Matching and various Maintenance and General Operations classifications. Further, the Department may utilize the service(s) of a state-based or national-based Professional Recruitment Service, or network, as may be necessary to recruit, fill, or maintain the occupancy of the positions stated herein.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 15**

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

**EXECUTIVE RECOMMENDATION**

COUNTY REIMBURSEMENT RATE RESTRICTION. Notwithstanding any other provision of law or departmental commitment which may exist to the contrary, the Board of Corrections shall not increase any reimbursement rate for payments made to any county for the purpose of reimbursing the expenses of the care and custody of state inmates, without first seeking and receiving the approval of the Governor and the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 16**

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

**EXECUTIVE RECOMMENDATION**

COUNTY JAIL REIMBURSEMENT. In the event the Department of Correction cannot accept inmates from county jails due to insufficient bed space, the Department shall reimburse the counties at a rate determined by the Chief Fiscal Officer of the State, after consultation with the Division of Legislative Audit and the Department of Correction, and upon approval by the Governor, until the appropriation and funding for such purpose, is exhausted. The reimbursement rate shall include the county's cost of transporting the inmates to the department. The appropriation provided by Item (06) of Section 3 may be used for contracts with county jails for pre release inmates.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 17**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER OF APPROPRIATION WITHIN CAPITAL IMPROVEMENT PROJECTS. The Department of Correction is hereby authorized to transfer appropriation between and/or among the various capital improvements/construction projects authorized by the General Assembly. Such transfers may be made only after approval by the Governor and after prior approval by the Arkansas Legislative Council or Joint Budget Committee. Such authorization shall in no way mean that the total amount of funds or appropriations for capital improvement/construction projects be greater than that provided by the General Assembly for the Department of Correction.

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

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**ACT#: 266**

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

**EXECUTIVE RECOMMENDATION**

court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2016~~  
2017 through June 30, ~~2017~~ 2018.

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**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 18**

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

**EXECUTIVE RECOMMENDATION**

REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections that a reallocation of resources within the Department of Community Correction and Department of Correction is necessary for the efficient and effective operation of the departments, the Board, with approval of the Governor and approval by the Arkansas Legislative Council or Joint Budget Committee, shall have the authority to instruct the department directors, to request from the Chief Fiscal Officer of the State, a transfer of positions, programs, funds, appropriations, and line-item appropriations within or between existing and newly created divisions, offices, sections, or units of the departments. If it is determined that the requested transfer should be made, the Chief Fiscal Officer of the State shall then initiate the necessary transfer documents to reflect the transfers upon the fiscal records of the State Treasurer, the State Auditor, the Chief Fiscal Officer of the State, and the Departments of Correction and Community Correction. Provided, however, that the Board shall be limited to submitting no more than two requests, encompassing a single purpose listed in this section, during any fiscal year per department. Transfer authority shall further be limited to no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, and positions specific to each agency. However, there shall be no fund transfers to or from the County Jail Reimbursement Fund. A Reallocation of Resources Transfer shall be limited to the following specific purposes:

- a) Costs to open and operate temporary beds;
- b) Payment of Debt Service;
- c) Payment of Overtime Expenses;

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**EXECUTIVE RECOMMENDATION**

- d) Unanticipated increases for medical or private prison contracts;
- e) Construction/renovation/equipping of new beds;
- f) Deficits in Farm or Industry Program;
- g) Losses not covered by insurance proceeds;
- h) Costs of personnel for critical services or necessary to carry out the mission of the agency.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Correction and the Department of Community Correction may operate more efficiently if some flexibility is provided to the Board of Corrections authorizing broad powers under the Reallocation of Resources provisions herein. 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 jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 19**

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

**EXECUTIVE RECOMMENDATION**

HOLIDAY COMPENSATION. The Department of Correction is authorized to pay employees for hours of unused holidays in the employee's holiday account following the end of the calendar year. Payments of unused Holiday hours must be processed on or before June 1st in each fiscal year. Employees terminating employment from the Department of Correction will be eligible for all holiday pay accrued. This request is contingent on approval by the Chief Fiscal Officer of the State after the Director of the Department of Correction has verified that sufficient revenues are available to make such payments to employees who have served in the following classifications, with the exception that those employees wishing to accrue banked hours be allowed the option to bank unused holiday hours in the employee's holiday account, not to exceed one-hundred fifty (150) hours:

**AGENCY REQUEST**

Class

<u>Code</u>	<u>Title</u>	<u>Grade</u>
T033C	ADC/DCC MAJOR	GRADE C120
T048C	ADC/DCC CAPTAIN	GRADE C118
T054C	ADC/DCC LIEUTENANT	GRADE C117
TO65C	ADC/DCC CORRECTIONAL SERGEANT	GRADE C115
S044C	FOOD PREPARATION MANAGER	GRADE C114
T075C	ADC/DCC CORPORAL	GRADE C113
T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE C112
S056C	FOOD PREPARATION SUPERVISOR	GRADE C111

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**SECTION#: 20**

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

**EXECUTIVE RECOMMENDATION**

EMPLOYEE COMPENSATION REPORT. The Department of Finance and Administration Office of Budget shall prepare and submit to the Arkansas Legislative Council or Joint Budget Committee a report reflecting the amount of appropriation and funding necessary for the Department of Correction to sufficiently budget for the expenditure of payments to employees for all Holiday Liability, Straight Time Liability, Overtime, and Hazardous Duty Compensation incurred, including the current balances of said liabilities. This report shall be included in the summary budget information manual submitted during the biennial budget process.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**SECTION#: 21**

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

**EXECUTIVE RECOMMENDATION**

ADC SEX OFFENDER ASSESSMENT. The Arkansas Department of Correction is authorized to enter into a cooperative agreement with a qualified state treatment and assessment agency to conduct assessments of juvenile sex or child offenders as required by provisions of ACA 12-12-901 et. seq. and pay for services upon receipt of invoice.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**SECTION#: 22**

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

**EXECUTIVE RECOMMENDATION**

INMATE COST REPORTING - STATE FACILITIES.

AGENCY REQUEST

(a) Within 90 days of the close of each state fiscal year, the Arkansas Department of Correction (ADC) shall submit to the Arkansas Legislative Council a report of all direct and indirect costs incurred by the State of Arkansas in housing and caring for inmates incarcerated in the State's facilities. Such costs shall be calculated and reported in total for the Department and in total by each facility. The report shall also reflect overall cost per inmate per day, cost per inmate per day for each facility, overall cost per bed per day, and cost per bed per day for each facility.

(b) In compiling costs and reporting to the Arkansas Legislative Council in accordance with subsection (a) of this section of this Act, the Department of Correction shall:

(1) Record all expenditures in a manner that provides for the association of costs with each facility. Costs not directly attributable to a particular facility (overhead, administration, treatment, etc.) shall be allocated to each facility on the basis of inmate population.

(2) Maintain documentation to support all elements of costs and cost reimbursement both in total and by facility;

(3) Exclude capital outlay disbursements. However, depreciation expense for all ADC fixed assets shall be included. Depreciation expense not directly associated with the fixed assets of a particular facility shall be allocated to each facility on the basis of inmate population.

(4) Include any interest expense incurred by ADC or another state governmental entity as a result of prison construction;

(5) Exclude all payments to local governments for care of inmates housed

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**EXECUTIVE RECOMMENDATION**

in local government facilities;

(6) Exclude all payments to local governments for Act 309 prisoners;

(7) Include the state matching requirements associated with federal grant expenditures. Documentation shall be maintained sufficient to identify such costs by grant.

(8) Deduct reimbursements for costs incurred. The amount of the reimbursement deducted shall be equal to or less than the cost with which the reimbursement is associated.

(9) Include all ancillary costs. These costs shall include, but are not limited to:

(A) ADC expenses incurred through fund transfers;

(B) Retirement costs;

(C) Audit costs;

(D) ADC cost for shared employees paid by another state governmental entity;

(E) Inmate educational and rehabilitation costs;

(F) Inmate related expenses incurred by the Attorney General; however; expenses shall not include costs of defending Habeas Corpus cases.

(c) In determining costs per inmate per day for reporting to the Arkansas Legislative Council in accordance with subsection (a) of this section, ADC shall:

(1) Accumulate the number of inmates housed at each ADC facility each day throughout the state fiscal year for which costs are being reported. This accumulation shall result in total inmate days and shall be divided into total direct and indirect costs compiled in accordance with subsections (a)

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and (b) of this section.

(2) Exclude those ADC inmates housed in local governmental facilities and Act 309 prisoners from the number of inmates housed at ADC facilities.

(3) Maintain documentation supporting the number of inmates housed at ADC facilities.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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

**EXECUTIVE RECOMMENDATION**

COUNTY JAIL REIMBURSEMENT FUND YEAR-END FUND BALANCE CARRY FORWARD. Notwithstanding any law pertaining to the transfer of year-end fund balances or any law to the contrary, any funds which remain in the County Jail Reimbursement Fund at the end of a fiscal year shall remain in the County Jail Reimbursement Fund and made available to fund appropriations authorized by law payable from the County Jail Reimbursement Fund for the following fiscal year.

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 to the second fiscal year 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)

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**EXECUTIVE RECOMMENDATION**

days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**EXECUTIVE RECOMMENDATION**

REFUND TO EXPENDITURE. The proceeds from the sale of feeder cattle by the Department of Correction shall be deposited into the State Treasury as a refund to expenditure to the credit of the appropriation available to the Department of Correction for the "Purchase Cattle/Meat" line item.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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

**EXECUTIVE RECOMMENDATION**

USE OF MAINTENANCE AND OPERATION APPROPRIATION AND SALVAGED MATERIALS CONSTRUCTION. The Department of Correction is hereby authorized to utilize Maintenance and General Operation Appropriation in conjunction with surplus and/or salvageable materials for the purpose of implementing construction projects to benefit the Department and its various programs. Before such projects may be undertaken, a Method of Finance must be submitted for prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, and review and approval by the Department of Finance and Administration and the Building Authority Division of the Department of Finance and Administration.

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

AGENCY REQUEST



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**ACT#: 266**

**SECTION#: 25**

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

**EXECUTIVE RECOMMENDATION**

court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2016~~  
2017 through June 30, ~~2017~~ 2018.

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**ACT#: 266**

**SECTION#: 26**

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

**EXECUTIVE RECOMMENDATION**

UTILITY RATE INCREASE TRANSFER. In the event of a ten percent (10%) increase in utility rates and fuel rates, the Department of Correction is authorized to transfer any line item appropriation in this Act to the Maintenance and Operation line item for support of the increase after receiving approval of the Chief Fiscal Officer of the State. Prior to the utilization of the transfer authority, a report shall be made to the Arkansas Legislative Council or Joint Budget Committee including justification for the transfer and the amount of the transfer.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Correction may operate more efficiently if some flexibility is provided to the Department of Correction 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**SECTION#: 27**

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

**EXECUTIVE RECOMMENDATION**

MENTAL HEALTH SERVICES. In the event the Department determines to enter into a professional contract for mental health services, the Department may, upon approval of the Chief Fiscal Officer of the State and after prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, make appropriate transfers from regular salaries, personal services matching and various maintenance and operation classifications to the professional fees and services classification for payment of the contractual amount.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Correction may operate more efficiently if some flexibility is provided to the Department of Correction 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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

**EXECUTIVE RECOMMENDATION**

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

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Correction may operate more efficiently if some flexibility is provided to the Department of Correction 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**ACT#: 266**

**SECTION#: 29**

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

**EXECUTIVE RECOMMENDATION**

NEW FACILITIES. If it is found that contracting for the operation of new facilities is economically beneficial to the State of Arkansas, the Department of Correction may, after receiving approval of the Chief Fiscal Officer, and seeking prior review and approval by the Arkansas Legislative Council or Joint Budget Committee, transfer from any line item appropriation contained in Section 3 of this Act into the Professional Fees and Services line item contained in Section 3 of this Act to operate new facilities.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Correction may operate more efficiently if some flexibility is provided to the Department of Correction 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 30**

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

**EXECUTIVE RECOMMENDATION**

APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of Correction is hereby authorized to transfer appropriations between any line items authorized herein but only for the purpose of financing construction or equipment for a facility of the department. Any transfers authorized by this section shall require the approval of the Chief Fiscal Officer of the State after prior review and approval by the Legislative Council or Joint Budget Committee.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Correction may operate more efficiently if some flexibility is provided to the Department of Correction 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

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**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 31**

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

**EXECUTIVE RECOMMENDATION**

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 32**

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

**EXECUTIVE RECOMMENDATION**

MOTOR VEHICLE PURCHASE PROVISION. The Department of Correction is hereby authorized to purchase motor vehicles as may be approved for the purpose of equipping new bed additions at the various institutions from the appropriations authorized for Capital Outlay in Section 3 of this Act.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 33**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER OF APPROPRIATION TO THE COUNTY JAIL REIMBURSEMENT FUND. If any savings of general revenue appropriation and funds accrue during the ~~2016-2017~~2017-2018 fiscal year in the operations of the Department of Correction, the Director of the Department of Correction may request a transfer of appropriation from any line item appropriation in the Inmate Care and Custody Fund Account to the County Jail Reimbursement Fund in order to meet obligations to counties for housing state inmates. Such transfer request shall be made upon the approval of the Chief Fiscal Officer of the State and prior review and approval by the Arkansas Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 34**

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

**EXECUTIVE RECOMMENDATION**

LOCAL GOVERNMENT INMATE COST REPORT. Each calendar year, the Association of Arkansas Counties shall compile and submit a report to the Arkansas Legislative Council, of all costs incurred, excluding construction costs, by local government units housing inmates sentenced to the Department of Correction and Department of Community Correction. The cost report shall be a representative sample of all counties housing and caring for state inmates. The report shall be submitted no later than July 1 of the calendar year immediately following the reporting year.

The Association of Arkansas Counties in coordination with Legislative Audit shall determine which counties will be included in the sample and shall include a sufficient number of counties from each classification based upon population and each congressional district to ensure a fair representation of costs incurred. Guidelines for preparing this cost report shall be developed by the Division of Legislative Audit in coordination with the Association of Arkansas Counties. The Division of Legislative Audit shall test the accuracy of the information submitted during the routine audit of the applicable county.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 35**

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

**EXECUTIVE RECOMMENDATION**

ESSENTIAL SERVICES STIPEND. The Arkansas Department of Correction (ADC) may award additional compensation to those exempt employees who are members of the emergency response unit. These employees are eligible to receive up to 3% per hour additional compensation for the actual number of hours that an employee spends on an emergency response action.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0480 Correction, Department of**

**ACT#: 266**

**SECTION#: 36**

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

**EXECUTIVE RECOMMENDATION**

MARKETING AND REDISTRIBUTION PROCEEDS FROM SALE OF STATE PROPERTY. The proceeds from the sale of state property through the Marketing and Redistribution Section of the Department of Finance and Administration, may be deposited into the Cash in State Treasury fund in an amount not to exceed \$100,000 there to be used for operating expenses for the Paws in Prison program.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0018 Court of Appeals**

**ACT#: 257**

**SECTION#: 4**

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

**EXECUTIVE RECOMMENDATION**

MILEAGE REIMBURSEMENT. The funds appropriated in Mileage Reimbursement of Section 3 herein may be used by each judge of the Arkansas Court of Appeals as reimbursement for necessary mileage. The mileage reimbursement shall be at the same rate established in the state travel regulations for state employees and shall be limited to travel within the state between the judge's official residence and the court with mileage reimbursements not to exceed three round trips per week. Only judges whose official residence is located outside of Pulaski County shall be eligible to be reimbursed for mileage.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 Deaf, Arkansas School for the**

**ACT#: 113**

**SECTION#: 6**

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

**EXECUTIVE RECOMMENDATION**

SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the regular school term, also work during summer months shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

Payment of additional compensation shall be limited to employees in the following classifications:

SUMMER SCHOOL POSITIONS	GRADE
Certified Bachelor's Teacher	C117
Certified Masters Teacher	C119
School Speech Pathologist	C119
Audiologist	C119
Certified Master's Degree Librarian	C119
Education Counselor	C119
Licensed Professional Counselor	C119
Teacher Supervisor	C120
Educational Specialist	C120
Assistant Principal	C123
School Principal	C126

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 Deaf, Arkansas School for the**

**ACT#: 113**

**SECTION#: 7**

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

**EXECUTIVE RECOMMENDATION**

SPECIAL ALLOWANCE. The Arkansas Schools for the Deaf and ~~Blind~~ may make special allowances available to any employee who performs one of the following duties in addition to their normal duties:

- 1) Teaching adult education classes, parent training, student tutorial services on weekends or evenings
- 2) Coaching one or more sports
- 3) Sponsoring a club or organization that involves additional hours outside of the normal working day
- 4) Interpretive Services

Compensation for additional duties may not exceed \$3,500 per school term for any one employee during each fiscal year. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employee.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 Deaf, Arkansas School for the**

**ACT#: 113**

**SECTION#: 8**

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

**EXECUTIVE RECOMMENDATION**

~~ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or other form of compensation from the Arkansas Schools for the Deaf or Blind shall be paid an additional salary or receive additional compensation, other than reimbursement for actual expenses, from that agency, nor from any other agency or institution of higher education, except from the Superintendent's written certification to and approval by the Chief Fiscal Officer of the State that the work performed by the employee for the other position does not interfere with the proper and required performance of the employee's primary duties, and that the combined salary payments from both positions will not exceed the maximum annual salary for whichever of the two positions has the higher authorized maximum annual salary.~~

~~Any employee knowingly violating the provisions of this section shall be subject to immediate termination and shall be barred from employment by any agency or institution of the State of Arkansas for a period of not less than three (3) years or until such employee shall repay to the State of Arkansas any sums received by such employee in violation of this section, together with interest at a rate of ten percent (10%) per annum.~~

~~The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017-2018.~~

ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or other form of compensation from the Arkansas Schools for the Deaf or Blind shall be paid an additional salary or receive additional compensation, other than reimbursement for actual expenses, from that agency, nor from any other agency or institution of higher education, except from the Superintendent's written certification to and approval by the Chief Fiscal Officer of the State that the work performed by the employee for the other position does not interfere with the proper and required performance of the employee's primary duties, and that the combined salary payments from both positions will not exceed the maximum annual salary for whichever of the two positions has the higher authorized maximum annual salary.

Any employee knowingly violating the provisions of this section shall be subject to immediate termination and shall be barred from employment by any agency or institution of the State of Arkansas for a period of not less than three (3) years or until such employee shall repay to the State of Arkansas any sums received by such employee in violation of this section, together with interest at a rate of ten percent (10%) per annum.

The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017-2018.



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 Deaf, Arkansas School for the**

**ACT#: 113**

**SECTION#: 9**

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

**EXECUTIVE RECOMMENDATION**

~~SHIFT DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.~~

~~The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, 2017-2018.~~

SHIFT DIFFERENTIAL. For Arkansas School for the Deaf, shift work must begin not earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day.

The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, 2017-2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 Deaf, Arkansas School for the**

**ACT#: 113**

**SECTION#: 10**

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

**EXECUTIVE RECOMMENDATION**

CERTIFIED MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution, the salary of teachers entering state service as teachers may be adjusted to a rate of pay closest to but not less than the annual salary they would have received from their previous employer, effective upon employment at ASD.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

CERTIFIED MASTERS OR BACHELOR TEACHERS ENTERING STATE SERVICE. Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution and with the approval of the Chief Fiscal Officer of the State, the salary of teachers entering state service as teachers may be adjusted to a rate of pay closest to but not less than the annual salary they would have received from their previous employer, effective upon employment at ASD.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 Deaf, Arkansas School for the**

**ACT#: 113**

**SECTION#: 11**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION. Upon approval from the Chief Fiscal Officer of the State, the Arkansas School for the Deaf shall transfer appropriation from the Miscellaneous Activities line item in this Act, to Item No. (01) through Item No. (05) in Section 3 of this Act, to compensate staff who work during the summer months on summer projects and to cover other expenses of summer project activities. The Miscellaneous Activities line item may also be used for the annual cost related to the payment of contracted interpreter services, compensation of eligible staff for shift differential pay, and compensation of employees for performance of duties assigned as referenced in Section 7 of this Act. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 Deaf, Arkansas School for the**

**ACT#: 113**

**SECTION#: 12**

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

**EXECUTIVE RECOMMENDATION**

TEACHER SALARY INCREASE. In the event that an act is enacted in which the public schools receive funds from the General Assembly to raise the salaries of teachers employed in the public school districts, the Arkansas School for the Deaf and the Arkansas School for the Blind shall be included.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 Deaf, Arkansas School for the**

**ACT#: 113**

**SECTION#: 13**

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

**EXECUTIVE RECOMMENDATION**

SPECIAL RATES OF PAY. Due to the need to meet the minimum compensation schedule as established by Act 74 of the 2nd Extraordinary Session of the 84th General Assembly, or its successor, for public school teachers, counselors, and librarians and other education professionals as listed in subsection (a) below, the Arkansas School for the Deaf is authorized to adjust current or new employees to at least the minimum level of compensation for public school employees.

For current or new employees in the positions listed in subsection (a) below, the Arkansas School for the Deaf may implement salary adjustments to maintain equity between their teacher salaries and those of Central Arkansas Public School Systems only after a plan for determining and implementing those adjustments has been reviewed by the Office of Personnel Management and by the Personnel Committee of the Arkansas Legislative Council and approved by the Chief Fiscal Officer of the State.

For purposes of implementing the plan, the Arkansas School for the Deaf is authorized special rates of pay up to the maximum of the assigned grade for classifications listed in subsection (a) below.

(a) TITLE	GRADE
Certified Bachelors Teacher	C117
Certified Masters Teacher	C119
Certified Masters Degree Librarian	C119
Education Counselor	C119
School Speech Pathologist	C119
Teacher Supervisor	C120
Educational Specialist	C120

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0513 Deaf, Arkansas School for the**

**ACT#: 113**

**SECTION#: 13**

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

**EXECUTIVE RECOMMENDATION**

Assistant Principal	C123
School Principal	C126

Funding for the minimum compensation provided for in this section that is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Merit Adjustment Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The Arkansas School for the Deaf shall, in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Merit Adjustment Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 230**

**SECTION#: 21**

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

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD. Notwithstanding any law pertaining to the transfer of year-end fund balances or any law to the contrary, any funds which remain in the Department of Education Fund Account at the end of a fiscal year shall remain in the Department of Education Fund Account and made available to fund appropriation authorized by law and made payable from the Department of Education Fund Account for the following fiscal year.

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 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

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 230**

**SECTION#: 21**

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

**EXECUTIVE RECOMMENDATION**

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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 230**

**SECTION#: 22**

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

**EXECUTIVE RECOMMENDATION**

SALARY OF THE COMMISSIONER OF THE DEPARTMENT OF EDUCATION. It is the intent of the General Assembly that the appropriation for the salary of the Commissioner of the Department of Education shall be the sole and exclusive authority for his or her salary. It is further the intent of the General Assembly that the Commissioner be required to devote all of his or her working time exclusively to the performance of his or her duties as Commissioner of the Department of Education. Therefore, the Commissioner of the Department of Education is hereby prohibited from accepting any additional salary from any other source (including state, federal, or private entities or persons) for the performance of his or her duties as Commissioner, and is prohibited from accepting any salary, fees or compensation from any other source (including state, federal or private entities or persons) for any other employment of any kind outside the scope of his or her duties as Commissioner, including but not limited to consulting work for any other public or private entity. This section shall not be construed to prohibit the Commissioner from accepting or receiving expense reimbursements and employee benefits as provided by State law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 230**

**SECTION#: 23**

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

**EXECUTIVE RECOMMENDATION**

ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from statewide education issues and the necessity of recruiting and retaining qualified personnel, the Arkansas Department of Education or its successor agency is authorized for the ~~2016-2017~~ 2017-2018 fiscal year a pool of no more than five (5) Professional/Executive positions at a salary not to exceed the maximum salary for a grade N912. These positions are to be used by the Department of Education in the event that the personal services needs of the Department during the ~~2016-2017~~ 2017-2018 fiscal year require additional positions, either by title or in number, that are not authorized by the General Assembly in Section 1 of this Act. These positions may also be used to properly classify positions when the Department does not have a vacant position available with the appropriate title and salary level.

(b) To address needs emerging from statewide education issues and the necessity of recruiting and retaining qualified personnel, the Arkansas Department of Education or its successor agency is authorized for the ~~2016-2017~~ 2017-2018 fiscal year a pool of ten (10) classified positions at up to a grade C130. These positions are to be used by the Department of Education in the event that the personal services needs of the Department during the ~~2016-2017~~ 2017-2018 fiscal year require additional positions, either by classification or in number, that are not authorized by the General Assembly in Section 1 of this Act. These positions may also be used to properly classify positions when the Department does not have a vacant position available with the appropriate title and grade level.

(c) Any salary determinations or adjustments administered under the

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 230**

**SECTION#: 23**

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

**EXECUTIVE RECOMMENDATION**

provisions of Subsections (a) and (b) of this Section shall be made by comparing the qualifications and salary levels of similar employees in school districts or in other state education agencies.

(d) The Department of Education is authorized to access the pool positions authorized in this Section at any time when it is determined by the Commissioner that the need exists. The Commissioner shall provide a monthly report of the justification for the need to allocate titles from this growth pool to the Chief Fiscal Officer of the State and to the Arkansas Legislative Council for review. The report shall also include an accounting of the names, titles, and salaries of personnel whose salaries have been adjusted under provisions of Subsections (a) and (b) of this Section.

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

(f) Determining the number of personnel to be employed by a state agency is the prerogative of the General Assembly and is usually accomplished by delineating the maximum number of personnel by identifying job titles and the maximum grade or salary attached to those titles. The General Assembly has determined that the Arkansas Department of Education could be operated more efficiently if some flexibility is given to that agency. That flexibility is being accomplished by providing a position pool in Subsections (a) and (b) of this Section and since the General Assembly has granted the agency broad powers under the growth pool concept, it is both necessary and appropriate that the General Assembly

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 230**

**SECTION#: 23**

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

**EXECUTIVE RECOMMENDATION**

maintain oversight of the utilization of the position pool by requiring review of the Legislative Council in the utilization of the position pool. Therefore, the requirement of review by the Legislative Council is not a severable part of this section. If the requirement of review 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 230**

**SECTION#: 24**

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

**EXECUTIVE RECOMMENDATION**

ARKANSAS LEADERSHIP ACADEMY - REDUCTION OF FUNDS RESTRICTION.  
Upon determination by the Department of Education that a reduction in the amount of available appropriation within the Department of Education Fund Account is required from the amount appropriated, the reduction in the available appropriation from the full amount appropriated for the Arkansas Leadership Academy shall be limited to the average percentage reduction in the other appropriations to the Department of Education from the Department of Education Fund Account.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 230**

**SECTION#: 25**

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

**EXECUTIVE RECOMMENDATION**

LEADERSHIP ACADEMY. The funds appropriated in the "AR LEADERSHIP ACADEMY" line item in Section 3 of this Act shall be used for the School Support Program which will provide support to schools or school districts designated by the Department of Education as being in school improvement status and to provide for general operations of the Leadership Academy.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - General Education**

**ACT#: 230**

**SECTION#: 26**

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

**EXECUTIVE RECOMMENDATION**

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Academic Facilities & Transportation**

**ACT#: 42**

**SECTION#: 6**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER AUTHORITY - OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL FACILITIES LOAN PROGRAM. The Department of Education - Division of Public School Academic Facilities and Transportation is authorized to transfer any funds that are made available for the Open-Enrollment Public Charter School Facilities Loan Program, including funds from the General Improvement Fund or its successor fund or fund accounts, to the Open-Enrollment Public Charter School Facilities Loan Fund.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Academic Facilities & Transportation**

**ACT#: 42**

**SECTION#: 7**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER AUTHORITY. The Director of the Department of Education - Division of Public School Academic Facilities and Transportation, with the approval of the Chief Fiscal Officer of the State and after approval by the Arkansas Legislative Council or Joint Budget Committee, is hereby authorized to request necessary appropriation transfers and any other budget related adjustments necessary only for the appropriations authorized in this Act. Furthermore, it is the intent of the General Assembly that the Department of Education - Division of Public School Academic Facilities and Transportation be able to make use of additional contractual services as necessary and that transfers between line items and among appropriations are anticipated to accomplish those purposes. Provided, however, that the Department of Education - Division of Public School Academic Facilities and Transportation shall be limited to submitting no more than two transfer requests during any fiscal year.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Education - Division of Public School Academic Facilities and Transportation may operate more efficiently if some flexibility is provided to the Director of the Department of Education - Division of Public School Academic Facilities and Transportation authorizing broad powers under the Transfer Authority

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Academic Facilities & Transportation**

**ACT#: 42**

**SECTION#: 7**

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

**EXECUTIVE RECOMMENDATION**

provision herein. 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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 6**

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

**EXECUTIVE RECOMMENDATION**

BROADBAND FACILITIES MATCHING GRANT PROGRAM - RESTRICTIONS AND MATCHING FUNDS. (i) The appropriation in this Act for the Broadband Facilities Matching Grant Program shall not be used for Arkansas Research and Education Optical Network (AREON) or Middle Mile Connectivity.

(ii) The funds appropriated for state match for the Broadband Facilities Matching Grant Program in this Act shall be paid on a one-to-one state/local matching basis.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 7**

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

**EXECUTIVE RECOMMENDATION**

BROADBAND FACILITIES MATCHING GRANT PROGRAM - CARRY FORWARD.  
Any unexpended balance of monies allocated for the Broadband Facilities Matching Grant Program remaining on June 30, ~~2017~~ 2018, in the Department of Education Public School Fund Account shall be designated and retained for the Broadband Facilities Matching Grant Program.

Any carry forward of unexpected 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 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 item (1) above;

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

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 7**

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

**EXECUTIVE RECOMMENDATION**

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 8**

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

**EXECUTIVE RECOMMENDATION**

FUND ALLOCATION. The appropriation for the Isolated Funding line item in Section 1 of this Act may be fully funded. Any funding and appropriation for Isolated Funding that is not utilized shall be transferred to the appropriation for Special Needs Isolated Funding in Section 1 of this Act and shall be used there for fully funding each subsection (c) through (f) of Arkansas Code §6-20-604 on a pro rata basis until the available funds are exhausted. Pro rata basis is defined as providing each district qualifying for additional funding under subsections (c) through (f) a proportionate share based on how each district's additional funding amount bears to the total additional funding amounts for all qualifying districts. If any funding and appropriation remains after funding each subsection (c) through (f) of Arkansas Code §6-20-604 the remaining balance shall be used to fund the provisions of Arkansas Code §6-20-604 (h) on an equal basis until the available funds are exhausted.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 9**

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

**EXECUTIVE RECOMMENDATION**

GRANTS TO SCHOOL DISTRICTS. For the purposes of distributing the Grants To School Districts appropriation in Section 1 of this Act, "school district" means a school district which contracts with a school district in an adjoining state for the education of some of the pupils within the Arkansas school district because the portion of the school district wherein such pupils live is completely separated from the remainder of the school district by a reservoir covering at least 12,000 acres at normal water level, and where to attend school in their own district, the pupils of said portion would be required to travel or to be transported a distance (measured by the nearest highway or road route) of more than 35 miles round trip and pass through another school district or districts. The Department of Education shall distribute the monies appropriated for Grants to School Districts in Section 1 of this Act to such school districts as reimbursement for expenses incurred in educating the pupils residing in the separated portion of the school district. The payments are to be limited to the amount of available appropriation. Such school districts shall file a request for reimbursement with the Department of Education and provide the Department of Education with such documentation as is deemed necessary.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 10**

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

**EXECUTIVE RECOMMENDATION**

SPECIAL EDUCATION SERVICES. The funds appropriated in the line item "Special Education Services" in Section 1 of this Act shall be used to provide extended year summer programs for handicapped students in need of such services, to provide special education services to foster children who are wards of the State, and to provide funds for the payment of salaries of special education supervisors. The Department of Education shall distribute such funds in the manner necessary to carry out the intent of this Section.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 11**

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

**EXECUTIVE RECOMMENDATION**

DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each fiscal year thereafter, the Department of Education shall from time to time as needed, certify to the State Treasurer and the Chief Fiscal Officer of the State, the amount of funds disbursed or approved to be disbursed by the Department of Education for desegregation expenses under any "Desegregation Settlement Agreement". Upon the receipt of such certification, the State Treasurer, after making those deductions as set out in Arkansas Code 19-5-202(b)(2)(B), shall also deduct from the net general revenues the amount certified and transfer this amount to the Department of Education Public School Fund Account there to be used exclusively for payment of or reimbursement for expenses incurred from the Department of Education Public School Fund Account under any "Desegregation Settlement Agreement".

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 12**

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

**EXECUTIVE RECOMMENDATION**

CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation Incentive shall be allocated in accordance with rules and regulations established by the State Board of Education.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 13**

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

**EXECUTIVE RECOMMENDATION**

RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for Residential Centers/Juvenile Detention shall be allocated in accordance with rules and regulations established by the State Board of Education.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 14**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER AUTHORITY. The Commissioner of the Department of Education, with the approval of the Chief Fiscal Officer of the State and after approval by the Arkansas Legislative Council or Joint Budget Committee, is hereby authorized to request necessary appropriation transfers and any other budget related adjustments necessary within the Department of Education. Provided, however, that the Department of Education shall be limited to submitting no more than two transfer requests during any fiscal year.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Education may operate more efficiently if some flexibility is provided to the Commissioner of the Department of Education authorizing broad powers under the Transfer Authority provision herein. 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 jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 15**

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

**EXECUTIVE RECOMMENDATION**

AETN DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds authorized herein to the Department of Education for the Quiz Bowl each fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each fiscal year may be made available to the Department of Education - Educational Television Division for its documented costs associated with the Quiz Bowl.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 16**

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

**EXECUTIVE RECOMMENDATION**

DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item "Distressed School District Support" in Section 1 of this Act may be used for technical assistance offered by the Department of Education to school districts in academic distress that can include, but is not limited to, teacher specialists, principal specialists, and other personnel assigned by the department. These funds may also be used for alternative research-based technical assistance or programs. Criteria for selecting and approving alternative research-based technical assistance or programs are to be promulgated as a rule by the State Board of Education, provided that alternative staffing and/or compensation programs for teachers shall be approved by at least a majority of the teachers in the school, schools, or school district participating in the program.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 17**

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

**EXECUTIVE RECOMMENDATION**

RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School Districts shall pay the teacher retirement employer contribution rate for any eligible employee in accordance with rules and regulations established by the Teacher Retirement Board of Directors. The appropriation contained herein for Teacher Retirement Matching each fiscal year shall be used to provide the employer matching for employees of the Cooperative Education Services Areas, Vocational Centers, Arkansas Easter Seals and the school operated by the Department of Correction.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 18**

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

**EXECUTIVE RECOMMENDATION**

BETTER CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby authorized to expend a maximum of two percent (2%) of available funds for administration of the Better Chance Program. Up to 1.8% of available funds shall be used to administer the program and to monitor program grantees to ensure compliance with programmatic standards. Prior to the utilization of the remaining 0.2% of available funds, the Department of Education shall seek prior review and approval of the Arkansas Legislative Council or Joint Budget Committee by providing a written request to include the following: a) the Department's reason(s) for the use of the funds and b) the amount of funds that will be expended. The Department may contract with the Division of Child Care and Early Childhood Education to administer the program.

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. 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



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 18**

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

**EXECUTIVE RECOMMENDATION**

The provisions of this section shall be in effect only from July 1, ~~2016~~  
~~2017~~ through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 19**

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

**EXECUTIVE RECOMMENDATION**

AVERAGE TEACHER SALARY. The Arkansas Department of Education is requested to calculate Average Teacher Salary in the Department's Annual Statistical Report to not include extra duty funds. Specifically, the Department is requested to calculate the Average Teacher Salary amount using the National Education Association definitions for Average Salary for Classroom Teachers. The Arkansas Department of Education shall submit this data annually to the National Education Association in accordance with that organization's deadlines for submission for their report "Rankings and Estimates" which includes state-by-state teacher salary comparisons.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 20**

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

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - ARKANSAS BETTER CHANCE. Any unexpended balance of monies allocated for the Arkansas Better Chance for School Success Program remaining on June 30, ~~2017~~ 2018, in the Department of Education Public School Fund Account shall be designated and retained for the Arkansas Better Chance for School Success Program.

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

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

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 20**

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

**EXECUTIVE RECOMMENDATION**

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 21**

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

**EXECUTIVE RECOMMENDATION**

PUBLIC SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the Department of Finance and Administration may use up to eleven dollars and twenty cents (\$11.20) from each contribution made under Arkansas Code §6-17-1117(a) to offset the cost of health insurance premiums to eligible members electing to participate in the public school employees' health insurance program as a retiree.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 22**

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

**EXECUTIVE RECOMMENDATION**

ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State shall transfer on his books and those of the State Treasurer and the State Auditor, the sum of two hundred thousand dollars (\$200,000) during each fiscal year from the Department of Education Public School Fund Account to the University of Arkansas at Little Rock Fund, specifically to provide funding for the Arkansas/STRIVE Program. The total amount of funds transferred each fiscal year pursuant to this section shall not be subject to any indirect costs by the University of Arkansas at Little Rock.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 23**

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

**EXECUTIVE RECOMMENDATION**

HEALTH INSURANCE. The appropriation contained herein for Public School Employee Insurance each fiscal year shall be used to provide the state contribution for insurance premiums for employees of the Cooperative Education Services Areas, Vocational Centers, and the school operated by the Department of Correction who participate in the Arkansas Public School Life and Health Insurance Program.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 24**

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

**EXECUTIVE RECOMMENDATION**

ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide funding for Alternative Learning Environment Programs in excess of the regulatory limitation of six (6) hours per day for those programs that operate more than twelve hours per day, in a proportionate manner and upon special request to the Department of Education.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 25**

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

**EXECUTIVE RECOMMENDATION**

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 26**

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

**EXECUTIVE RECOMMENDATION**

ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION. Effective for the plan year beginning January 1, 2017, if ninety-eight percent (98%) of the uniform rate of tax used in the calculation of State Foundation Funding Aid for fiscal year 2017-2018 exceeds nine hundred twenty million seven hundred thirty-one thousand eight hundred nineteen dollars (\$920,731,819), the Department of Education shall pay up to fifteen million dollars (\$15,000,000) of the total increase over the nine hundred twenty million seven hundred thirty-one thousand eight hundred nineteen dollars (\$920,731,819) to the Employee Benefits Division of the Department of Finance and Administration in additional health insurance contributions for eligible employees electing to participate in the public school employees' health insurance program administered by the State and Public School Life and Health Insurance Board.

The Department of Education shall make the contributions by transferring funds to the division in quarterly installments. Funds provided by the Department of Education to the division under this section shall be administered by the board for the benefit of the employee participants of the public school employees' health insurance program.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 27**

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

**EXECUTIVE RECOMMENDATION**

ARKANSAS GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget and commit for expenditure two hundred fifty thousand dollars (\$250,000), in addition to funds already being provided for the Arkansas Governor's School, to fund the appropriation authorized from general revenue for the Gifted and Talented program as appropriated in Section 1 herein. With this additional funding the duration of the Arkansas Governor's School shall be extended from four (4) weeks to six (6) weeks.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 28**

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

**EXECUTIVE RECOMMENDATION**

EAST FUNDING PROVISION. Of the total amount appropriated for Technology Grants each fiscal year, an amount of not less than three million five thousand dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each fiscal year, shall be awarded through a grant or professional services contract for the EAST Initiative. Not less than one million dollars (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST Initiatives shall be used for EAST infrastructure and personnel growth for the establishment of new programs. The remaining funding shall be used for existing EAST infrastructure, personnel, and operating expenses of the EAST Initiative. The EAST infrastructure grant or contract for personal services and operating expenses shall be awarded to an entity that has personnel or experience, or both, in implementing the EAST Initiative.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 29**

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

**EXECUTIVE RECOMMENDATION**

INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education shall make available from the Intervention Block Grants appropriation authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and chaperones, thirteen thousand five hundred dollars (\$13,500) each fiscal year for Destination Imagination, one hundred thousand dollars (\$100,000) each fiscal year for the State History Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year for a grant to the Arkansas Science Fair Association for grants to regional and the state science fairs. The Department of Education shall allocate General Revenue funding totaling no less than three hundred two thousand dollars (\$302,000) each fiscal year from the Department of Education Public School Fund Account to support the annual expenses of the Quiz Bowl, the Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and chaperones, Destination Imagination, the State History Day Competition, and the Arkansas Science Fair Association for grants to regional and state science fairs. The Department shall either expend or have committed for expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas, Inc., Destination Imagination, the State History Day Competition, and Arkansas Science Fair Association grants as authorized herein in order to fulfill the provisions of this section.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: 229**

**SECTION#: 30**

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

**EXECUTIVE RECOMMENDATION**

LOCAL SCHOOL DISTRICT ISOLATED - BASE FUNDING UNDER CERTAIN CIRCUMSTANCES.

AGENCY REQUEST

(a) The amount of funding a school district receives under either § 6-20-604(c) and (h) or § 6-20-604(d) and (h) in the fiscal year 2014-2015 shall become the base year funding for fiscal year 2015-2016 if a school district meets the following requirements in the 2014-2015 fiscal year and all of the following requirements except for population density ratio in the 2015-2016 fiscal year:

(1) Either:

(A) Sections 6-20-604(b) and (c); or

(B) Sections 6-20-604(b) and (d); and

(2) Section 6-20-601.

(b) If after the 2015-2016 fiscal year, an increase in a school district's population density ratio precludes funding under § 6-20-604(c) and (h) or § 6-20-604(d) and (h), the amount of funding a school district shall receive is the amount specified under subsection (a) of this section less ten percent (10%) cumulative each year until the funding amount a school district receives is the amount of funding the school district is eligible to receive under:

(1) Sections 6-20-604(e) and (h); or

(2) Section 6-20-604(f).

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0500 DOE - Public School Fund**

**ACT#: NEW**

**SECTION#: NEW**

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

**EXECUTIVE RECOMMENDATION**

PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional Development Funding, three million five hundred thousand dollars (\$3,500,000) may be authorized by the Commissioner of the Department of Education to be used by the Department of Education to develop and implement statewide professional development support systems for teachers that will benefit student achievement. The provisions of this section shall be in effect only from July 1, 2017 through June 30, 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0516 Educational Television Commission, Arkansas**

**ACT#: 139**

**SECTION#: 2**

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

**EXECUTIVE RECOMMENDATION**

EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for the Department of Education - Educational Television Division - State Operations for the ~~2016-2017~~ 2017-2018 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: five (5) 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. Many of these positions are related to specific projects, and those positions so related are specifically exempt from limitations of hours, either by act or regulation.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0516 Educational Television Commission, Arkansas**

**ACT#: 139**

**SECTION#: 4**

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

**EXECUTIVE RECOMMENDATION**

EXTRA HELP - CASH OPERATIONS. There is hereby authorized, for the Department of Education - Educational Television Division - Cash Operations for the ~~2016-2017~~ 2017-2018 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: forty-six (46) 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. Many of these positions are related to specific projects, and those positions so related are specifically exempt from limitations of hours, either by act or regulation.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0516 Educational Television Commission, Arkansas**

**ACT#: 139**

**SECTION#: 7**

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

**EXECUTIVE RECOMMENDATION**

ARKANSAS VETERANS' INITIATIVE. The appropriation authorized in this Act for Arkansas Veterans' Initiative, Stories of Service is not intended to be carried forward into the base level for the purposes of budget preparation. Any appropriation request for this purpose shall be considered a new appropriation request, and therefore will be considered a change level budget request.

Notwithstanding any law pertaining to the transfer of year-end fund balances or any law to the contrary, any funds provided to the Educational Television Fund Account for the purpose of funding the Arkansas Veterans' Initiative Appropriation which remain in the Educational Television Fund Account at the end of a fiscal year shall remain in the Educational Television Fund Account and shall continue to be allocated to the Arkansas Veterans' Initiative Appropriation in the following fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0232 Election Commissioners, State Board of**

**ACT#: 152**

**SECTION#: 5**

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

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - ELECTION EXPENSES. At the close of the fiscal year ending June 30, ~~2017~~ 2018, any unexpended balance of monies provided for Election Expenses, shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2018~~ 2019.

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

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

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

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0232 Election Commissioners, State Board of**

**ACT#: 152**

**SECTION#: 5**

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

**EXECUTIVE RECOMMENDATION**

all information obtained in item (3) above in the biennial budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, ~~2016-2017~~ through June 30, ~~2017-2018~~.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0232 Election Commissioners, State Board of**

**ACT#: 152**

**SECTION#: 6**

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

**EXECUTIVE RECOMMENDATION**

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0232 Election Commissioners, State Board of**

**ACT#: 152**

**SECTION#: 7**

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

**EXECUTIVE RECOMMENDATION**

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

The provisions of this section shall be in effect from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0034 Governor, Office of the**

**ACT#: 77**

**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, the Agency is authorized to transfer appropriation from any line item authorized in Section 3 Appropriation - Operations of the Governor's Office in this Act to any other line item authorized in Section 3.~~  
~~The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017.~~

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0034 Governor, Office of the**

**ACT#: 77**

**SECTION#: 5**

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

**EXECUTIVE RECOMMENDATION**

SALARIES. In order that exceptionally well-qualified personnel may be recruited and retained, the Office of the Governor 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 the operation appropriation act after receiving approval from the Arkansas Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0314 Governor's Mansion Commission**

**ACT#: 258**

**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, the Agency is authorized to transfer appropriation from line items (01) and (03) authorized in Section 3 Appropriation - Operations of this Act to the Mansion Expense line item authorized in Section 3.~~  
~~The provisions of this section shall be in effect only from July 1, 2016 through June 30, 2017.~~

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0314 Governor's Mansion Commission**

**ACT#: 258**

**SECTION#: NEW2**

**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, 2017 through June 30, 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0009 Legislative Audit**

**ACT#: 160**

**SECTION#: 3**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION - LINE ITEMS. The Legislative Auditor is hereby authorized to direct the Chief Fiscal Officer of the State to transfer appropriation between the line items of the appropriation in Section 2 of this Act in such amounts determined necessary. In no event, however, shall the Regular Salaries line item in Section 2 be increased or decreased by such transfers authorized herein, until the Legislative Council or Joint Budget Committee reviews such transfers.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0009 Legislative Audit**

**ACT#: 160**

**SECTION#: 4**

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

**EXECUTIVE RECOMMENDATION**

SALARIES. Employees of Arkansas Legislative Audit shall be eligible for cost-of-living increases on July 1, in an amount equal to that granted to all other state agency, board, commission or institution of higher education employees on those dates. Any additional 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. In addition, the Legislative Auditor may implement a merit program to reward employees for exceptional service. The plan shall be approved by the Legislative Joint Auditing Committee prior to its implementation. 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 the appropriation act after receiving approval from the Arkansas Legislative Council or Joint Budget Committee. Salary payments in accordance with this section shall not be restricted to maximum amounts authorized by law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0009 Legislative Audit**

**ACT#: 160**

**SECTION#: 5**

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

**EXECUTIVE RECOMMENDATION**

FUNDS. In the event Arkansas Legislative Audit of the Legislative Joint Auditing Committee should receive any funds in connection with performing their duties as prescribed by the Arkansas Scholarship Lottery Act, such funds shall be deposited into the State Central Services Fund to be utilized solely by Arkansas Legislative Audit of the Legislative Joint Auditing Committee in performing such duties.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0009 Legislative Audit**

**ACT#: NEW**

**SECTION#: NEW**

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

**EXECUTIVE RECOMMENDATION**

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

10-4-428. Employment of outside legal counsel.

(a) Arkansas Legislative Audit may employ outside legal counsel as deemed necessary by the Legislative Auditor after receiving prior approval of the executive committee of the Legislative Joint Auditing Committee.

(b) If the executive committee of the Legislative Joint Auditing Committee approves the employment of outside legal counsel by Arkansas Legislative Audit, no additional approval is required.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0011 Legislative Research, Bureau of**

**ACT#: 79**

**SECTION#: 8**

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

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION - LINE ITEMS. The Director of the Bureau of Legislative Research is hereby authorized to direct the Chief Fiscal Officer of the State to transfer appropriation between line items within appropriations and also between the appropriations made by this Act in such amounts as determined necessary.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0011 Legislative Research, Bureau of**

**ACT#: 79**

**SECTION#: 9**

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

**EXECUTIVE RECOMMENDATION**

COST OF LIVING INCREASES. Employees of the Bureau of Legislative Research assigned to positions having a labor grade shall be eligible for cost-of-living increases on July 1, in an amount equal to that granted to all other state agency, board, commission or institution of higher education employees on those dates. Any additional adjustments in annual salary rates for Bureau employees, labor market adjustments, merit pay adjustments or employee retention or recruitment requirements shall be made at the discretion of the Director of the Bureau. Salary payments shall not be restricted to maximum amounts authorized by law, if the salary adjustments 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.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0011 Legislative Research, Bureau of**

**ACT#: 79**

**SECTION#: 10**

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

**EXECUTIVE RECOMMENDATION**

DISBURSING OFFICER. The Director of the Bureau of Legislative Research of the Legislative Council shall be the disbursing officer for the funds appropriated by this Act, including the Interim Committee Study Expenses. The Director shall appoint a designee who shall serve as the disbursing officer in his/her absence. In the event there is no Director, the Co-Chairs of the Arkansas Legislative Council can appoint a disbursing officer. All expenditures from the appropriations provided by this Act shall be in accordance with procedures established by the Legislative Council and in accordance with appropriate law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0011 Legislative Research, Bureau of**

**ACT#: NEW**

**SECTION#: NEW**

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

**EXECUTIVE RECOMMENDATION**

CODE AMENDMENT. Arkansas Code § 10-3-303 is amended to add an additional subsection to read as follows:  
(h)(1) The bureau may employ outside legal counsel as deemed necessary by the director after receiving prior approval of the Executive Subcommittee of the Legislative Council. (2) If the Executive Subcommittee of the Legislative Council approves the employment of outside legal counsel by the bureau, no additional approval is required.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0051 Lieutenant Governor, Office of the**

**ACT#: 82**

**SECTION#: 3**

**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, the Office of Lieutenant Governor is authorized to transfer appropriation from any line item authorized in Section 2 Appropriation - Operations of the Lieutenant Governor's Office in this Act to any other line item authorized in Section 2.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0063 Secretary of State**

**ACT#: 261**

**SECTION#: 14**

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

**EXECUTIVE RECOMMENDATION**

REIMBURSEMENT. The Miscellaneous Revolving Fund shall be reimbursed in the manner provided by law.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0063 Secretary of State**

**ACT#: 261**

**SECTION#: 15**

**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, the Agency is authorized to transfer appropriation from any line item authorized in Section 3 Operations to any other line item authorized in Section 3.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0063 Secretary of State**

**ACT#: 261**

**SECTION#: 16**

**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

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0063 Secretary of State**

**ACT#: 261**

**SECTION#: 16**

**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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 State Library, Arkansas**

**ACT#: 255**

**SECTION#: 9**

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

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD. At the close of the fiscal year ending June 30, ~~2017~~ 2018, any unexpended balance of monies provided from the State Library Fund Account for Books and Subscriptions, as provided in Section 3 of this Act, shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, ~~2017~~ 2018.

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

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

AGENCY REQUEST



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 State Library, Arkansas**

**ACT#: 255**

**SECTION#: 9**

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

**EXECUTIVE RECOMMENDATION**

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

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 State Library, Arkansas**

**ACT#: 255**

**SECTION#: 10**

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

**EXECUTIVE RECOMMENDATION**

~~PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request for the Department of Education - Arkansas State Library a special appropriation line item to be used in the acquisitions of promotional items. When the Department of Education - Arkansas State Library wishes to transfer monies from its operating expenses appropriation to the promotional items line, the Arkansas State Library Board shall approve the request and forward it to the Chief Fiscal Officer of the State for processing.~~

~~The provisions of this section shall be in effect only from July 1, 2016 2017 through June 30, 2017-2018.~~

TRANSFER OF FUNDS - PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request from the Arkansas Department of Education - Arkansas State Library a special appropriation line item to be used in the acquisition of promotional items. When the Department of Education - Arkansas State Library wishes to transfer monies 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 Department of

AGENCY REQUEST

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0519 State Library, Arkansas**

**ACT#: 255**

**SECTION#: 10**

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

**EXECUTIVE RECOMMENDATION**

Education - Arkansas State Library may operate more efficiently if some flexibility is provided to the Department of Education - Arkansas State Library 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, 2017 through June 30, 2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0032 Supreme Court**

**ACT#: 232**

**SECTION#: 8**

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

**EXECUTIVE RECOMMENDATION**

ACCESS TO JUSTICE. The General Assembly finds that the Access to Justice Foundation serves a public purpose, therefore financial accounting, general bookkeeping, management and administrative services may be provided by employees of the Arkansas Supreme Court and the Supreme Court Bar of Arkansas in support of the Arkansas Access to Justice Foundation, Inc.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0069 Treasurer of State**

**ACT#: 163**

**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, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0069 Treasurer of State**

**ACT#: 166**

**SECTION#: 9**

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

**EXECUTIVE RECOMMENDATION**

DISTRIBUTION OF FUNDS. Funding provided in Sections 7 and 8 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, ~~2016~~2017, 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, ~~2017~~ 2018 from the balance remaining on December 31, ~~2016~~2017 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, ~~2016~~2017 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, ~~2016~~2017 through June 30, ~~2017~~2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0069 Treasurer of State**

**ACT#: 166**

**SECTION#: 10**

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

**EXECUTIVE RECOMMENDATION**

COUNTY TURNBACK - UNANTICIPATED FUNDS. The appropriation authorized for General Revenue to Counties in Section 3, or any other appropriation as provided by the General Assembly for aid to counties may be supplemented, if necessary, by a transfer from the appropriation provided for Unanticipated Special Revenues in Section 5 of this Act.

The provisions of this section shall be in effect only from July 1, ~~2016~~2017 through June 30, ~~2017~~2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0069 Treasurer of State**

**ACT#: 166**

**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, ~~2016~~2017 through June 30, ~~2017~~2018.

NO EXECUTIVE RECOMMENDATION



**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0069 Treasurer of State**

**ACT#: 166**

**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, ~~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 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

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0069 Treasurer of State**

**ACT#: 166**

**SECTION#: 12**

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

**EXECUTIVE RECOMMENDATION**

originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include 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, ~~2016~~2017 through June 30, ~~2017~~2018.

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0069 Treasurer of State**

**ACT#: 166**

**SECTION#: 13**

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

**EXECUTIVE RECOMMENDATION**

TURNBACK REPORTING. Each calendar year each county and municipality receiving total highway revenues and highway severance turnback per A.C.A 27-70-207 and A.C.A 26-58-124 of \$2,000,000 or more shall report to the House Public Transportation Committee and the Senate Transportation, Technology and Legislative Affairs Committee indicating how highway revenues and highway severance turnback funds were utilized. The report shall include a general ledger accounting of the city or county street/road fund. The county report shall be made utilizing the County Financial Management System of tracking county revenues and expenditures. The report shall also include the percentage of the street/road fund that is comprised of state funds. Further, the report shall include details of each contracted project including type and description of project and total amount of money spent on the project. The report shall be submitted annually no later than March 15th for the previous year's projects.

The provisions of this section shall be in effect only from July 1, ~~2016~~ 2017 through June 30, ~~2017~~ 2018.

NO EXECUTIVE RECOMMENDATION

**2017 - 2019 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0069 Treasurer of State**

**ACT#: 262**

**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, the Treasurer of State is authorized to transfer appropriation from any line item authorized in Section 3 Appropriation - Operations of the Treasurer's Office in this Act to any other line item authorized in Section 3.

The provisions of this section shall be in effect only from July 1, ~~2016~~2017 through June 30, ~~2017~~2018.

NO EXECUTIVE RECOMMENDATION