

**REQUEST FOR SPECIAL LANGUAGE
IN APPROPRIATION ACT**

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2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 0143

SECTION#: 008

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 0144

SECTION#: 032

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 0144

SECTION#: 033

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 0144

SECTION#: 034

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 0144

SECTION#: 034

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 0144

SECTION#: 035

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 0144

SECTION#: 036

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 0144

SECTION#: 037

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

MONTHLY INSTALLMENT. From July 1, ~~2020~~ 2021 through June 30, ~~2021~~ 2022, a lump sum monthly installment of at least one-twelfth (1/12) of a portion of the annual appropriation provided for in the Division of Dependency-Neglect Representation appropriation of this Act, or so much thereof as may be made available, shall be provided from the State Administration of Justice Fund to the State Central Services Fund to provide a portion of the funds for that appropriation.

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0023 Administrative Office of the Courts

ACT#: 0144

SECTION#: 038

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0018 Court of Appeals

ACT#: 0043

SECTION#: 004

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

MILEAGE REIMBURSEMENT. The funds appropriated in Mileage Reimbursement in the Operations appropriation 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0059 Auditor of State

ACT#: 0146

SECTION#: 008

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0069 Treasurer of State

ACT#: 0049

SECTION#: 003

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0069 Treasurer of State

ACT#: 0050

SECTION#: 004

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 0091

SECTION#: 009

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DISTRIBUTION OF FUNDS. Funding provided in Property Tax Relief Fund Revenues Distribution to Counties and Property Tax Relief Fund Revenues Distribution to Cities of this Act from the Property Tax Relief Trust Fund shall not be distributed unless there are sufficient funds in the Property Tax Relief Trust Fund as of the date that the Chief Fiscal Officer of the State certifies the amount in excess of the required reimbursement to the counties as provided in §26-26-310(b)(2)(C)(i). If there are sufficient funds remaining in the Property Tax Relief Trust Fund on December 31, ~~2020~~ 2021, 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, ~~2021~~ 2022 from the balance remaining on December 31, ~~2020~~ 2021 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, ~~2020~~ 2021 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 0091

SECTION#: 010

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

COUNTY TURNBACK - UNANTICIPATED FUNDS. The appropriation authorized for General Revenue to Counties 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 this Act.

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 0091

SECTION#: 011

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 0091

SECTION#: 012

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

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

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0074 County Aid

ACT#: 0091

SECTION#: 012

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 0091

SECTION#: 009

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DISTRIBUTION OF FUNDS. Funding provided in Property Tax Relief Fund Revenues Distribution to Counties and Property Tax Relief Fund Revenues Distribution to Cities of this Act from the Property Tax Relief Trust Fund shall not be distributed unless there are sufficient funds in the Property Tax Relief Trust Fund as of the date that the Chief Fiscal Officer of the State certifies the amount in excess of the required reimbursement to the counties as provided in §26-26-310(b)(2)(C)(i). If there are sufficient funds remaining in the Property Tax Relief Trust Fund on December 31, ~~2020~~ 2021, 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, ~~2021~~ 2022 from the balance remaining on December 31, ~~2020~~ 2021 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, ~~2020~~ 2021 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 0091

SECTION#: 010

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

COUNTY TURNBACK - UNANTICIPATED FUNDS. The appropriation authorized for General Revenue to Counties 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 this Act.

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 0091

SECTION#: 011

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 0091

SECTION#: 012

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

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

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0076 Municipal Aid

ACT#: 0091

SECTION#: 012

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0034 Governor, Office of the

ACT#: 0150

SECTION#: 005

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0034 Governor, Office of the

ACT#: 0150

SECTION#: 006

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0314 Governor's Mansion Commission

ACT#: 0075

SECTION#: 005

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0053 Attorney General, Office of the

ACT#: 0047

SECTION#: 015

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0053 Attorney General, Office of the

ACT#: 0047

SECTION#: 016

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0053 Attorney General, Office of the

ACT#: 0047

SECTION#: 017

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0051 Lieutenant Governor, Office of the

ACT#: 0149

SECTION#: 003

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0063 Secretary of State

ACT#: 0076

SECTION#: 014

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0063 Secretary of State

ACT#: 0076

SECTION#: 015

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0063 Secretary of State

ACT#: 0076

SECTION#: 015

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0009 Legislative Audit

ACT#: 0044

SECTION#: 003

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 Operations appropriation in this Act in such amounts determined necessary. In no event, however, shall the Regular Salaries line item in the Operations appropriation 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, ~~2020~~ 2021 through June 30, ~~2021~~ 2022.

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0009 Legislative Audit

ACT#: 0044

SECTION#: 004

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0009 Legislative Audit

ACT#: 0044

SECTION#: 005

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 0148

SECTION#: 008

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 0148

SECTION#: 009

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 0148

SECTION#: 010

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

NO EXECUTIVE RECOMMENDATION

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 0148

SECTION#: 011

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

NO EXECUTIVE RECOMMENDATION

CLASS

CODE	TITLE	GRADE
Q220C	SENIOR LEGISLATIVE ATTORNEY	GS12
Q223C	SENIOR LEGAL EDITOR	GS11
Q032C	SENIOR LEGISLATIVE ANALYST	GS11
Q007C	LEGISLATIVE ATTORNEY II	GS11
Q073C	LEGAL EDITOR III	GS10
Q064C	LEGISLATIVE ANALYST III	GS10
Q046C	LEGISLATIVE ATTORNEY	GS10
Q222C	LEGAL EDITOR II	GS09
Q079C	LEGISLATIVE ANALYST II	GS09

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0011 Legislative Research, Bureau of

ACT#: 0148

SECTION#: 011

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)			EXECUTIVE RECOMMENDATION
Q240C	LEGAL EDITOR	GS08	
Q239C	LEGISLATIVE ANALYST	GS08	
Q198C	LEGISLATIVE ADMIN SERVICES ANALYST	GS07	
Q128C	LEGISLATIVE ADMINISTRATIVE ASSISTANT	GS05	
Q241C	SR. APPLICATIONS PROGRAMMER	IT08	
Q242C	SR. NETWORK SPECIALIST	IT08	
Q243C	APPLICATIONS PROGRAMMER II	IT07	
Q244C	NETWORK SPECIALIST II	IT07	
Q246C	APPLICATIONS PROGRAMMER	IT06	
Q247C	NETWORK SPECIALIST	IT06	
Q245C	SR. PC SUPPORT SPECIALIST	IT05	
Q063C	PC SUPPORT SPECIALIST II	IT04	
Q078C	PC SUPPORT SPECIALIST	IT03	
Q127C	HELP DESK COORDINATOR	IT02	
<u>Q271C</u>	<u>APPLICATIONS SUPPORT SPECIALIST</u>	<u>IT05</u>	

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9901 Department of Agriculture

ACT#: 0177

SECTION#: 040

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SHARED SERVICES.

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

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

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

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9901 Department of Agriculture

ACT#: 0177

SECTION#: 040

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

which shall be submitted as instructed by the Department of Finance and Administration - Office of Budget for uniformity.

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

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

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

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

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

(d c) Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a cabinet-level department each fiscal year is the prerogative of the General Assembly and is usually accomplished

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

9901 Department of Agriculture

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SECTION#: 040

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

by delineating the maximums in the appropriation act or acts and establishing authorized positions and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law. Further, the General Assembly has determined that the cabinet-level departments created under Acts 2019, No. 910, may operate more efficiently if some flexibility is provided as authorized under this section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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

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0400 Agriculture, Department of

ACT#: 0177

SECTION#: 033

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

EXPENSE REIMBURSEMENT. Funds appropriated in Item (07), (08) and (09) of the Agri - Show Premiums appropriation section shall be used to pay expenses necessary for members of high school 4H clubs, high school FFA clubs and Miss Arkansas Rodeo for expenses incurred while representing the State of Arkansas at national conferences and events outside the State. The State 4H Association and the State FFA Association shall receive funds appropriated for expense reimbursement of student members but shall be limited to \$20,000 each, or so much thereof that is available. Reimbursement of expenses for Miss Arkansas Rodeo shall be limited to \$350 per year.

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 034

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 034

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 035

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 036

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 037

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 038

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

REPORTING REQUIREMENTS. The Arkansas Forestry Commission shall present the following data each month to the Chief Fiscal Officer of the State and the Arkansas Legislative Council or Joint Budget Committee. This report shall be due by the 10th day of the month following the reporting period. The first reporting period shall be July 2012.

a) All fund transfers completed by the Arkansas Forestry Commission from any funding source including federal funds, and shall include a justification for the completion of the fund transfers.

b) All expenditures incurred by the Arkansas Forestry Commission from any funding source including federal funds, and shall include a justification for the expenditure of the funds.

c) All revenue receipts of the Arkansas Forestry Commission including but not limited to federal funds, general revenue, severance tax, acreage tax, timber sales and seedlings sales.

d) All Arkansas Forestry Commission activities including but not limited to, firefighting activities, fire prevention, and emergency response as it relates to the Commission's statutory mission provided in Arkansas Code 15-3I-101.

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 039

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 039

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 041

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FAIR WAIVER. The Arkansas Livestock and Poultry Commission shall waive the rules under Section (2) of the Commission's Minimum Standards for Receiving Funds for Premium and Construction Purposes to allow the Three-County Fair, consisting of Cross, Woodruff, and Jackson counties, to hold the Three-County Fair after the district fair while receiving the funds from the commission that the Three-County Fair would receive if the fair were held before the district fair.

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: NEW 1

SECTION#: NEW 1

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 Agriculture Fund Account at the end of a fiscal year shall remain in the Department of Agriculture Fund Account and be made available to fund appropriation(s) authorized by law and made payable from the Department of Agriculture Fund Account for the following fiscal year.

AGENCY REQUEST DENIED

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

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

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council or Joint Budget Committee 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,

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: NEW 1

SECTION#: NEW 1

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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, 2021 through June 30, 2022.

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: NEW 1

SECTION#: NEW 2

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CARRY FORWARD - Agri Show Premiums. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the carry forward of any unexpended balance of funds provided for Agri Show Premiums certified by the Department of Agriculture for grants and refunds/reimbursements in the appropriation entitled "Agri Show Premiums" and be made available for the same purposes.

AGENCY REQUEST DENIED

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

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

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council or Joint Budget Committee 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,

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: NEW 1

SECTION#: NEW 2

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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, 2021 through June 30, 2022.

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 0059

SECTION#: 025

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 0059

SECTION#: 026

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

- (1) Prior to June 30, ~~2021~~ 2022 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward from the first fiscal year to the second fiscal year, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 0059

SECTION#: 026

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Committee; and

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

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 0059

SECTION#: 027

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

- (1) Prior to June 30, ~~2021~~ 2022 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward from the first fiscal year to the second fiscal year, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget

AGENCY REQUEST

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0455 Natural Resources Commission, Arkansas

ACT#: 0059

SECTION#: 027

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

Committee; and

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

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