

**ARKANSAS SENATE**  
91st General Assembly - Fiscal Session, 2018  
**Amendment Form**

**DRAFT**

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**Subtitle of Senate Bill No. 34**

AN ACT FOR THE ARKANSAS AGRICULTURE DEPARTMENT APPROPRIATION FOR THE 2018-2019  
FISCAL YEAR.

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**Amendment No. \_\_\_ to Senate Bill No. 34**

Amend Senate Bill No. 34 as originally introduced:

Page 9, line 27, delete "209" and substitute "2019"

and

Page 10, line 17, delete "PLANT BOARD -"

and

Page 10, line 20, delete "State Plant Board -"

and

Page 11, line 3, delete "PLANT BOARD -"

and

Page 11, line 7, delete "State Plant Board -"

and

Page 11, line 22, delete "PLANT BOARD -"

and

Page 11, line 25, delete "State Plant Board -"

and

Page 12, line 5, delete "PLANT BOARD -"

and

Page 12, line 8, delete "State Plant Board -"

and

Page 12, line 24, delete "PLANT BOARD -"

and

Page 12, line 28, delete "State Plant Board -"

and

Page 13, line 7, delete "PLANT BOARD -"

and

Page 13, line 11, delete "State Plant Board -"

and

Page 13, line 25, delete "PLANT BOARD -"

and

Page 13, line 29, delete "State Plant Board -"

and

Page 14, line 6, delete "PLANT BOARD -"

and

Page 14, line 10, delete "State Plant Board -"

and

Page 14, line 19, delete "PLANT BOARD -"

and

Page 14, line 23, delete "State Plant Board -"

and

Page 14, line 32, delete "PLANT BOARD -"

and

Page 14, line 36, delete "State Plant Board -"

and

Page 15, line 9, delete "PLANT BOARD -"

and

Page 15, line 13, delete "State Plant Board -"

and

Page 21, line 15, delete "State Plant Board" and substitute " ~~State Plant Board~~ Arkansas Agriculture Department"

and

Page 21, line 28 delete "State Plant Board" and substitute " ~~State Plant Board~~ Arkansas Agriculture Department"

and

Page 21, line 29, delete "State Plant Board" and substitute " ~~State Plant Board~~ Arkansas Agriculture Department"

and

Insert an additional SECTION immediately following SECTION 44 to read as follows:

" SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Notwithstanding any other provision of law, any appropriation for the Arkansas Agriculture Department in Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 38 of this Act may be utilized for the State Plant Board under the direction and supervision of the Arkansas Agriculture Department."

and

Appropriately renumber the subsequent SECTION numbers of the bill.

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_  
By: Senator B. Johnson  
KCS/KCS - 02-15-2018 13:31:05  
KCS075

\_\_\_\_\_  
Secretary

1 State of Arkansas  
2 91st General Assembly  
3 Fiscal Session, 2018  
4

# A Bill

SENATE BILL 34

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS AGRICULTURE  
10 DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2019;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 AN ACT FOR THE ARKANSAS AGRICULTURE  
16 DEPARTMENT APPROPRIATION FOR THE 2018-  
17 2019 FISCAL YEAR.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
23 for the Arkansas Agriculture Department for the 2018-2019 fiscal year, the  
24 following maximum number of regular employees.  
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2018-2019
30	(1) U072U	SECRETARY OF AGRICULTURE	1	GRADE SE02
31	(2) U057U	DEPUTY DIRECTOR OF AGRICULTURE	1	GRADE SE01
32	(3) U003U	STATE FORESTER	1	GRADE SE01
33	(4) U044U	PLANT BOARD DIRECTOR	1	GRADE SE01
34	(5) B004N	STATE VETERINARIAN	1	GRADE MP05
35	(6) L104C	AGRI LABORATORY COORDINATOR	1	GRADE MP04
36	(7) L106C	VETERINARY SPECIALIST	5	GRADE MP04



1

2 SECTION 13. APPROPRIATION - LIVESTOCK AND POULTRY - EQUINE INFECTIOUS  
 3 ANEMIA. There is hereby appropriated, to the Arkansas Agriculture  
 4 Department, to be payable from the Livestock and Poultry Equine Infectious  
 5 Anemia Control Fund, for personal services and operating expenses of the  
 6 Arkansas Agriculture Department - Livestock and Poultry Commission - Equine  
 7 Infectious Anemia for the fiscal year ending June 30, 2019, the following:

8

9 ITEM	FISCAL YEAR
10 NO.	2018-2019
11 (01) REGULAR SALARIES	\$79,380
12 (02) PERSONAL SERVICES MATCHING	22,113
13 (03) MAINT. & GEN. OPERATION	
14 (A) OPER. EXPENSE	200,000
15 (B) CONF. & TRAVEL	0
16 (C) PROF. FEES	0
17 (D) CAP. OUTLAY	100,000
18 (E) DATA PROC.	0
19 (04) EDUCATIONAL GRANTS	<u>30,000</u>
20 TOTAL AMOUNT APPROPRIATED	<u><u>\$431,493</u></u>

21

22 SECTION 14. APPROPRIATION - LIVESTOCK AND POULTRY - ANIMAL HEALTH.

23 There is hereby appropriated, to the Arkansas Agriculture Department, to be  
 24 payable from the federal funds as designated by the Chief Fiscal Officer of  
 25 the State, for personal services and operating expenses of the Arkansas  
 26 Agriculture Department - Livestock and Poultry Commission - Animal Health for  
 27 the fiscal year ending June 30, 209, the following:

28

29 ITEM	FISCAL YEAR
30 NO.	2018-2019
31 (01) REGULAR SALARIES	\$236,267
32 (02) EXTRA HELP	8,311
33 (03) PERSONAL SERVICES MATCHING	82,139
34 (04) MAINT. & GEN. OPERATION	
35 (A) OPER. EXPENSE	118,111
36 (B) CONF. & TRAVEL	5,350



1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$450,178</u>

5  
 6 SECTION 15. APPROPRIATION - GRANTS AND AID. There is hereby  
 7 appropriated, to the Arkansas Agriculture Department, to be payable from the  
 8 federal funds as designated by the Chief Fiscal Officer of the State, for  
 9 personal services, operating expenses and assistance to eligible agricultural  
 10 producers by the Arkansas Agriculture Department for the fiscal year ending  
 11 June 30, 2019, the following:

12		
13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2018-2019</u>
15	(01) AQUACULTURE ADMINISTRATIVE COSTS	<u>\$2,225</u>

16  
 17 SECTION 16. APPROPRIATION - PLANT BOARD - ADMINISTRATION/PEST CONTROL.  
 18 There is hereby appropriated, to the Arkansas Agriculture Department, to be  
 19 payable from the Plant Board Fund, for personal services and operating  
 20 expenses of the Arkansas Agriculture Department - State Plant Board -  
 21 Administration/Pest Control for the fiscal year ending June 30, 2019, the  
 22 following:

23		
24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2018-2019</u>
26	(01) REGULAR SALARIES	\$3,324,476
27	(02) EXTRA HELP	250,000
28	(03) PERSONAL SERVICES MATCHING	1,175,403
29	(04) OVERTIME	50,000
30	(05) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	1,331,613
32	(B) CONF. & TRAVEL	83,613
33	(C) PROF. FEES	244,510
34	(D) CAP. OUTLAY	435,000
35	(E) DATA PROC.	0
36	(06) PEST ERADICATION	<u>1,000,000</u>

1 TOTAL AMOUNT APPROPRIATED \$7,894,615

2

3 SECTION 17. APPROPRIATION - PLANT BOARD - PUBLIC GRAIN WAREHOUSE

4 INSPECTION PROGRAM. There is hereby appropriated, to the Arkansas  
 5 Agriculture Department, to be payable from the Plant Board Fund, for personal  
 6 services and operating expenses of the Arkansas Agriculture Department -  
 7 State Plant Board - Public Grain Warehouse Inspection Program for the fiscal  
 8 year ending June 30, 2019, the following:

9

10	ITEM	FISCAL YEAR
11	NO.	2018-2019
12	(01) REGULAR SALARIES	\$149,772
13	(02) PERSONAL SERVICES MATCHING	54,264
14	(03) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	67,935
16	(B) CONF. & TRAVEL	4,613
17	(C) PROF. FEES	1,200
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$277,784</u>

21

22 SECTION 18. APPROPRIATION - PLANT BOARD - PESTICIDE SURVEILLANCE.

23 There is hereby appropriated, to the Arkansas Agriculture Department, to be  
 24 payable from the Plant Board Fund, for personal services and operating  
 25 expenses of the Arkansas Agriculture Department - State Plant Board -  
 26 Pesticide Surveillance for the fiscal year ending June 30, 2019, the  
 27 following:

28

29	ITEM	FISCAL YEAR
30	NO.	2018-2019
31	(01) REGULAR SALARIES	\$152,916
32	(02) PERSONAL SERVICES MATCHING	54,979
33	(03) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	52,066
35	(B) CONF. & TRAVEL	6,000
36	(C) PROF. FEES	0

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u><u>\$265,961</u></u>

4

5 SECTION 19. APPROPRIATION - PLANT BOARD - APIARY. There is hereby  
 6 appropriated, to the Arkansas Agriculture Department, to be payable from the  
 7 Plant Board Fund, for personal services and operating expenses of the  
 8 Arkansas Agriculture Department - State Plant Board - Apiary for the fiscal  
 9 year ending June 30, 2019, the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2018-2019</u>
13	(01) REGULAR SALARIES	\$107,845
14	(02) EXTRA HELP	10,000
15	(03) PERSONAL SERVICES MATCHING	39,676
16	(04) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	51,085
18	(B) CONF. & TRAVEL	0
19	(C) PROF. FEES	0
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	<u>0</u>
22	TOTAL AMOUNT APPROPRIATED	<u><u>\$208,606</u></u>

23

24 SECTION 20. APPROPRIATION - PLANT BOARD - PRODUCT MARKETING PROGRAM.  
 25 There is hereby appropriated, to the Arkansas Agriculture Department, to be  
 26 payable from the federal funds as designated by the Chief Fiscal Officer of  
 27 the State, for operating expenses of the Arkansas Agriculture Department -  
 28 State Plant Board - Product Marketing Program for the fiscal year ending June  
 29 30, 2019, the following:

30

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2018-2019</u>
33	(01) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	\$147,000
35	(B) CONF. & TRAVEL	6,000
36	(C) PROF. FEES	150,000



1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	0
3	(02) PRODUCT MARKETING GRANTS & AID	200,000
4	(03) PROMOTIONAL ITEMS	<u>97,059</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$600,059</u></u>

6

7 SECTION 21. APPROPRIATION - PLANT BOARD - REFUNDS/TRANSFERS. There is  
 8 hereby appropriated, to the Arkansas Agriculture Department, to be payable  
 9 from the cash funds as defined by Arkansas Code 19-4-801 of the Arkansas  
 10 Agriculture Department, for operating expenses, refunds and transfers to the  
 11 State Treasury by the Arkansas Agriculture Department - State Plant Board -  
 12 Refunds/Transfers for the fiscal year ending June 30, 2019, the following:

13

14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2018-2019</u>
16	(01) MAINT. & GEN. OPERATION	
17	(A) OPER. EXPENSE	\$500
18	(B) CONF. & TRAVEL	0
19	(C) PROF. FEES	0
20	(D) CAP. OUTLAY	0
21	(E) DATA PROC.	0
22	(02) REFUNDS/REIMBURSEMENTS	<u>6,765,100</u>
23	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,765,600</u></u>

24

25 SECTION 22. APPROPRIATION - PLANT BOARD - PESTICIDE/PLANT REGULATORY  
 26 PROGRAM. There is hereby appropriated, to the Arkansas Agriculture  
 27 Department, to be payable from the Abandoned Agricultural Pesticide and Plant  
 28 Regulator Disposal Trust Fund, for operating expenses of the Arkansas  
 29 Agriculture Department - State Plant Board - Pesticide/Plant Regulatory  
 30 Program for the fiscal year ending June 30, 2019, the following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2018-2019</u>
34	(01) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	\$1,500,000
36	(B) CONF. & TRAVEL	0

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,500,000</u></u>

6 SECTION 23. APPROPRIATION - PLANT BOARD - U OF A AGRICULTURE

7 SCHOLARSHIPS. There is hereby appropriated, to the Arkansas Agriculture  
 8 Department, to be payable from the Plant Board Fund, for grants for  
 9 internships and scholarships from civil penalties collected by the Arkansas  
 10 Agriculture Department - State Plant Board for the fiscal year ending June  
 11 30, 2019, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2018-2019</u>
15	(01) GRANT TO THE UNIV OF ARK-DIV. OF	
16	AGRICULTURE FOR INTERNSHIPS &	
17	SCHOLARSHIPS	<u><u>\$5,000</u></u>

19 SECTION 24. APPROPRIATION - PLANT BOARD - ASU AGRICULTURE SCHOLARSHIPS.

20 There is hereby appropriated, to the Arkansas Agriculture Department, to be  
 21 payable from the Plant Board Fund, for grants for internships and  
 22 scholarships from civil penalties collected by the Arkansas Agriculture  
 23 Department - State Plant Board for the fiscal year ending June 30, 2019, the  
 24 following:

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2018-2019</u>
28	(01) GRANT TO THE ARK ST UNIV COLLEGE OF	
29	AGRICULTURE FOR INTERNSHIPS &	
30	SCHOLARSHIPS	<u><u>\$5,000</u></u>

32 SECTION 25. APPROPRIATION - PLANT BOARD - AR TECH AGRICULTURE

33 SCHOLARSHIPS. There is hereby appropriated, to the Arkansas Agriculture  
 34 Department, to be payable from the Plant Board Fund, for grants for  
 35 internships and scholarships from civil penalties collected by the Arkansas  
 36 Agriculture Department - State Plant Board for the fiscal year ending June

1 30, 2019, the following:  
2

3 ITEM	FISCAL YEAR
4 NO.	<u>2018-2019</u>
5 (01) GRANT TO THE ARK TECH UNIV	
6 AGRICULTURE DEPT FOR	
7 INTERNSHIPS & SCHOLARSHIPS	<u>\$5,000</u>

8

9 SECTION 26. APPROPRIATION - PLANT BOARD - SAU AGRICULTURE SCHOLARSHIPS.

10 There is hereby appropriated, to the Arkansas Agriculture Department, to be  
11 payable from the Plant Board Fund, for grants for internships and  
12 scholarships from civil penalties collected by the Arkansas Agriculture  
13 Department - State Plant Board for the fiscal year ending June 30, 2019, the  
14 following:

15

16 ITEM	FISCAL YEAR
17 NO.	<u>2018-2019</u>
18 (01) GRANT TO THE SAU AGRICULTURE DEPT FOR	
19 INTERNSHIPS & SCHOLARSHIPS	<u>\$5,000</u>

20

21 SECTION 27. APPROPRIATION - FORESTRY - OPERATIONS. There is hereby  
22 appropriated, to the Arkansas Agriculture Department, to be payable from the  
23 State Forestry Fund, for personal services and operating expenses of the  
24 Arkansas Agriculture Department - State Forestry Commission - Operations for  
25 the fiscal year ending June 30, 2019, the following:

26

27 ITEM	FISCAL YEAR
28 NO.	<u>2018-2019</u>
29 (01) REGULAR SALARIES	\$5,044,469
30 (02) EXTRA HELP	255,855
31 (03) PERSONAL SERVICES MATCHING	1,883,633
32 (04) OVERTIME	52,400
33 (05) UNIFORM ALLOWANCE	55,000
34 (06) MAINT. & GEN. OPERATION	
35 (A) OPER. EXPENSE	2,292,020
36 (B) CONF. & TRAVEL	100,000



1 provided to the Arkansas Agriculture Department - Livestock and Poultry  
 2 Commission authorizing broad powers under this Section. Therefore, it is  
 3 both necessary and appropriate that the General Assembly maintain oversight  
 4 by requiring prior approval of the Legislative Council or Joint Budget  
 5 Committee as provided by this section. The requirement of approval by the  
 6 Legislative Council or Joint Budget Committee is not a severable part of this  
 7 section. If the requirement of approval by the Legislative Council or Joint  
 8 Budget Committee is ruled unconstitutional by a court of competent  
 9 jurisdiction, this entire section is void.

10 The provisions of this section shall be in effect only from July 1, 2017  
 11 2018 through June 30, ~~2018~~ 2019.

12

13 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 15 PROVISION - PEST ERADICATION. If the State Plant Board determines that the  
 16 demands of pest eradication efforts require additional personnel expenses,  
 17 with the approval of the Chief Fiscal Officer of the State and approval by  
 18 the Legislative Council or Joint Budget Committee, appropriations may be  
 19 transferred from the Pest Eradication Program special line item to the line  
 20 items for Regular Salaries, Extra Help, Overtime, and Personal Services  
 21 Matching.

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



1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED  
2 SERVICES. The Chief Fiscal Officer of the State shall be authorized to create  
3 paying accounts, on his or her books and on the books of the Treasurer of the  
4 State and Auditor of State for the payment of all personal services and  
5 operating expenses of the Department, as well as grant programs as determined  
6 by the Secretary of the Arkansas Agriculture Department. The Chief Fiscal  
7 Officer of the state shall direct the transfer of positions, funds and  
8 appropriations to the paying accounts on the books of the Treasurer of State,  
9 the Auditor of State, and the Chief Fiscal Officer of the State for the  
10 efficient operations of the Department.

11 The provisions of this section shall be in effect only from July 1, 2017  
12 2018 through June 30, ~~2018~~ 2019.

13

14 → SECTION 45. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
15 authorized by this act shall be limited to the appropriation for such agency  
16 and funds made available by law for the support of such appropriations; and  
17 the restrictions of the State Procurement Law, the General Accounting and  
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
19 Procedures and Restrictions Act, or their successors, and other fiscal  
20 control laws of this State, where applicable, and regulations promulgated by  
21 the Department of Finance and Administration, as authorized by law, shall be  
22 strictly complied with in disbursement of said funds.

23

24 SECTION 46. LEGISLATIVE INTENT. It is the intent of the General  
25 Assembly that any funds disbursed under the authority of the appropriations  
26 contained in this act shall be in compliance with the stated reasons for  
27 which this act was adopted, as evidenced by the Agency Requests, Executive  
28 Recommendations and Legislative Recommendations contained in the budget  
29 manuals prepared by the Department of Finance and Administration, letters, or  
30 summarized oral testimony in the official minutes of the Arkansas Legislative  
31 Council or Joint Budget Committee which relate to its passage and adoption.

32

33 SECTION 47. EFFECTIVE DATE. This act is effective on and after July 1,  
34 2018.

35

36