

ATTACHMENTS FOR READY LIST  
BILLS WITH NEW  
SPECIAL LANGUAGE

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

HOUSE BILL 1068

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE STATE SECURITIES  
DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND  
FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE STATE SECURITIES DEPARTMENT  
APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

SECTION 7. SPECIAL LANGUAGE. Arkansas Code § 19-6-475 is amended to read as follows:

19-6-475. Securities Department Fund.

The Securities Department Fund shall consist of those special revenues as specified in 19-6-301(211) and until July 1, ~~2011~~ 2013, the first ~~one~~ two million dollars ~~(\$1,000,000)~~ (\$2,000,000) of those special revenues as specified in 19-6-301(173) and (174), and such other funds as may be provided by law or regulatory action, there to be used for maintenance, operation, support, and improvement of the State Securities Department in carrying out its functions, powers, and duties as set out by law and by rule and regulation not inconsistent with law, as set out in 23-42-211.

SECTION 8. SPECIAL LANGUAGE. Arkansas Code § 23-42-211(a)(4) is amended to read as follows:

23-42-211. Disposition of fees.

(a)(4) Notwithstanding subdivision (a)(3) of this section, no more than ~~one~~ two million dollars ~~(\$1,000,000)~~ (\$2,000,000) shall be deposited into the fund in any one (1) fiscal year until July 1, ~~2011~~ 2013, at which time this limitation shall expire ~~unless extended~~.

# A Bill

HOUSE BILL 1078

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR OPERATING  
EXPENSES FOR THE ARKANSAS STATE BOARD OF  
SANITARIANS FOR THE FISCAL YEAR ENDING JUNE 30,  
2012; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS STATE BOARD OF  
SANITARIANS APPROPRIATION FOR THE 2011-2012  
FISCAL YEAR.

SECTION 2. SPECIAL LANGUAGE. Arkansas Code § 17-43-309 is amended to read as follows:

17-43-309. Grounds for suspension, revocation, or refusal to renew – Duty of board to hire independent investigator – Scope of investigation.

(a) The Arkansas State Board of Sanitarians may ~~refuse to renew or may suspend, or revoke, or refuse to renew~~ a certificate of registration upon proof that the applicant:

- (1) Is not of good character; or
- (2) Is guilty of fraud, deceit, gross negligence, incompetency, or misconduct in relation to his or her duties as a sanitarian.

(b)(1) When necessary to determine whether grounds exist under this section to suspend, revoke, or refuse to renew a certificate of registration, the board shall hire and fix the compensation of an independent investigator to perform the investigation.

(2) The scope of the investigation shall not exceed matters that are reasonably necessary to determine whether grounds exist under this section to suspend, revoke, or refuse to renew a certificate of registration

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

HOUSE BILL 1084

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR STATE  
TURNBACK FOR COUNTIES AND MUNICIPALITIES BY THE  
OFFICE OF THE TREASURER OF STATE FOR THE FISCAL  
YEAR ENDING JUNE 30, 2012; AND FOR OTHER  
PURPOSES.

## Subtitle

AN ACT FOR THE OFFICE OF THE TREASURER OF STATE -  
FOR STATE TURNBACK FOR COUNTIES AND  
MUNICIPALITIES APPROPRIATION FOR THE 2011-2012  
FISCAL YEAR.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY TURNBACK - UNANTICIPATED FUNDS. The appropriation authorized for General Revenue to Counties in Section 3, ~~Military Land Sale in Section 6 and Military Land Taxing Unit Distribution in Section 7 of this Act~~, or any other appropriation as provided by the General Assembly for aid to counties may be supplemented, if necessary, by a transfer from the appropriation provided for Unanticipated Special Revenues in Section 5 of this Act.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. At the close of each fiscal year any unexpended funds for the County Aid and Municipal Aid line items shall be carried forward and made available for the same purpose for the next fiscal year. Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, 2012 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

# A Bill

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, 2012; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS PUBLIC EMPLOYEES  
RETIREMENT SYSTEM APPROPRIATION FOR THE 2011-  
2012 FISCAL YEAR.

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. JUDICIAL RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$28,426~~ \$29,279 in the ~~2010-~~ 2011-2012 fiscal year may be transferred from the Judges Retirement Fund to the Arkansas Public Employees Retirement System Fund for costs incurred by the Arkansas Public Employees Retirement System in administering the Judicial Retirement System. Such transfer request shall be made to the Chief Fiscal Officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of the State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2010-~~ 2011 through June 30, ~~2011~~ 2012.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE POLICE RETIREMENT FUND TRANSFERS. A sum not to exceed ~~\$47,279~~ \$48,697 in the ~~2010-2011~~ 2011-2012 fiscal year may be transferred from the State Police Retirement Fund to the Arkansas Public Employees Retirement System Fund for costs incurred by the Arkansas Public Employees Retirement System in administering the State Police Retirement System. Such transfer request shall be made to the Chief Fiscal Officer of the State, and upon his approval, said transfer shall be made on his books and those of the Treasurer of the State and the Auditor of the State.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

# A Bill

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  
WORKFORCE SERVICES FOR THE FISCAL YEAR ENDING JUNE 30,  
2012; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF WORKFORCE  
SERVICES APPROPRIATION FOR THE 2011-2012 FISCAL  
YEAR.

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RESTRICTIONS ON FUNDS APPROPRIATED TO THE COMMUNITY INVESTMENT INITIATIVE. Funds appropriated for Community Investment Funds from the Temporary Assistance for Needy Families (TANF) Block Grant for the fiscal years ~~2009-2010 and 2010-2011~~ 2011-2012 and 2012-2013 (combined) shall be subject to these restrictions in their use for the specified statutory purposes to the extent the funds are available:

- (1) improving outcomes for youth (at least \$1,000,000),
  - (2) parenting and family functioning (at least \$500,000),
  - (3) marriage and relationship skills (at least \$500,000),
  - (4) fatherhood programs (at least \$500,000),
  - (5) family and employment services for ex-offenders (at least \$500,000),
- and
- (6) services to child-only TEA cases (at least \$500,000).

SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 APPROPRIATION RESTRICTIONS. Of the total funds appropriated in Section 10 of this Act, ~~a total of fifty million three hundred seventy four thousand two hundred thirty nine dollars (\$50,374,239)~~ shall be used by the Department of Workforce Services for the ~~payment of unemployment insurance benefits. The remaining~~ nine million five hundred ninety-five thousand ninety-three dollars (\$9,595,093) shall be utilized by the Department of Workforce Services for the payment of salaries and related benefits and maintenance and general operation in support of and

administration of the Unemployment Insurance (UI) Modernization provisions adopted pursuant to the ARRA - Stimulus Act of 2009. Those funds specifically identified by this section for the payment of salaries and related benefits and maintenance and general operation shall be considered as obligations of the Department of Workforce Services for the purpose of implementing and administering the UI Modernization provisions.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

# A Bill

HOUSE BILL 1192

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE STATE BOARD OF ELECTION  
COMMISSIONERS FOR THE FISCAL YEAR ENDING JUNE 30, 2012;  
AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE STATE BOARD OF ELECTION  
COMMISSIONERS APPROPRIATION FOR THE 2011-2012  
FISCAL YEAR.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF ELECTION EXPENSES APPROPRIATION. The funds appropriated for Election Expenses may be used to cover the expenses of the State Board of Election Commissioners and the county election commissions to conduct ~~presidential preferential primary elections,~~ preferential primary elections, general primary elections, special primary elections, nonpartisan judicial general elections, and statewide special elections.

The provisions of this section shall be in effect only from July 1, 2010 2011 through June 30, 2011 2012.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF FUNDS. If the State Board of Election Commissioners is required to pay the expenses for any state supported preferential primary election, general primary election, nonpartisan judicial general election, statewide special election or special primary election and funds are not available to pay for such elections, the Director of the State Board of Election Commissioners shall certify to the Chief Fiscal Officer of the State the amount needed to pay the expenses of the election(s). Upon the approval of the Chief Fiscal Officer of the State, the amount certified shall be transferred from the Budget Stabilization Trust Fund to the Miscellaneous Agencies Fund Account of the State Board of Election Commissioners. All unused funds transferred under this provision shall be transferred back to the Budget Stabilization Trust Fund at the end of each fiscal year. The Chief Fiscal Officer of the State shall initiate the necessary transfer documents to reflect all such transfers upon the fiscal records of the State Auditor, the State Treasurer and the Chief Fiscal Officer of the State. The provisions of this section shall be in effect from July 1, 2010 2011 through June 30, 2011 2012.

# A Bill

HOUSE BILL 1263

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 HEALTH  
FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER  
PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF HEALTH  
APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HOME HEALTH  
ON-CALL AND VISIT PAY. The Arkansas Department of Health is hereby  
authorized to compensate the following personnel responsible for providing  
in-home health care as necessary to maintain continuity of care outside  
routine working hours on weekdays and on weekends or holidays:

Area Nursing Director  
Nursing Program Coordinator  
~~Nursing Services Specialist~~  
Registered Nurse  
Speech Pathologist  
Physical Therapist  
Licensed Social Worker  
Occupational Therapist  
~~Nursing Manager~~  
Nurse Manager  
Licensed Practical Nurse  
~~Public Health Technician~~  
Nursing Aide  
Licensed Certified Social Worker

Visit pay shall not exceed \$75 per visit. Employees requested to be on-call  
and/or on standby for visiting on nights, weekends, and/or holidays will be  
eligible to receive on-call pay not to exceed \$60 per day. Provided however,  
no compensation shall be paid to any employee required to be on-call and/or  
standby who fails to respond after the second notification that their  
services are needed. In the event of equipment or paging device malfunction,  
such penalty shall not apply. All compensated services shall be provided as  
directed by the Arkansas Department of Health. All visit and on-call pay  
shall be paid from funds as appropriated in this Act. Such compensation for  
visit and on-call pay, when added to the employee's regular salary and

benefits, shall not be construed as exceeding the maximum annual salary as described in the General Accounting and Budgetary Procedures Act.

The provisions of this section shall be in effect only from July 1, 2010 2011 through June 30, 2011 2012.

SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD OF FUNDS. The Arkansas Department of Health is authorized to carry forward any unspent funds remaining in the Public Health Fund on June 30, 2011 2012 allocated for the support of the Trauma System to be used for the same purposes in the next fiscal year.

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

(1) Prior to June 30, 2012 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

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

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

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

SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP. The Arkansas Department of Health may utilize ten (10) of their authorized extra-help positions for up to one thousand five hundred (1,500) hours when specific expertise is required to work on disaster drills, exercises, preparedness plans, public health emergencies, disasters and other events. The rates of pay may not exceed those provided in the Uniform Classification Act, or its successor, for the appropriate classification.

The provisions of this section shall be in effect from July 1, 2011 through June 30, 2012.

SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDS TRANSFER. Effective July 1, 2011, the Arkansas Department of Health shall transfer the balance of funds remaining in the Trauma System Cash Fund to the Public Health Fund to be used for support of the Trauma System.

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

HOUSE BILL 1271

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PAYMENT OF THE MATURING BONDS AND INTEREST OF THE COLLEGE SAVINGS AND HIGHER EDUCATION GENERAL OBLIGATION BONDS AND THE STATE WATER, WASTE DISPOSAL, AND POLLUTION ABATEMENT GENERAL OBLIGATION BONDS BY THE OFFICE OF THE TREASURER OF STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE OFFICE OF THE TREASURER OF STATE - GENERAL OBLIGATION BONDS APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. If the State Treasurer should determine that the appropriations made available for payments of maturing bonds and interest for the College Savings General Obligation Bonds, the Higher Education General Obligation Bonds, the State Waste Disposal and Pollution Abatement Facilities General Obligation Bonds, and the State Water Resources Development General Obligation Bonds are insufficient, appropriation may be transferred from the Refunds/Reimbursement line item to the Debt Service line item for payment of said bonds.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

SENATE BILL 104

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 HIGHER  
EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND  
FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF HIGHER EDUCATION  
APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COST ALLOCATION. The Department of Higher Education may refund to the Higher Education Fund Account or the Higher Education Grants Fund Account such amounts determined by the Department to be reimbursements received from the Arkansas Lottery Commission for costs related to the administration of the Arkansas Academic Challenge Scholarship Program.

SECTION 37. SPECIAL LANGUAGE. Arkansas Code Title 6, Chapter 62, Subchapter 3 is amended to add an additional section to read as follows:

6-62-314. Construction Project Exemption.  
The following state-supported institutions of higher education shall be exempt as allowed by §19-4-1415(b)(5) for construction projects exceeding five million dollars (\$5,000,000) if they have adopted policies and procedures in compliance with state law involving the awarding and oversight of the contracts for design and construction services:

- (1) Henderson State University;
- (2) Southern Arkansas University - Magnolia;
- (3) University of Central Arkansas;
- (4) Mid-South Community College;
- (5) National Park Community College; and
- (6) Northwest Arkansas Community College.

SECTION 38. SPECIAL LANGUAGE. Arkansas Code Title 6, Chapter 62, Subchapter 1 is amended to add an additional section to read as follows:

6-62-109. Annual certification of solvency.

(a) Annually, the board of trustees and the president or chancellor of each state-supported institution of higher education shall certify to the Chief Fiscal Officer of the state and the Legislative Council that as of December 31, sufficient appropriations and funds:

(1) Are available to meet all current and anticipated obligations for the current fiscal year as the obligations become due; or

(2) Will become available to meet all current and anticipated obligations for the current fiscal year as the obligations become due.

(b) The certification from each state-supported institution of higher education shall be:

(1) Signed by the chair of the board of trustees and the president or chancellor;

(2) Sent no later than February 28 or upon release of the previous year's audit by Legislative Audit to the Chief Fiscal Officer of the state and the Legislative Council; and

(3) Accompanied by the published annual financial statement for the preceding fiscal year approved by the board of trustees.

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

SENATE BILL 107

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE ASSESSMENT  
COORDINATION DEPARTMENT FOR THE FISCAL YEAR ENDING  
JUNE 30, 2012; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ASSESSMENT COORDINATION  
DEPARTMENT APPROPRIATION FOR THE 2011-2012  
FISCAL YEAR.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFERS. After receiving approval from the Chief Fiscal Officer of the State, the Director of the Assessment Coordination Department is authorized to transfer funds during the ~~2010-2011~~ 2011-2012 fiscal year from the Miscellaneous Agencies Fund Account designated for support of the Assessment Coordination Department to the Real Property Reappraisal Fund. The total of all transfers shall not exceed ~~\$ 750,000~~ \$1,500,000.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

SENATE BILL 133

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 RURAL  
SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR  
OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF RURAL SERVICES  
APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
ADMINISTRATIVE EXPENSES. Any unexpended balance of funds remaining on June  
30, of each fiscal year in the Miscellaneous Agencies Fund Account for the  
Department of Rural Services that were transferred from the various sub funds  
~~of the 87th Session Projects Account of the~~ created in any General  
Improvement Fund for the administration of general improvement fund projects  
shall remain in the Miscellaneous Agencies Fund Account and made available to  
the Department of Rural Services and utilized for the same purpose during the  
following fiscal year.

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

SENATE BILL 148

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  
DEFENDER COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30,  
2012; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER  
COMMISSION APPROPRIATION FOR THE 2011-2012  
FISCAL YEAR.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC DEFENDERS. (a) No funds appropriated herein shall be used for expenses in cases where a defendant is represented by retained counsel where retained counsel ~~who~~ have not gone through the Public Defender Commission's attorney certification procedure ~~qualification~~ and designation process as established by state law and the Commission's regulations. All defendants and retained attorneys must strictly adhere to the procedure established by the Commission to equitably and responsibly monitor and distribute State funds for this purpose.

(b) The Public Defender Commission may approve exemptions to subsection (a) as needed. Reasons for granting exemption should be specified in writing.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

# A Bill

SENATE BILL 151

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE ADMINISTRATIVE OFFICE OF  
THE COURTS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND  
FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ADMINISTRATIVE OFFICE OF THE  
COURTS APPROPRIATION FOR THE 2011-2012 FISCAL  
YEAR.

SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DEPENDENCY-NEGLECT REPRESENTATION APPROPRIATION TRANSFER AUTHORITY. The Administrative Office of the Courts may request authorization from the Arkansas Legislative Council and the Chief Fiscal Officer of the State shall receive approval from the Chief Fiscal Officer of the State and Arkansas Legislative Council or Joint Budget Committee to transfer funds and appropriations between Item Numbers (01), (02), (03) (A) and (C) and (06) of Section 10 herein for the payment of employees and/or contractors providing legal services for the Division of Dependency-Neglect Representation.

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

Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2011 through June 30, ~~2011~~ 2012.

SECTION 35. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended to add an additional section to read as follows:

19-5-1243. County Juror Reimbursement Fund.

(a) There is hereby created on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a miscellaneous revenue fund to be known as the "County Juror Reimbursement Fund".

(b) This fund shall consist of those monies transferred from the State Administration of Justice Fund and other monies as authorized by law.

(c) The fund shall be used for reimbursements to counties for a portion of the cost of per diem compensation for jurors and prospective jurors pursuant to Arkansas Code Annotated 16-34-106.

# A Bill

SENATE BILL 189

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 HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

### Subtitle

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

(A) The Developmental Disabilities Services Board or the Department of Human Services shall not close any of the state administered Human Development Centers ~~that provide therapy and residential services, which are located at Conway, Arkadelphia, Jonesboro, Booneville, and Warren.~~

(B) The Department of Human Services shall continue to accept clients for whom it has determined that therapy and residential services are needed at state administered Human Development Centers and Community Programs licensed by DDS shall continue to accept clients for whom it has been determined in accordance with federal law that are in need of services in the community.

(C) Except for use as federal matching funds, no funds for community based services licensed by DDS shall be transferred from Grants to Community Providers line item of the Developmental Disabilities Services - Grants-in-Aid appropriation unless the transfer(s) directly ~~benefits~~ benefit(s) community based services for persons with developmental disabilities or from the appropriation for the Human Development Centers unless the transfer(s) directly ~~benefits~~ benefit(s) the Human Development Centers.

(D) Nor shall any general revenue funding as of ~~March 1, 2007~~ July 1, 2011 from the Grants to Community Providers line item of the Developmental Disabilities Services - Grants-in-Aid appropriation for persons with developmental disabilities or from any other general revenues as of ~~March 1, 2007~~ July 1, 2011, applied as federal matching funds for community based services licensed by DDS on ~~March 1, 2007~~ July 1, 2011 be reduced below the approved funding level on ~~March 1, 2007~~ July 1, 2011; nor shall the general revenues applied as federal matching funds for the Human Development Centers be reduced below the approved funding level on ~~March 1, 2007~~ July 1, 2011.

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

SENATE BILL 192

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 BUILDING  
AUTHORITY FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND  
FOR OTHER PURPOSES.

## **Subtitle**

AN ACT FOR THE ARKANSAS BUILDING AUTHORITY  
APPROPRIATION FOR THE 2011-2012 FISCAL YEAR.

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
TRANSFER. The Arkansas Building Authority is authorized to transfer any  
unspent funds remaining in any cash fund account established for the  
management of a state owned facility managed by, but not owned by, the  
Arkansas Building Authority to the Arkansas Building Authority Maintenance  
Fund to support the facility's Maintenance and Operations appropriations.