

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

JBC 03/22/17(1)

Subtitle of Senate Bill No. 198

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF YOUTH SERVICES
APPROPRIATION FOR THE 2017-2018 FISCAL YEAR.

Amendment No. 1 to Senate Bill No. 198

Amend Senate Bill No. 198 as originally introduced:

Page 2, line 6, delete "3" and substitute "2"

AND

Page 2, line 17, delete "6" and substitute " 5 "

AND

Page 2, delete line 18 in its entirety

AND

Page 2, line 19, delete "65" and substitute "62"

AND

Pages 6 through 7, delete SECTION 12 in its entirety and substitute the following:

" SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. RESIDENTIAL SERVICES CONTINGENCY. If it has been determined that the Department of Human Services - Division of Youth Services cannot continue to contract with private provider(s) for residential juvenile services, educational services, therapeutic services, and/or medical services and deems it necessary to utilize Department staff to provide all or parts of the required services above, the Department is authorized to seek the approval of the Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative Council or Joint Budget Committee to utilize the contingent residential services positions contained in this Act and to make the appropriate transfers from any line item authorized in the RESIDENTIAL SERVICES appropriation of this Act to any line item authorized in the



OPERATIONS appropriation of this Act. If it has been determined that the Department of Human Services - Division of Youth Services cannot continue to operate one or more of the various service components of a Residential Facility for residential juvenile services, educational services, therapeutic services, and/or medical services and deems it necessary to utilize a contract with private provider(s), the Department is authorized to seek the approval of the Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative Council or Joint Budget Committee to make the appropriate transfers from any line item authorized in the OPERATIONS appropriation of this Act to any line item authorized in the RESIDENTIAL SERVICES appropriation of this Act.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP SALARIES - CONTINGENT RESIDENTIAL SERVICES POSITIONS. There is hereby established for the Department of Human Services - Division of Youth Services - Contingent Residential Services Positions, the following maximum number of positions whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code § 21-5-201 et seq.), or its successor, and all laws amendatory thereto. Requests to use positions will be based upon the non-contracted services for residential juvenile services, educational services, therapeutic services, and/or medical services. If at such time a category(s) of services are contracted with private provider(s), identified positions associated with such service(s) shall be returned to the contingency pool. In order to ensure required staffing levels, Extra Help positions authorized herein are specifically exempt from limitation of hours, either by Act or regulation.

CONTINGENT POSITIONS - RESIDENTIAL SERVICES

<u>ITEM</u>	<u>CLASS</u>	<u>TITLE</u>	<u>MAXIMUM</u>
<u>NO.</u>	<u>CODE</u>		<u>NO. OF</u>
<u>(01)</u>	<u>9999</u>	<u>EXTRA HELP</u>	<u>EMPLOYEES</u>
			<u>320</u>
<u>GRAND TOTAL</u>	<u>CONTINGENT POSITIONS</u>		<u>320</u>

The provisions of this section shall be in effect through June 30, 2018."

AND

PAGE 8, delete SECTION 15 in its entirety and substitute the following:

" SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2017 is essential to the operation of the agency for which the appropriations in this Act are provided; with the exception that Sections 12 and 13 in this Act shall be in full force and effect from and after the date of its passage and approval, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2017, with the exception that Sections 12 and 13 in this Act shall be in full force and effect from and after the date of its passage and approval, could work irreparable harm upon the proper

administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2017; with the exception that Sections 12 and 13 in this Act shall be in full force and effect from and after the date of its passage and approval."

AND

Appropriately renumber the SECTIONS of the bill.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Joint Budget Committee

LCW/LCW - 03-22-2017 11:11:27

LCW061

Secretary