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State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1072

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE
AND ADMINISTRATION - REGULATORY DIVISION FOR THE
FISCAL YEAR ENDING JUNE 30, 2022; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE AND
ADMINISTRATION - REGULATORY DIVISION
APPROPRIATION FOR THE 2021-2022 FISCAL
YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES - REGULATORY DIVISION. There is hereby
established for the Department of Finance and Administration - Regulatory
Division for the 2021-2022 fiscal year, the following maximum number of
regular employees.

			Maximum Annual
			Salary Rate
			Fiscal Year
Item	Class	No. of	
No.	Code Title	Employees	2021-2022
(1)	G305C DFA REGULATORY ADMINISTRATOR	1	GRADE SE02
(2)	G280C DFA REGULATORY ASST ADMIN-ENFORCEMENT	2	GRADE GS15
(3)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
(4)	A007C AUDIT MANAGER	1	GRADE GS11



1 the State, for the transfers to the Department of Finance and Administration
 2 - Racing Commission Purses and Awards Fund for the fiscal year ending June
 3 30, 2022, the following:

5 ITEM	FISCAL YEAR
6 NO.	2021-2022
7 (01) REFUNDS/INVESTMENTS/TRANSFERS	<u>\$25,000,000</u>

8
 9 → SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 11 DEPARTMENT OF FINANCE AND ADMINISTRATION - ARKANSAS TOBACCO CONTROL -
 12 PROMOTIONAL ITEMS. Arkansas Tobacco Control is hereby authorized to purchase
 13 from Maintenance & General Operations Classifications in the Operations
 14 Appropriation and Sales to Minors Enforcement - Cash Appropriation provided
 15 by this Act, up to an amount not to exceed \$5,000 each fiscal year for
 16 promotional items, authorized by the Director of the Agency, and with the
 17 approval of the Chief Fiscal Officer of the State, to meet the Department of
 18 Finance and Administration - Arkansas Tobacco Control Merchant Education
 19 needs.

20 The provisions of this section shall be in effect only from July 1, 2020
 21 2021 through June 30, ~~2021~~ 2022.

22
 23 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ABC
 25 ADMINISTRATION - CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The Chief
 26 Fiscal Officer of the State shall transfer appropriation as needed from the
 27 Contingency Appropriation authorized in this Act to the Alcoholic Beverage
 28 Control Division of the Department of Finance and Administration, the
 29 Department of Health and/or any other state agency incurring expenses for the
 30 implementation, administration, or enforcement of the Arkansas Medical
 31 Marijuana Amendment of 2016, to pay for personal services, operating
 32 expenses, professional fees, equipment, monitoring, auditing, and other
 33 miscellaneous expenses.

34 The provisions of this section shall be in effect only from July 1, 2020
 35 2021 through June 30, ~~2021~~ 2022.

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1076

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF ENERGY
AND ENVIRONMENT - OIL AND GAS COMMISSION FOR THE
FISCAL YEAR ENDING JUNE 30, 2022; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF ENERGY AND
ENVIRONMENT - OIL AND GAS COMMISSION
APPROPRIATION FOR THE 2021-2022 FISCAL
YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES. There is hereby established for the
Department of Energy and Environment - Oil and Gas Commission for the 2021-
2022 fiscal year, the following maximum number of regular employees.

		Maximum Annual	
		Maximum	Salary Rate
		No. of	Fiscal Year
Item	Class		
No.	Code Title	Employees	2021-2022
(1)	U045U OIL & GAS DIRECTOR	1	GRADE SE01
(2)	B008N SENIOR PETROLEUM ENGINEER	2	GRADE GS12
(3)	B014N SENIOR PETROLEUM GEOLOGIST	3	GRADE GS11
(4)	G063C E&E BRANCH MANAGER	1	GRADE GS10
(5)	B042C ENGINEER	1	GRADE GS09



1	(06) REFUNDS/REIMBURSEMENTS	100,000
2	(07) DATA PROCESSING SERVICES	348,217
3	(08) INTERSTATE OIL COMPACT	35,000
4	(09) GEOLOGICAL RESEARCH	110,000
5	(10) UNDERGROUND INJECTION CONTROL	100,000
6	(11) GROUNDWATER PROTECTION	12,500
7	(12) ENERGY EDUCATION	<u>30,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$4,229,370</u>

SECTION 4. APPROPRIATION - REFUNDS AND REIMBURSEMENTS. There is hereby appropriated, to the Department of Energy and Environment, to be payable from cash funds as defined by Arkansas Code 19-4-801, for refunds and reimbursements of the Department of Energy and Environment - Oil and Gas Commission - Refunds and Reimbursements for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REFUNDS/REIMBURSEMENTS	<u>\$200,000</u>

SECTION 5. APPROPRIATION - WELL PLUGGING PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Abandoned and Orphaned Well Plugging Fund, for well plugging program expenses of the Department of Energy and Environment - Oil and Gas Commission - Well Plugging Program for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) WELL PLUGGING EXPENSES	<u>\$12,500,000</u>

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER. The Oil and Gas Commission, after receiving review from the Chief Fiscal Officer of the State and reporting to the Arkansas Legislative Council or Joint Budget Committee, may request the Chief Fiscal Officer to transfer

1 up to ~~\$2,000,000~~ \$1,000,000 per year on his or her books and the books of the
2 State Treasurer and the Auditor of the State from the Oil and Gas Commission
3 Fund to the Abandoned and Orphaned Well Plugging Fund.

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

8 The provisions of this section shall be in effect only from July 1, 2020
9 2021 through June 30, 2021 2022.

10
11 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
12 authorized by this act shall be limited to the appropriation for such agency
13 and funds made available by law for the support of such appropriations; and
14 the restrictions of the State Procurement Law, the General Accounting and
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
16 Procedures and Restrictions Act, or their successors, and other fiscal
17 control laws of this State, where applicable, and regulations promulgated by
18 the Department of Finance and Administration, as authorized by law, shall be
19 strictly complied with in disbursement of said funds.

20
21 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General
22 Assembly that any funds disbursed under the authority of the appropriations
23 contained in this act shall be in compliance with the stated reasons for
24 which this act was adopted, as evidenced by the Agency Requests, Executive
25 Recommendations and Legislative Recommendations contained in the budget
26 manuals prepared by the Department of Finance and Administration, letters, or
27 summarized oral testimony in the official minutes of the Arkansas Legislative
28 Council or Joint Budget Committee which relate to its passage and adoption.

29
30 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
31 Assembly, that the Constitution of the State of Arkansas prohibits the
32 appropriation of funds for more than a one (1) year period; that the
33 effectiveness of this Act on July 1, 2021 is essential to the operation of
34 the agency for which the appropriations in this Act are provided, and that in
35 the event of an extension of the legislative session, the delay in the
36 effective date of this Act beyond July 1, 2021 could work irreparable harm

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1144

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF
EDUCATION - ARKANSAS SCHOOL FOR THE BLIND AND
ARKANSAS SCHOOL FOR THE DEAF FOR THE FISCAL YEAR
ENDING JUNE 30, 2022; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION -
ARKANSAS SCHOOL FOR THE BLIND AND
ARKANSAS SCHOOL FOR THE DEAF
APPROPRIATION FOR THE 2021-2022 FISCAL
YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES - ARKANSAS SCHOOL FOR THE BLIND. There is hereby established for the Department of Education - Arkansas School for the Blind for the 2021-2022 fiscal year, the following maximum number of regular employees.

			Maximum Annual
			Salary Rate
			Fiscal Year
Item	Class	Maximum	
No.	Code Title	No. of	
		Employees	2021-2022
(1)	U030U BLIND SCHOOL SUPERINTENDENT	1	GRADE SE01
(2)	L038C REGISTERED NURSE	1	GRADE MP01
(3)	L042C SCHOOL SPEECH PATHOLOGIST	1	GRADE MP01



is supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Performance 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 Performance 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, 2020 2021 through June 30, 2021 2022.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD OF FUNDS - ASB

(a) The Chief Fiscal Officer of the State shall cause to be transferred on his or her books and those of the State Treasurer and Auditor of State the balance of General Revenue funds remaining in the School for the Blind Fund Account on June 30, 2021 into a sub-fund created within the School for the Blind Fund Account to be used for special maintenance, renovations, or future construction projects of the Department of Education - Arkansas School for the Blind.

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

(1) The Office of Budget of the Department of Finance and Administration shall report to the Legislative Council all amounts carried forward by the September meeting of the Legislative Council or the Joint Budget Committee meeting which report shall include the name of the agency, board, commission, or institution and the amount of funding carried forward, the program name or line item and the funding source; and

(2) The Department of Education - Arkansas School for the Blind shall provide a written report to the Legislative Council or Joint Budget Committee containing all information set forth in subdivision (b)(1) of this section no later than thirty (30) days prior to the time the Department presents its budget request to the Legislative Council or Joint Budget Committee, or both; and

(3) Thereupon, the Department of Finance and Administration shall include all information obtained in subdivision (b)(2) of this section in the

1 budget manuals.

2 The provisions of this section shall be in effect only from July 1,
3 2021 through June 30, 2022.

4
5 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADE - ASD
7 - SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the
8 regular school term, also work during summer months shall be authorized as
9 additional compensation an amount not to exceed 1/12 of their annual salary
10 for each month or part thereof worked. Such additional compensation shall
11 not be construed as exceeding the maximum salary authorized for said
12 employees.

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

15	CLASS CODE	SUMMER SCHOOL POSITIONS	GRADE
16	E044C	Certified Bachelor's Teacher	GS06
17	E035C	Certified Masters Teacher	GS08
18	L042C	School Speech Pathologist	MP01
19	L045C	Audiologist	MP01
20	E036C	Certified Master's Degree Librarian	GS09
21	E032C	Education Counselor	GS07
22	M020C	Licensed Professional Counselor	GS08
23	E024C	Teacher Supervisor	GS09
24	E025C	Educational Specialist	GS09
25	E017C	Assistant Principal	GS10
26	E004C	School Principal	GS11


27 The provisions of this section shall be in effect only from July 1, 2020
28 2021 through June 30, ~~2021~~ 2022.

29
30 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
32 SCHOOL FOR THE DEAF - ADDITIONAL SALARY/COMPENSATION PROVISION. No employee
33 drawing a salary or other form of compensation from the Arkansas School for
34 the Deaf shall be paid an additional salary or receive additional
35 compensation, other than reimbursement for actual expenses, from that agency,
36 nor from any other agency or institution of higher education, except from the

1	E017C	Assistant Principal	GS10
2	E004C	School Principal	GS11

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

11 The provisions of this section shall be in effect only from July 1, 2020
 12 2021 through June 30, ~~2021~~ 2022.

13
 14  SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 16 FORWARD OF FUNDS - ASD

17 (a) The Chief Fiscal Officer of the State shall cause to be
 18 transferred on his or her books and those of the State Treasurer and Auditor
 19 of State the balance of General Revenue funds remaining in the School for the
 20 Deaf Fund Account on June 30, 2021 into a sub-fund created within the School
 21 for the Deaf Fund Account to be used for special maintenance, renovations, or
 22 future construction projects of the Department of Education - Arkansas School
 23 for the Blind.

24 (b) Any carry forward of the unexpended balance of funding as
 25 authorized herein, may be carried forward under the following conditions:

26 (1) The Office of Budget of the Department of Finance and
 27 Administration shall report to the Legislative Council all amounts carried
 28 forward by the September meeting of the Legislative Council or the Joint
 29 Budget Committee meeting which report shall include the name of the agency,
 30 board, commission, or institution and the amount of funding carried forward,
 31 the program name or line item and the funding source; and

32 (2) The Department of Education - Arkansas School for the Deaf
 33 shall provide a written report to the Legislative Council or Joint Budget
 34 Committee containing all information set forth in subdivision (b)(1) of this
 35 section no later than thirty (30) days prior to the time the Department
 36 presents its budget request to the Legislative Council or Joint Budget

1 Committee, or both; and

2 (3) Thereupon, the Department of Finance and Administration shall
3 include all information obtained in subdivision (b)(2) of this section in the
4 budget manuals.

5 The provisions of this section shall be in effect only from July 1,
6 2021 through June 30, 2022.

7
8 SECTION 31. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
9 authorized by this act shall be limited to the appropriation for such agency
10 and funds made available by law for the support of such appropriations; and
11 the restrictions of the State Procurement Law, the General Accounting and
12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
13 Procedures and Restrictions Act, or their successors, and other fiscal
14 control laws of this State, where applicable, and regulations promulgated by
15 the Department of Finance and Administration, as authorized by law, shall be
16 strictly complied with in disbursement of said funds.

17
18 SECTION 32. LEGISLATIVE INTENT. It is the intent of the General
19 Assembly that any funds disbursed under the authority of the appropriations
20 contained in this act shall be in compliance with the stated reasons for
21 which this act was adopted, as evidenced by the Agency Requests, Executive
22 Recommendations and Legislative Recommendations contained in the budget
23 manuals prepared by the Department of Finance and Administration, letters, or
24 summarized oral testimony in the official minutes of the Arkansas Legislative
25 Council or Joint Budget Committee which relate to its passage and adoption.

26
27 SECTION 33. EMERGENCY CLAUSE. It is found and determined by the
28 General Assembly, that the Constitution of the State of Arkansas prohibits
29 the appropriation of funds for more than a one (1) year period; that the
30 effectiveness of this Act on July 1, 2021 is essential to the operation of
31 the agency for which the appropriations in this Act are provided, and that in
32 the event of an extension of the legislative session, the delay in the
33 effective date of this Act beyond July 1, 2021 could work irreparable harm
34 upon the proper administration and provision of essential governmental
35 programs. Therefore, an emergency is hereby declared to exist and this Act
36 being necessary for the immediate preservation of the public peace, health

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1146

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF
CORRECTIONS - DIVISION OF COMMUNITY CORRECTION FOR
THE FISCAL YEAR ENDING JUNE 30, 2022; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF CORRECTIONS
- DIVISION OF COMMUNITY CORRECTION
APPROPRIATION FOR THE 2021-2022 FISCAL
YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES. There is hereby established for the
Department of Corrections - Division of Community Correction for the 2021-
2022 fiscal year, the following maximum number of regular employees.

		Maximum Annual	
		Maximum	Salary Rate
		No. of	Fiscal Year
Item	Class		
No.	Code Title	Employees	2021-2022
(1)	U084U DCC DIRECTOR	1	GRADE SE02
(2)	N129N DCC DEPUTY DIR PAROLE/PROBATION SERV	1	GRADE GS14
(3)	N114N DCC DEPUTY DIR RESIDENTIAL SVCS	1	GRADE GS14
(4)	T005C DOC CORRECTIONAL WARDEN	6	GRADE GS12
(5)	T004C DCC PROGRAM ADMR PAROLE & PROBATION	5	GRADE GS11



1

2 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY
 4 COMPENSATION. The Department of Corrections - Division of Community
 5 Correction is authorized to pay employees for up to ninety-six (96) hours of
 6 unused holidays exceeding a balance in the employee's holiday account of one-
 7 hundred fifty (150) hours ~~following the end of the calendar year~~. Payments of
 8 unused holiday hours must be processed on or before June 1st in each fiscal
 9 year. Employees terminating employment from the Department of Corrections -
 10 Division of Community Correction will be eligible for all holiday pay accrued
 11 during the years of service. This request is contingent on approval by the
 12 Chief Fiscal Officer of the State after the Director of the Department of
 13 Corrections - Division of Community Correction has verified that sufficient
 14 revenues are available to make such payments to employees in the following
 15 classifications:

Class	Code	Title	Maximum Annual
			Salary Rate Fiscal Year
			2020-2021 2021-2022
T033C	ADC/DCC	MAJOR	GRADE GS09
T048C	ADC/DCC	CAPTAIN	GRADE GS08
T054C	ADC/DCC	LIEUTENANT	GRADE GS07
T065C	ADC/DCC	CORRECTIONAL SERGEANT	GRADE GS06
T075C	ADC/DCC	CORPORAL	GRADE GS05
T083C	ADC/DCC	CORRECTIONAL OFFICER I	GRADE GS04

27 The provisions of this section shall be in effect only from July 1, 2020
 28 2021 through June 30, ~~2021~~ 2022.

30 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL
 32 SERVICES - CONTINGENCY POSITIONS. If it has been determined by the Board of
 33 Corrections that the Department of Corrections - Division of Community
 34 Correction cannot continue a medical contract with a private provider and the
 35 Board deems it necessary to utilize ~~Department~~ staff to provide the required
 36 services, the Department of Corrections - Division of Community Correction is

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 109

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE ARKANSAS LEGISLATIVE
COUNCIL, THE BUREAU OF LEGISLATIVE RESEARCH, AND THE
INTERIM COMMITTEES OF THE ARKANSAS GENERAL ASSEMBLY
FOR THE FISCAL YEAR ENDING JUNE 30, 2022; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE BUREAU OF LEGISLATIVE
RESEARCH AND THE LEGISLATIVE COUNCIL
APPROPRIATION FOR THE 2021-2022 FISCAL
YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
for the Bureau of Legislative Research of the Legislative Council for the
2021-2022 fiscal year, the following maximum number of regular employees.

			Maximum Annual
			Salary Rate
Item	Class	Maximum	Fiscal Year
No.	Code Title	No. of	2021-2022
		Employees	
(1)	Q030U DIRECTOR, BUREAU OF LEGIS RESEARCH	1	GRADE SE05
(2)	Q029U ASSISTANT DIRECTOR	4	GRADE SE04
(3)	Q014N BLR ADMINISTRATOR	10	GRADE SE02
(4)	Q061N BLR COUNSEL	1	GRADE SE02



1

2

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

3

CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

4

CLASSIFICATION UTILIZATION. The Bureau of Legislative Research may utilize,

5

at the discretion of the Director of the Bureau of Legislative Research, the

6

following classifications as necessary. The use of these classifications

7

shall not be considered as increasing the number of positions authorized in

8

this act, only as a temporary reclassification or cross grade of a position.

9

10 CLASS

11

CODE	TITLE	GRADE
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12

Q220C	SENIOR LEGISLATIVE ATTORNEY	GS12
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13

Q223C	SENIOR LEGAL EDITOR	GS11
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14

Q032C	SENIOR LEGISLATIVE ANALYST	GS11
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15

Q007C	LEGISLATIVE ATTORNEY II	GS11
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16

Q073C	LEGAL EDITOR III	GS10
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17

Q064C	LEGISLATIVE ANALYST III	GS10
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18

Q046C	LEGISLATIVE ATTORNEY	GS10
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Q222C	LEGAL EDITOR II	GS09
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20

Q079C	LEGISLATIVE ANALYST II	GS09
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21

Q240C	LEGAL EDITOR	GS08
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22

Q239C	LEGISLATIVE ANALYST	GS08
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23

Q198C	LEGISLATIVE ADMIN SERVICES ANALYST	GS07
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24

Q128C	LEGISLATIVE ADMINISTRATIVE ASSISTANT	GS05
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25

Q241C	SR. APPLICATIONS PROGRAMMER	IT08
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26

Q242C	SR. NETWORK SPECIALIST	IT08
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27

Q243C	APPLICATIONS PROGRAMMER II	IT07
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Q244C	NETWORK SPECIALIST II	IT07
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Q246C	APPLICATIONS PROGRAMMER	IT06
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Q247C	NETWORK SPECIALIST	IT06
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31

Q245C	SR. PC SUPPORT SPECIALIST	IT05
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32

Q063C	PC SUPPORT SPECIALIST II	IT04
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33

Q078C	PC SUPPORT SPECIALIST	IT03
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34

Q127C	HELP DESK COORDINATOR	IT02
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35

<u>Q271C</u>	<u>APPLICATIONS SUPPORT SPECIALIST</u>	<u>IT05</u>
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State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1077

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE ARKANSAS PUBLIC
EMPLOYEES RETIREMENT SYSTEM FOR THE FISCAL YEAR
ENDING JUNE 30, 2022; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES
RETIREMENT SYSTEM APPROPRIATION FOR THE
2021-2022 FISCAL YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES. There is hereby established for the
Arkansas Public Employees Retirement System for the 2021-2022 fiscal year,
the following maximum number of regular employees.

				Maximum Annual
				Salary Rate
				Fiscal Year
Item	Class		Maximum	
No.	Code	Title	No. of	
			Employees	2021-2022
(1)	U014U	APERS DIRECTOR	1	GRADE SE04
(2)	U078U	APERS DEPUTY DIRECTOR	1	GRADE SE01
(3)	D015N	APERS DIRECTOR OF INFO TECHNOLOGY	1	GRADE IT10
(4)	D006N	STATE SYSTEMS ARCHITECT	1	GRADE IT10
(5)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
(6)	D044C	SYSTEMS ANALYST	1	GRADE IT05
(7)	G042N	APERS CHIEF LEGAL COUNSEL	1	GRADE GS14



1	(B) CONF. & TRAVEL	0
2	(C) PROF. FEES	122,879
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	0
5	(02) BENEFITS-NON EMPLOYEE	1,250,000
6	(03) REFUNDS/REIMBURSEMENTS	<u>7,250,000</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$8,652,879</u>

8

9 SECTION 8. APPROPRIATION - JUDICIAL RETIREMENT CASH. There is hereby

10 appropriated, to the Arkansas Public Employees Retirement System, to be

11 payable from cash funds as defined by Arkansas Code 19-4-801, for payment to


12 beneficiaries of the Judicial Retirement System by check or wire transfer by

13 the Arkansas Public Employees Retirement System for the fiscal year ending

14 June 30, 2022, the following:

16	ITEM	FISCAL YEAR
17	NO.	2021-2022
18	(01) BENEFITS	\$20,750,000
19	(02) REFUNDS/REIMBURSEMENTS	<u>250,000</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$21,000,000</u>

21

22  SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL

24 RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$61,852~~ \$63,708 in the ~~2020-~~

25 ~~2021~~ 2021-2022 fiscal year may be transferred from the Judges Retirement Fund

26 to the Arkansas Public Employees' Retirement System Fund for costs incurred

27 by the Arkansas Public Employees Retirement System in administering the

28 Judicial Retirement System. Such transfer request shall be made to the Chief

29 Fiscal Officer of the State, and upon his approval, said transfer shall be


30 made on his books and those of the Treasurer of the State and the Auditor of

31 the State.

32 The provisions of this section shall be in effect only from July 1, ~~2020~~

33 2021 through June 30, ~~2021~~ 2022.

34

35  SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE

1 POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$114,008~~ \$117,428 in
 2 the ~~2020-2021~~ 2021-2022 fiscal year may be transferred from the State Police
 3 Retirement Fund to the Arkansas Public Employees' Retirement System Fund for
 4 costs incurred by the Arkansas Public Employees Retirement System in
 5 administering the State Police Retirement System. Such transfer request
 6 shall be made to the Chief Fiscal Officer of the State, and upon his
 7 approval, said transfer shall be made on his books and those of the Treasurer
 8 of the State and the Auditor of the State.

9 The provisions of this section shall be in effect only from July 1, 2020
 10 2021 through June 30, ~~2021~~ 2022.

11
 12 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXEMPTION
 14 FROM PRIOR REVIEW. The Arkansas Public Employees Retirement System is hereby
 15 exempted from seeking prior review by the Arkansas Legislative Council or
 16 Joint Budget Committee with regard to transfers between the Benefits and
 17 Refund line items in the Public Employees Retirement Cash appropriation
 18 section and the Benefits-Non Employee line item in the Public Employees
 19 Retirement Operations appropriation section which are specifically related to
 20 transfers necessitated by the changes in retirees' selection of the method of
 21 payment of retirement benefits. All other provisions of Arkansas Code §19-4-
 22 522 shall be applicable.

23 The provisions of this section shall be in effect only from July 1, 2020
 24 2021 through June 30, ~~2021~~ 2022.

25
 26 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
 28 STATE POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed \$50,000 may be
 29 transferred from the State Police Retirement Fund to the Arkansas Public
 30 Employees' Retirement System Fund to share in the costs incurred by the
 31 Arkansas Public Employees Retirement System in the purchase and
 32 implementation of a new pension administration system, which will be utilized
 33 to administer State Police pension transactions for members and retirees.
 34 Said transfer shall sunset at the end of fiscal year ~~2021~~ 2022. Such
 35 transfer request shall be made to the Chief Fiscal officer of the State, and
 36 upon his approval, said transfer shall be made on his books and those of the

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1206

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF
CORRECTIONS - DIVISION OF CORRECTION FOR THE FISCAL
YEAR ENDING JUNE 30, 2022; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF CORRECTIONS
- DIVISION OF CORRECTION APPROPRIATION
FOR THE 2021-2022 FISCAL YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
established for the Department of Corrections for the 2021-2022 fiscal year,
the following maximum number of regular employees.

		Maximum Annual	
		Maximum	Salary Rate
		No. of	Fiscal Year
Item	Class		
No.	Code Title	Employees	2021-2022
(1)	SC003 SECRETARY OF CORRECTIONS	1	GRADE SE05
(2)	U083U DOC CHIEF DEPUTY DIRECTOR	1	GRADE SE01
(3)	D140C DOC CHIEF INFORMATION OFFICER	1	GRADE IT11
(4)	D012C DATABASE SPECIALIST	1	GRADE IT08
(5)	D094C DCC PROJ & ENTERPRISE PROGRAM MGMT ADMIN	1	GRADE IT08
(6)	D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(7)	D030C INFORMATION SYSTEMS COORDINATOR	2	GRADE IT07



(8) C073C ADMINISTRATIVE SPECIALIST II 1 GRADE GS03
 MAX. NO. OF EMPLOYEES 36

SECTION 20. APPROPRIATION - STATE. There is hereby appropriated, to the Department of Corrections, to be payable from the Riverside Vocational Technical School Fund, for personal services and operating expenses of the Department of Corrections - Riverside Vocational Technical School - State for the fiscal year ending June 30, 2022, the following:

ITEM NO.	FISCAL YEAR 2021-2022
(01) REGULAR SALARIES	\$1,680,472
(02) PERSONAL SERVICES MATCHING	577,692
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	185,104
(B) CONF. & TRAVEL	4,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
TOTAL AMOUNT APPROPRIATED	<u>\$2,447,268</u>

SECTION 21. APPROPRIATION - PLUMBING APPRENTICESHIP PROGRAM. There is hereby appropriated, to the Department of Corrections, to be payable from the Riverside Vocational Technical School Fund, for personal services of the Department of Corrections - Riverside Vocational Technical School - Plumbing Apprenticeship Program for the fiscal year ending June 30, 2022, the following:

ITEM NO.	FISCAL YEAR 2021-2022
(01) REGULAR SALARIES	\$59,393
(02) PERSONAL SERVICES MATCHING	<u>19,639</u>
TOTAL AMOUNT APPROPRIATED	<u>\$79,032</u>

SECTION 22. SPECIAL LANGUAGE. REGULAR SALARIES - CONTINGENT POSITIONS.
 There is hereby established for the ~~Department~~ Division of Corrections

Contingent Positions for the ~~2020-2021~~2021-2022 fiscal year, the following maximum number of regular employees.

CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM	CLASS		MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE FISCAL YEAR 2020-2021 <u>2021-2022</u>
NO.	CODE	TITLE		

(01)		CHIEF OF MEDICAL SERVICES	1	\$225,000
(02)		CHIEF OF DENTAL SERVICES	1	175,000
(03)		PHYSICIANS SPECIALIST	15	170,000
(04)		CHIEF OF PHARMACY	1	125,000
(05)		CHIEF OF NURSING SERVICES	1	90,000
(06)		UNIT/FACILITY MEDICAL MGR	15	90,000
(07)		RNP/PA	13	85,000
(08)		DIR OF MEDICAL RECORDS	1	75,000

PATIENT CARE -

(09)	L011N	DENTIST	15	GRADE MP06
(10)	L016N	REGISTERED PHARMACIST	3	GRADE MP05
(11)	L019C	REGISTERED NURSE COORD	13	GRADE MP02
(12)	L027C	REGISTERED NURSE SUPV	45	GRADE MP02
(13)	L064C	RADIOLOGY TECHNICIAN	8	GRADE GS07
(14)	L069C	LICENSED PRACTICAL NURSE	180	GRADE GS06
(15)	B111C	LABORATORY TECHNICIAN	3	GRADE GS04

PATIENT CARE - CLASSIFIED POSITIONS

(16)	L071C	DENTAL HYGIENIST	8	GRADE GS05
(17)	C056C	ADMINISTRATIVE SPEC III	11	GRADE GS04
(18)	C053C	MEDICAL RECORDS TECH	26	GRADE GS03
(19)	C073C	ADMINISTRATIVE SPEC II	9	GRADE GS03
(20)	L081C	DENTAL ASSISTANT	14	GRADE GS04

CLASSIFIED - NON-PATIENT CARE

(21)		CHIEF PSYCHIATRIC SERV.	1	\$400,000
(22)		VP OPERATIONS	1	\$200,000
(23)		REGIONAL MANAGER	3	\$120,000
(24)		PSYCHIATRIC SPECIALIST	6	GRADE MP08
(25)	A014C	FISCAL DIVISION MANAGER	1	GRADE GS12

1	(26) D030C	INFO SYSTEMS COORDINATOR	1	GRADE IT07
2	(27) G178C	POLICY DEVELOP. COORDINATOR	1	GRADE GS06
3	(28) A089C	ACCOUNTANT I	1	GRADE GS07
4	(29) V014C	BUYER	2	GRADE GS05
5	(30) D079C	COMPUTER SUPPORT TECH	1	GRADE IT02
✓ 6	(31)	INSTITUTIONAL HR COORDINATOR	1	GRADE G115 GS05
✓ 7	(32)	HR SPECIALIST	1	GRADE G113 GS04
8	(33) A098C	FISCAL SUPPORT SPECIALIST	1	GRADE GS04
9	(34)	NURSING ASSISTANT	53	GRADE C110
10	(35) A101C	ACCOUNTING TECH	4	GRADE GS04
11	(36) V029C	PURCHASING ASSISTANT	<u>1</u>	GRADE GS01
12	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, 2020 2021 through June 30, ~~2021~~ 2022.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

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

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOLIDAY COMPENSATION. The Department of Corrections 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 Corrections 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~~ Secretary of the Department of Corrections 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:


Class

Code	Title	Grade
T033C	ADC/DCC MAJOR	GRADE GS09
T048C	ADC/DCC CAPTAIN	GRADE GS08
T054C	ADC/DCC LIEUTENANT	GRADE GS07
T065C	ADC/DCC CORRECTIONAL SERGEANT	GRADE GS06
T059C	ADC/DCC FOOD PREPARATION MANAGER	GRADE GS05 <u>GS07</u>
T075C	ADC/DCC CORPORAL	GRADE GS05
T083C	ADC/DCC CORRECTIONAL OFFICER I	GRADE GS04

✓ 1 T070C ADC/DCC FOOD PREPARATION SUPERVISOR

GRADE ~~GS04~~GS06

2 The provisions of this section shall be in effect only from July 1, 2020
3 2021 through June 30, 2021 2022.

4
5  SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYEE
7 COMPENSATION REPORT. The Department of Finance and Administration Office of
8 Budget shall prepare and submit to the Arkansas Legislative Council or Joint
9 Budget Committee a report reflecting the amount of appropriation and funding
10 necessary for the Department of Corrections to sufficiently budget for the
11 expenditure of payments to employees for all Holiday Liability, ~~Straight~~GAP
12 Time Liability, Overtime, and Hazardous Duty Compensation incurred, including
13 the current balances of said liabilities. This report shall be included in
14 the summary budget information manual submitted during the biennial budget
15 process.

16 The provisions of this section shall be in effect only from July 1, 2020
17 2021 through June 30, 2021 2022.

18
19 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADC SEX
21 OFFENDER ASSESSMENT. The Arkansas Department of Corrections - Division of
22 Correction is authorized to enter into a cooperative agreement with a
23 qualified state treatment and assessment agency to conduct assessments of
24 juvenile sex or child offenders as required by provisions of ACA 12-12-901
25 et. seq. and pay for services upon receipt of invoice.

26 The provisions of this section shall be in effect only from July 1, 2020
27 2021 through June 30, 2021 2022.

28
29 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE
31 COST REPORTING – STATE FACILITIES.

32 (a) Within 90 days of the close of each state fiscal year, the Arkansas
33 Department of Corrections - Division of Correction shall submit to the
34 Arkansas Legislative Council a report of all direct and indirect costs
35 incurred by the State of Arkansas in housing and caring for inmates
36 incarcerated in the State's facilities. Such costs shall be calculated and

1 If the requirement of approval by the Legislative Council or Joint Budget
2 Committee is ruled unconstitutional by a court of competent jurisdiction,
3 this entire section is void.

4 The provisions of this section shall be in effect only from July 1, 2020
5 2021 through June 30, ~~2021~~ 2022.

6
7 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
9 REVENUE/CASH FUNDS TRANSFER. The Department of Corrections is authorized to
10 transfer funds from various Special Revenue and Cash Funds into the Inmate
11 Care and Custody Fund Account in order to adjust to the budget needs upon
12 prior approval by the Arkansas Legislative Council or Joint Budget Committee
13 and approval of the Board of Corrections and the Chief Fiscal Officer of the
14 State.

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

31 The provisions of this section shall be in effect only from July 1, 2020
32 2021 through June 30, ~~2021~~ 2022.

33
34 → SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW
36 FACILITIES. If it is found that contracting for the operation of new

1 facilities is economically beneficial to the State of Arkansas, the
 2 Department of Corrections may, after receiving approval of the Chief Fiscal
 3 Officer, and seeking prior review and approval by the Arkansas Legislative
 4 Council or Joint Budget Committee, transfer from any line item appropriation
 5 contained in the Inmate Care & Custody appropriation of this Act or from any
 6 other appropriation acts authorized by the department into the Professional
 7 Fees and Services line item contained in the Inmate Care & Custody
 8 appropriation of this ActShared Services appropriations and line items for
 9 payment to operate new facilities.

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

26 The provisions of this section shall be in effect only from July 1, 2020
 27 2021 through June 30, 2021 2022.

28
 29 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 31 APPROPRIATION TRANSFER FOR CONSTRUCTING AND EQUIPPING. The Department of
 32 Corrections is hereby authorized to transfer appropriations between any line
 33 items authorized herein but only for the purpose of financing construction or
 34 equipment for a facility of the department. Any transfers authorized by this
 35 section shall require the approval of the Chief Fiscal Officer of the State
 36 after prior review and approval by the Legislative Council or Joint Budget

1 Committee.

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

18 The provisions of this section shall be in effect only from July 1, 2020
 19 2021 through June 30, ~~2021~~ 2022.

21 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
 23 JAIL INVOICE SUMMARY. The Department of Corrections - Division of Correction
 24 and ~~Department~~Division of Community Correction, shall at a minimum and on a
 25 fiscal year basis, prepare and post on the applicable agency web site, a
 26 monthly summary of county jail reimbursement invoices prepared and forwarded
 27 to each county sheriff for verification by the ~~Departments~~Divisions and for
 28 payment from the County Jail Reimbursement Fund. In addition, the report
 29 shall include a summary of invoices returned by each county for payment for
 30 previous months within the fiscal year, the amounts paid, and any balances
 31 owed. Each fiscal year-end report shall be maintained on the web sites for a
 32 period of no less than three (3) years.

33 The provisions of this section shall be in effect only from July 1, 2020
 34 2021 through June 30, ~~2021~~ 2022.

35
 36  SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF APPROPRIATION TO THE COUNTY JAIL REIMBURSEMENT FUND. If any savings of general revenue appropriation and funds accrue during the ~~2020-2021~~ 2021-2022 fiscal year in the operations of the Department of Corrections - Division of Correction & Community Correction, the ~~Director~~Secretary of the Department of Corrections 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, 2020 2021 through June 30, ~~2021~~ 2022.

SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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 Corrections - Divisions 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, 2020 2021 through June 30, ~~2021~~ 2022.

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

SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INMATE CONSUMPTION - DEPARTMENT OF CORRECTIONS. The value of products produced or processed on the farm that were consumed by inmates of the Divisions of Correction and Community Correction shall be based upon the prices obtained by the Division of Correction and the State Procurement Director for purchasing similar products and quantities on the open market for other state agencies, institutions, and universities.

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

SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD - ENERGY, MAINTENANCE & OPERATIONAL SAVINGS. Any unexpended balance of funds authorized in this Act for guaranteed energy, maintenance, and operational savings generated through energy usage, solar power, waste management, water conservation, and similar efficiency efforts on June 30 2022 shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 2023. Any realized savings and expenditures shall be reported to the Arkansas Legislative Council or Joint Budget Committee no later than thirty (30) days prior to the time the Agency presents its budget request to the Legislative Council/Joint Budget Committee. This authority authorizes the reinvestment of guaranteed savings for future and existing energy conservation projects.

1 The provisions of this section shall be in effect only from July 1,
2 2021 through June 30, 2022.

3
4 SECTION 48. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
5 authorized by this act shall be limited to the appropriation for such agency
6 and funds made available by law for the support of such appropriations; and
7 the restrictions of the State Procurement Law, the General Accounting and
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
9 Procedures and Restrictions Act, or their successors, and other fiscal
10 control laws of this State, where applicable, and regulations promulgated by
11 the Department of Finance and Administration, as authorized by law, shall be
12 strictly complied with in disbursement of said funds.

13
14 SECTION 49. LEGISLATIVE INTENT. It is the intent of the General
15 Assembly that any funds disbursed under the authority of the appropriations
16 contained in this act shall be in compliance with the stated reasons for
17 which this act was adopted, as evidenced by the Agency Requests, Executive
18 Recommendations and Legislative Recommendations contained in the budget
19 manuals prepared by the Department of Finance and Administration, letters, or
20 summarized oral testimony in the official minutes of the Arkansas Legislative
21 Council or Joint Budget Committee which relate to its passage and adoption.

22
23 SECTION 50. EMERGENCY CLAUSE. It is found and determined by the
24 General Assembly, that the Constitution of the State of Arkansas prohibits
25 the appropriation of funds for more than a one (1) year period; that the
26 effectiveness of this Act on July 1, 2021 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the legislative session, the delay in the
29 effective date of this Act beyond July 1, 2021 could work irreparable harm
30 upon the proper administration and provision of essential governmental
31 programs. Therefore, an emergency is hereby declared to exist and this Act
32 being necessary for the immediate preservation of the public peace, health
33 and safety shall be in full force and effect from and after July 1, 2021.

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1207

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF ENERGY
AND ENVIRONMENT - DIVISION OF ENVIRONMENTAL QUALITY
FOR THE FISCAL YEAR ENDING JUNE 30, 2022; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF ENERGY AND
ENVIRONMENT - DIVISION OF ENVIRONMENTAL
QUALITY APPROPRIATION FOR THE 2021-2022
FISCAL YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
established for the Department of Energy and Environment for the 2021-2022
fiscal year, the following maximum number of regular employees.

				Maximum Annual
				Salary Rate
				Fiscal Year
Item	Class		Maximum	
No.	Code	Title	No. of	
			Employees	2021-2022
(1)	SC005	SECRETARY OF ENERGY & ENVIRONMENT	1	GRADE SE05
(2)	N218N	E&E CHIEF ADMINISTRATOR	1	GRADE SE02
(3)	D129C	E&E DIRECTOR OF INFORMATION TECH	1	GRADE IT10
(4)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
(5)	D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07



SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State, the Arkansas ~~Department~~ Division of Environmental Quality may transfer from various department funds to the Division of Environmental Quality Fund Account the sum of \$1,500,000 in fiscal year ~~2020-2021~~ 2021-2022 for the exclusive purpose of supplementing funding for the appropriation provided in the State Operations appropriation section. The funds shall be used for personal services and operating expenses of the Arkansas ~~Department~~ Division of Environmental Quality - State Operations. Funds which remain in the Division of Environmental Quality Fund Account at the close of the fiscal year shall be carried forward and made available for the same purpose for the following fiscal year. These funds shall be used for the purpose stated above.

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

SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING REQUIREMENTS. For the purposes of the fund transfers provided for in the preceding Fund Transfer Provision special language section, the amounts transferred shall not be considered as part of any statutory limitation on the use of funds for administration of programs of the ~~Department~~ Division.

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

SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$50,000 \$2,000,000 per site from the Landfill Post-Closure Trust Fund, as appropriated in the Contractual Services line item of the Landfill Post-Closure Program appropriation section, for corrective action to remedy environmental impacts of closed disposal sites previously operated as a landfill pursuant to state law, ~~will be prioritized and authorized~~ shall be subject to review and approval by the Arkansas Pollution Control and Ecology Commission after addressing corrective actions needed to address

1 environmental impacts from permitted landfills closed properly. Expenditures
 2 ~~exceeding \$2,000,000 per fiscal year must be approved by the Arkansas~~
 3 ~~Pollution Control and Ecology Commission.~~

4 The provisions of this section shall be in effect only from July 1, 2020
 5 2021 through June 30, ~~2021~~ 2022.

6
 7 SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON
 9 HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Division of
 10 Environmental Quality Fee Trust Fund for the cleanup of non hazardous sites
 11 which pose a threat to the environment, as appropriated in the Non Hazardous
 12 Site Cleanup appropriation section, shall be funded only through interest
 13 earnings from the Division of Environmental Quality Fee Trust Fund. The
 14 Arkansas ~~Department~~ Division of Environmental Quality shall seek cost
 15 recovery from parties responsible for damages to the environment that dictate
 16 the use of appropriation authorized in the Non Hazardous Site Cleanup
 17 appropriation section of this act, as well as any other funds spent by a
 18 governmental entity to remediate such non hazardous sites.

19 The provisions of this section shall be in effect only from July 1, 2020
 20 2021 through June 30, ~~2021~~ 2022.

21
 22 → SECTION 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
 24 POST-CLOSURE TRUST FUND.

25 (a) The General Assembly finds that:

26 (1) A growing number of regional solid waste management districts
 27 within the state are facing difficulty in funding the necessary costs of
 28 ~~closure and~~ post-closure care of landfills owned by the districts; and

29 (2) Without ~~closure and~~ post-closure care of landfills,
 30 irreparable harm to human health and the environment will occur.

31 (b) Notwithstanding Arkansas Code § 8-6-1001 et seq. and any Landfill
 32 Post-Closure Trust Fund cleanup restrictions enumerated in this Act, the
 33 Arkansas ~~Department~~ Division of Environmental Quality also may:

34 (1) Expend monies from the Landfill Post-Closure Trust Fund to a
 35 state-approved contractor or the regional solid waste management district to
 36 complete all actions necessary to achieve the ~~final closure and~~ post-closure

care of a landfill owned by a regional solid waste management district if the ~~department~~ division determines that the regional solid waste management district:

- (A) Has filed for protection under federal bankruptcy law;
- (B) Is unable to meet its debt obligations in the ordinary course of its operations; or
- (C) Is otherwise insolvent.

(c) This section is in effect only from July 1, 2020 2021 through June 30, ~~2021~~ 2022.

SECTION 50. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

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

SECTION 51. SPECIAL LANGUAGE. SPECIAL LANGUAGE - CODE AMENDMENT.

Arkansas Code § 8-4-203, concerning the issuance, modification, renewal or transfer of a National Pollutant Discharge Elimination System permit, is amended to add an additional subsection to read as follows:

(p) For the purpose of collecting trust fund contribution fees under subsection (b) of this section, the division shall treat a public facilities board or a public water authority as a municipal system.

SECTION 52. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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 State and

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1208

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF PUBLIC
SAFETY FOR THE FISCAL YEAR ENDING JUNE 30, 2022; AND
FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF PUBLIC
SAFETY APPROPRIATION FOR THE 2021-2022
FISCAL YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
established for the Department of Public Safety for the 2021-2022 fiscal
year, the following maximum number of regular employees.

			Maximum Annual
			Salary Rate
Item	Class	No. of	Fiscal Year
No.	Code	Title	Employees
			2021-2022
(1)	SC013	SECRETARY OF PUBLIC SAFETY	1 GRADE SE05
(2)	D103C	DPS CHIEF INFORMATION OFFICER	1 GRADE IT11
(3)	D003C	STATE SYSTEMS ADMINISTRATOR LEAD	1 GRADE IT09
(4)	D012C	DATABASE SPECIALIST	1 GRADE IT08
(5)	D123C	DB ADMINISTRATOR	1 GRADE IT08
(6)	D007C	INFORMATION SYSTEMS MANAGER	1 GRADE IT08
(7)	D035C	COMPUTER SUPPORT MANAGER	1 GRADE IT07
(8)	D034C	DATABASE ADMINISTRATOR	1 GRADE IT07



1 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ASP.
3 MOTOR VEHICLE PURCHASE. The Arkansas State Police is hereby authorized to
4 purchase motor vehicles from the appropriations authorized for Capital Outlay
5 in the State Police Operations and/or Confiscated Funds Transfer
6 appropriation in this Act. Motor vehicles donated to Arkansas State Police
7 and confiscated vehicles used for Arkansas State Police operations shall not
8 be included in the maximum number of authorized passenger vehicles.

9 The provisions of this section shall be in effect only from July 1, 2020
10 2021 through June 30, 2021 2022.

11
12 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ASP.
14 UNIFORM EMPLOYEE HEALTH INSURANCE PROGRAM REPORTING. The Arkansas State
15 Police shall report monthly to the Governor, the Chief Fiscal Officer of the
16 State and to the Arkansas Legislative Council or Joint Budget Committee
17 regarding the activity and condition for the uniformed employee health
18 insurance plan. The report shall include, but not limited to, the beginning
19 reserve fund balance, contributions made during the month, claims paid, and
20 the ending fund balance of the month. In the event it is determined that the
21 cost to adequately maintain the uniform employee health insurance plan is not
22 feasible within the existing resources available to the department, the 92nd
23 General Assembly shall study the feasibility and desirability of
24 discontinuing the self-insurance program and instead provide medical and
25 hospital insurance to uniform employees through the public employees
26 insurance program.

27 The provisions of this section shall be in effect only from July 1, 2020
28 2021 through June 30, 2021 2022.

29
30 → SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ASP.
32 EXTRAORDINARY EXPENSES. The Arkansas State Police is hereby authorized to
33 purchase from Maintenance & Operations Classifications in the Operations
34 Appropriation provided by this Act, ~~up to an amount not to exceed two~~
35 ~~thousand five hundred dollars (\$2,500) each fiscal year,~~ for emergency
36 purchases for food, drinks and other essential items during emergency

operations only when authorized by the Agency ~~Director~~ Secretary. During an emergency, an ASP employee may be designated and authorized, by the ~~Director~~ Secretary, to incur expenses for all deployed personnel.

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

SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ASP.

QUARTERLY REPORTING. The Arkansas State Police shall on a quarterly basis provide to the Arkansas Legislative Council or Joint Budget Committee a report detailing expenditures from the Court Awards Fund of the Confiscated Funds Transfer appropriation of this Act. The report shall include the State Police division, purpose and amount of expenditures.

The quarterly reports shall be provided no later than the 15th day of the month immediately following the end of each quarter.

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

SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 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 State and the Auditor of State for the payment of personal services and operating expenses by the Department of Public Safety.

(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,

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

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

SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CRIME LAB. MEDICAL EXAMINER SALARIES. In order to recruit and retain employees that meet the licensure requirements for Medical Examiners established in A.C.A. §12-12-307(a)(2), the Department of Public Safety - Division of Arkansas State Crime Laboratory, may exceed the maximum salary level by no more than fifty percent (50%) for the following authorized classifications:

(1) L001N Crime Lab Director Medical Examination Division

Grade MP10

(2) L004N Crime Lab Associate Medical Examiner

Grade MP09

Increases in accordance with this special language shall only be implemented 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, 2021 through June 30, 2022.

SECTION 45. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 121

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF LABOR
AND LICENSING - DIVISION OF LABOR FOR THE FISCAL YEAR
ENDING JUNE 30, 2022; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF LABOR AND
LICENSING - DIVISION OF LABOR
APPROPRIATION FOR THE 2021-2022 FISCAL
YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:


SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
established for the Department of Labor and Licensing for the 2021-2022
fiscal year, the following maximum number of regular employees.

				Maximum Annual
				Salary Rate
				Fiscal Year
Item	Class		Maximum	
No.	Code	Title	No. of	
			Employees	2021-2022
(1)	SC010	SECRETARY OF LABOR & LICENSING	1	GRADE SE05
(2)	D030C	INFORMATION SYSTEMS COORDINATOR	1	GRADE IT07
(3)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE IT06
(4)	D063C	COMPUTER SUPPORT SPECIALIST	3	GRADE IT05
(5)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE IT05
(6)	N245N	DLL CHIEF OF STAFF	1	GRADE GS15



1 If the requirement of approval by the Legislative Council or Joint Budget
 2 Committee is ruled unconstitutional by a court of competent jurisdiction,
 3 this entire section is void.

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

6
 7  SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 EXPENDITURE AND TRANSFER LIMITATIONS. (i) Notwithstanding any other transfer
 10 provisions authorized by law, the expenditures for each individual Board,
 11 Commission, Section or Division in the Department of Labor and Licensing
 12 combined with fund transfers for the individual board, commission, section,
 13 or division, such as but not limited to Shared Services Transfers, shall not
 14 exceed the net collections of the individual board, commission, section, or
 15 division in any fiscal year as set out in this section.

16 (ii) The calculations for each individual entities expenditures,
 17 transfers and net collections or revenue shall be determined separately for
 18 each board, commission, section or division and at no time shall a combined
 19 calculation be utilized.

20 (iii) The total expenditures for a fiscal year for each entity shall be
 21 determined by the average expenditures of the last three completed fiscal
 22 years combined with any current fiscal year budgeted fund transfer.

23 (iv) The net collections or revenue for a fiscal year for each entity
 24 shall be determined by the average revenue collections of the last three
 25 completed fiscal years.

26 (v) At no time shall a fund transfer in a fiscal year cause the total
 27 expenditures, as set out in subsection (iii) of this section, to exceed the
 28 net collections or revenue, as set out in subsection (iv) of this section.

29 (vi) Any fund transfers combined with expenditures shall not be greater
 30 than revenue collections that could create the need for a board, commission,
 31 section or division to raise fees, fines, penalties, or any other collection
 32 method in order to continue to provide the services for which they were
 33 created.

34 (vii) Any expenditures for a board, commission, section or division
 35 authorized by the General Assembly through the budget hearing and
 36 appropriation process, that is specifically requested and approved to be

1 payable out of that individual entity's accumulated fund balances for
2 expenses other than normal operating expense shall be exempt from this
3 section and that expenditure from fund balances shall not be used to
4 calculate the expenditures as set out in subsection (iii) of this section.

5 (viii) The provisions as set forth in this section does not prevent any
6 individual board, commission, section, or division, from promulgating new or
7 update rules or submitting a request to raise or lower fees, fines,
8 penalties, or any other collection method.

9 (ix) In the event that an individual board, commission, section, or
10 division has a fiscal year where expenditures combined with budget transfers
11 out exceeds collections or revenue as set out in subsection (v) of this
12 section and that individual board, commission, section, or division has a
13 current fund balance greater than the average expenditures as calculated in
14 subsection (iii) of this section, then that individual board, commission,
15 section, or division is exempt from the provision of this section and may
16 utilize those fund balances to exceed the expenditure combined with transfers
17 without limitation.

18 (x) The provisions of this section shall be in effect only from July 1,
19 2021 through June 30, 2022.

20
21 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
22 authorized by this act shall be limited to the appropriation for such agency
23 and funds made available by law for the support of such appropriations; and
24 the restrictions of the State Procurement Law, the General Accounting and
25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
26 Procedures and Restrictions Act, or their successors, and other fiscal
27 control laws of this State, where applicable, and regulations promulgated by
28 the Department of Finance and Administration, as authorized by law, shall be
29 strictly complied with in disbursement of said funds.
30

31 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
32 Assembly that any funds disbursed under the authority of the appropriations
33 contained in this act shall be in compliance with the stated reasons for
34 which this act was adopted, as evidenced by the Agency Requests, Executive
35 Recommendations and Legislative Recommendations contained in the budget
36 manuals prepared by the Department of Finance and Administration, letters, or

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 132

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE DEPARTMENT OF COMMERCE
FOR THE FISCAL YEAR ENDING JUNE 30, 2022; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF COMMERCE
APPROPRIATION FOR THE 2021-2022 FISCAL
YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
established for the Department of Commerce for the 2021-2022 fiscal year, the
following maximum number of regular employees.

			Maximum Annual
			Salary Rate
			Fiscal Year
Item	Class	No. of	2021-2022
No.	Code Title	Employees	
(1)	SC002 ACOM SECRETARY OF COMMERCE	1	GRADE SE05
(2)	U063U ACOM CHIEF INFORMATION OFFICER	1	GRADE SE01
(3)	N215N ACOM CHIEF OF STAFF	1	GRADE SE01
(4)	D012C DATABASE SPECIALIST	1	GRADE IT08
(5)	D007C INFORMATION SYSTEMS MANAGER	2	GRADE IT08
(6)	D054C COMPUTER SUPPORT COORDINATOR	1	GRADE IT05
(7)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05



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

SECTION 53. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD - ARKANSAS ACCELERATION FUND PROGRAM. Any unexpended balance of funds for the Arkansas Acceleration Fund Program line item in the Division of Science and Technology - State Operations Section of this Act which remain at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law.

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

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

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

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

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

4 The provisions of this section shall be in effect only from July 1,
5 2021 through June 30, 2022.

6
7 SECTION 54. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
8 authorized by this act shall be limited to the appropriation for such agency
9 and funds made available by law for the support of such appropriations; and
10 the restrictions of the State Procurement Law, the General Accounting and
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
12 Procedures and Restrictions Act, or their successors, and other fiscal
13 control laws of this State, where applicable, and regulations promulgated by
14 the Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.

16
17 SECTION 55. LEGISLATIVE INTENT. It is the intent of the General
18 Assembly that any funds disbursed under the authority of the appropriations
19 contained in this act shall be in compliance with the stated reasons for
20 which this act was adopted, as evidenced by the Agency Requests, Executive
21 Recommendations and Legislative Recommendations contained in the budget
22 manuals prepared by the Department of Finance and Administration, letters, or
23 summarized oral testimony in the official minutes of the Arkansas Legislative
24 Council or Joint Budget Committee which relate to its passage and adoption.

25
26 SECTION 56. EMERGENCY CLAUSE. It is found and determined by the
27 General Assembly, that the Constitution of the State of Arkansas prohibits
28 the appropriation of funds for more than a one (1) year period; that the
29 effectiveness of this Act on July 1, 2021 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the legislative session, the delay in the
32 effective date of this Act beyond July 1, 2021 could work irreparable harm
33 upon the proper administration and provision of essential governmental
34 programs. Therefore, an emergency is hereby declared to exist and this Act
35 being necessary for the immediate preservation of the public peace, health
36 and safety shall be in full force and effect from and after July 1, 2021.

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 158

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PUBLIC SCHOOL
FUND GRANTS FOR THE DEPARTMENT OF EDUCATION -
DIVISION OF ELEMENTARY AND SECONDARY EDUCATION -
PUBLIC SCHOOL FUND FOR THE FISCAL YEAR ENDING JUNE
30, 2022; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION -
DIVISION OF ELEMENTARY AND SECONDARY
EDUCATION - PUBLIC SCHOOL FUND
APPROPRIATION FOR THE 2021-2022 FISCAL
YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND
SPECIAL PROGRAMS. There is hereby appropriated, to the Department of
Education, to be payable from the Division of Elementary and Secondary
Education Public School Fund Account, for grants and aid to local school
districts and special programs of the Department of Education - Division of
Elementary and Secondary Education for the fiscal year ending June 30, 2022,
the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	



(B) Before-school academic programs and after-school academic programs, including transportation to and from the programs under § 6-20-2305(b)(4)(C)(i)(b)(2); and

(C) Prekindergarten programs under § 6-20-2305(b)(4)(C)(i)(b)(3).

(b)(1) Set aside funds authorized in subsection (a) of this section shall be distributed to school districts on a dollar for dollar matching basis of school district expenditures for programs under subsection (a) of this section on a pro rata basis until the available funds are exhausted.

(2) As used in this subsection, "pro rata basis" means providing each district qualifying for additional funding in a proportionate share based on how each district's expenditure bears to the total of funding provided in subsection (a) of this section for all qualifying districts as determined by the Department of Education.

(c) If any funding remains after funding subsection (b) of this section, that remaining balance shall be carried over to the following fiscal year for the same purposes as provided in this section.

(d) The Department of Education shall adopt rules as necessary to implement this section.

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

SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E. ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in the Grants and Aid to Local School Districts and Special Programs section of this Act shall be used for the coordination of a statewide reading campaign with community partners, parents, and teachers to establish the importance of reading in homes, schools, and communities.

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

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR COMPENSATION REFORM SUB-FUND. ~~Upon the effective date of this Act, or as soon thereafter as practical, the Arkansas State Treasurer shall transfer \$60,000,000 from the Educational Adequacy Fund to the Public School Fund to~~

~~be used solely for the implementation of the Educator Compensation Reform Program.~~ Funds shall be kept separate from all other monies in the Public School Fund and are to be utilized over a four-year period, beginning July 1, 2019, to assist school districts in ensuring that all educators in Arkansas public school districts receive a minimum annual salary of \$36,000 by July 1, 2023. The Educator Compensation Reform Fund shall not be considered part of a school district's net legal balance or net legal balance revenues for the purpose of meeting the requirements on limitation of fund balances pursuant to A.C.A. 6-20-2210. The Arkansas Department of Education shall promulgate rules to administer this section.

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

SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ENHANCED STUDENT ACHIEVEMENT FUNDING NAME CHANGE. Any appropriation titled "ENHANCED STUDENT ACHIEVEMENT FUNDING" or abbreviated as "ESA" as named by SB605 of 2019 may also be known as "NATIONAL SCHOOL LUNCH" funding or abbreviated as "NSL" and shall be used for the same purposes as set out in law.

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

SECTION 33. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 34. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive