

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: 0177

SECTION#: 033

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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0400 Agriculture, Department of

ACT#: 0177

SECTION#: 034

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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EXECUTIVE RECOMMENDATION

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

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

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0400 Agriculture, Department of

ACT#: 0177

SECTION#: 035

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

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0400 Agriculture, Department of

ACT#: 0177

SECTION#: 036

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

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

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SECTION#: 037

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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ACT#: 0177

SECTION#: 038

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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

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

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

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

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0400 Agriculture, Department of

ACT#: 0177

SECTION#: 039

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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SECTION#: 039

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

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0400 Agriculture, Department of

ACT#: 0177

SECTION#: 041

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

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

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0400 Agriculture, Department of

ACT#: NEW 1

SECTION#: NEW 1

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

AGENCY REQUEST DENIED

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

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

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

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract,

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than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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

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

2021 - 2023 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0400 Agriculture, Department of

ACT#: NEW 1

SECTION#: NEW 2

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

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

AGENCY REQUEST DENIED

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

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

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

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract,

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ACT#: NEW 1

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EXECUTIVE RECOMMENDATION

than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

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

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