

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 198

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 DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF YOUTH SERVICES FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2018; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - DIVISION OF YOUTH SERVICES
16 APPROPRIATION FOR THE 2017-2018 FISCAL
17 YEAR.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Human Services - Division of Youth Services for the
25 2017-2018 fiscal year, the following maximum number of regular employees.
26

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2017-2018
31	(1) N026N	DHS DEPUTY DIRECTOR OF DYS	1	GRADE N909
32	(2) N124N	DHS/DYS ASSISTANT DIVISION DIRECTOR	2	GRADE N904
33	(3) X007C	DHS/DYS ADMIN PROG COMPLIANCE	1	GRADE C127
34	(4) G255C	DYS ACADEMIC ADMINISTRATOR	1	GRADE C126
35	(5) E010C	DHS/DYS EDUCATION MANAGER	1	GRADE C125
36	(6) G082C	DHS/DYS ADMISSIONS EVALUATOR	1	GRADE C123



1	(7)	E016C	PUBLIC SCHOOL PROGRAM COORDINATOR	1	GRADE C123
2	(8)	E015C	SPECIAL EDUCATION SUPERVISOR	1	GRADE C123
3	(9)	G099C	DHS PROGRAM ADMINISTRATOR	5	GRADE C122
4	(10)	E026C	EDUCATION & INSTRUCTION COORDINATOR	1	GRADE C120
5	(11)	G152C	DHS PROGRAM MANAGER	10	GRADE C119
6	(12)	X062C	QUALITY ASSURANCE COORDINATOR	3	GRADE C119
7	(13)	G183C	DHS PROGRAM COORDINATOR	5	GRADE C117
8	(14)	G180C	GRANTS ANALYST	2	GRADE C117
9	(15)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
10	(16)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
11	(17)	E040C	STAFF DEVELOPMENT COORDINATOR	2	GRADE C117
12	(18)	M047C	YOUTH SERVICES ADVISOR	9	GRADE C116
13	(19)	G210C	DHS PROGRAM SPECIALIST	6	GRADE C115
14	(20)	G214C	GRANTS SPECIALIST	2	GRADE C114
15	(21)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
16	(22)	C043C	RECORDS MANAGEMENT ANALYST	1	GRADE C113
17	(23)	C056C	ADMINISTRATIVE SPECIALIST III	6	GRADE C112
18	(24)	A098C	FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE C112
19			MAX. NO. OF EMPLOYEES	65	

20

21 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 22 the Department of Human Services - Division of Youth Services for the 2017-
 23 2018 fiscal year, the following maximum number of part-time or temporary
 24 employees, to be known as "Extra Help", payable from funds appropriated
 25 herein for such purposes: thirty-four (34) temporary or part-time employees,
 26 when needed, at rates of pay not to exceed those provided in the Uniform
 27 Classification and Compensation Act, or its successor, or this act for the
 28 appropriate classification.

29

30 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 31 to the Department of Human Services - Division of Youth Services, to be
 32 payable from the paying account as determined by the Chief Fiscal Officer of
 33 the State, for personal services and operating expenses of the Department of
 34 Human Services - Division of Youth Services for the fiscal year ending June
 35 30, 2018, the following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) REGULAR SALARIES	\$2,331,768
(02) EXTRA HELP	40,008
(03) PERSONAL SERVICES MATCHING	883,029
(04) OVERTIME	8,004
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	2,708,006
(B) CONF. & TRAVEL	91,000
(C) PROF. FEES	354,050
(D) CAP. OUTLAY	105,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$6,520,865</u></u>

SECTION 4. APPROPRIATION - JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the Juvenile Accountability Incentive Block Grant Trust Fund, for grant payments of the Juvenile Accountability Incentive Block Grant of the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) JUVENILE ACCOUNTABILITY INCENTIVE GRANTS	<u><u>\$712,021</u></u>

SECTION 5. APPROPRIATION - COMMUNITY BASED SANCTIONS. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the Youth Services Fund Account, for grants and aid for graduated community based sanctions for juveniles adjudicated delinquent for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) COMMUNITY BASED SANCTIONS	<u><u>\$2,480,444</u></u>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

SECTION 6. APPROPRIATION - COMMUNITY SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the Youth Services Fund Account, for the purchase of services from community based providers by the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) COMMUNITY SERVICES	<u>\$16,971,100</u>

SECTION 7. APPROPRIATION - FEDERAL CHILD AND YOUTH SERVICE GRANTS. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for federally funded grants of the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) FEDERAL CHILD & YOUTH SERVICE GRANTS	<u>\$4,371,921</u>

SECTION 8. APPROPRIATION - RESIDENTIAL SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the Youth Services Fund Account, for the purchase and operation of residential services by the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2018, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2017-2018</u>
(01) RESIDENTIAL SERVICES	<u>\$27,612,244</u>

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

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 2 OF FUNDS FOR THE JUVENILE OMBUDSMAN PROGRAM. The Department of Human
 3 Services shall provide funding in an amount not to exceed \$240,000 for the
 4 fiscal year ending June 30, ~~2017~~ 2018 for the Juvenile Ombudsman Program
 5 described in ACA 16-87-216. Upon request by the Executive Director of the
 6 Arkansas Public Defender Commission, the Chief Fiscal Officer of the State
 7 shall transfer an amount not to exceed \$240,000 for the fiscal year ending
 8 June 30, ~~2017~~ 2018 from an account designated by the Director of the
 9 Department of Human Services to the State Central Services Fund as a direct
 10 revenue to fund the Juvenile Ombudsman Program.

11 The provisions of this section shall be in effect only from July 1, ~~2016~~
 12 2017 through June 30, ~~2017~~ 2018.

13
 14 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 16 OF FUNDS FOR LOCAL JUVENILE DETENTION FACILITIES. The Chief Fiscal Officer
 17 of the State shall transfer funds in an amount of \$400,000 for the fiscal
 18 year ending June 30, ~~2017~~ 2018 from the Department of Human Services – Youth
 19 Services Fund Account to the Juvenile Detention Facilities Operating Fund to
 20 fund the appropriation to the Department of Finance and Administration –
 21 Disbursing Officer for grants for operating expenses of local juvenile
 22 detention facilities.

23 The amount of the funds transferred in the fiscal year ending June 30,
 24 ~~2017~~ 2018 may be adjusted upon request of the Director of the Department of
 25 Human Services on a pro-rata basis with any reductions provided in the
 26 Revenue Stabilization Law from the July 1 Official Forecast of general
 27 revenue funding for the Division of Youth Services.

28 The provisions of this section shall be in effect only from July 1, ~~2016~~
 29 2017 through June 30, ~~2017~~ 2018.

30
 31 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. YOUTH
 33 SERVICES - TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND EQUIPMENT. The
 34 Division of Youth Services is authorized to use the administrative operating
 35 account for capital improvements to the physical plant and for the purchase
 36 of capital equipment by the Mansfield Youth Services Facility operated by the

1 Department of Human Services, Division of Youth Services. The funds shall be
 2 held by the Department of Human Services, Division of Youth Services from the
 3 proceeds of the sale of timber that may be harvested from land owned by the
 4 Division of Youth Services. All funds deposited and all expenses shall be
 5 tracked separately. The harvesting of timber is specifically authorized to
 6 provide funds to finance capital improvements to the physical plant and for
 7 the purchase of major capital equipment by the Mansfield Facility from which
 8 the timber is sold.

9 The Division of Youth Services shall report all income derived from the
 10 sale of timber to the Chief Fiscal Officer of the State and the Arkansas
 11 Legislative Council or Joint Budget Committee. Any contracts initiated for
 12 the harvesting and sale of timber shall be submitted to the Review
 13 Subcommittee of the Arkansas Legislative Council or Joint Budget Committee
 14 for prior review. All expenditures of funds derived from the sale of timber
 15 will be expended in accordance with relevant state purchasing laws.

16 The provisions of this section shall be in effect only from July 1, ~~2016~~
 17 2017 through June 30, ~~2017~~ 2018.

18
 19 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 21 SALARIES - CONTINGENT EDUCATIONAL SERVICES POSITIONS. If it has been
 22 determined by the Director of the Department of Human Services that the
 23 Division of Youth Services cannot continue a contract with a private provider
 24 for educational services and deems it necessary to utilize Division staff to
 25 provide the required educational services, the Division is authorized, to
 26 seek the approval of the Chief Fiscal Officer of the State, the Governor and
 27 the Arkansas Legislative Council or Joint Budget Committee, to utilize the
 28 contingent educational services positions contained in this Act and to make
 29 the appropriate transfers from the Residential Services Appropriation line
 30 item contained in this Act to Regular Salaries, Personal Services Matching,
 31 and various Maintenance and General Operations classifications.

32 There is hereby established for the Division of Youth Services -
 33 Contingent Educational Services Positions for the ~~2016-2017~~ 2017-2018 fiscal
 34 year, the following maximum number of regular employees whose salaries shall
 35 be governed by the provisions of the Uniform Classification and Compensation
 36 Act (Arkansas Code 21-5-201 et seq.), or its successor, and all laws

1 amendatory thereto. Provided, however, that any position to which a specific
 2 maximum annual salary is set out herein in dollars, shall be exempt from the
 3 provisions of said Uniform Classification and Compensation Act. All persons
 4 occupying positions authorized herein are hereby governed by the provisions
 5 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code 21-5-
 6 101), or its successor.

7 CONTINGENT POSITIONS - EDUCATIONAL SERVICES

				MAXIMUM ANNUAL		
				MAXIMUM	SALARY RATE	
ITEM	CLASS			NO. OF	FISCAL YEAR	
NO.	CODE	TITLE		EMPLOYEES	2016-2017	<u>2017-2018</u>
12	(01)	E004C	SCHOOL PRINCIPAL	1	GRADE C126	
13	(02)	E017C	ASSISTANT PRINCIPAL	2	GRADE C123	
14	(03)	E035C	CERTIFIED MASTERS TEACHER	80	GRADE C119	
15	(04)	E032C	EDUCATIONAL COUNSELOR	3	GRADE C119	
16	(05)	C058C	EDUCATION PARAPROFESSIONAL	<u>34</u>	GRADE C111	
17	GRAND TOTAL CONTINGENT EMPLOYEES			120		

18 If the Division requests continuation of a "Contingent Educational
 19 Services Position" position(s) as established herein during the next fiscal
 20 year, the position(s) must be requested as a new position(s) in the
 21 Division's budget request.

22 The provisions of this section shall be in effect only from July 1, ~~2016~~
 23 2017 through June 30, ~~2017~~ 2018.

25 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 26 authorized by this act shall be limited to the appropriation for such agency
 27 and funds made available by law for the support of such appropriations; and
 28 the restrictions of the State Procurement Law, the General Accounting and
 29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 30 Procedures and Restrictions Act, or their successors, and other fiscal
 31 control laws of this State, where applicable, and regulations promulgated by
 32 the Department of Finance and Administration, as authorized by law, shall be
 33 strictly complied with in disbursement of said funds.

35 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General
 36 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this act shall be in compliance with the stated reasons for
2 which this act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.
7

8 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
9 General Assembly, that the Constitution of the State of Arkansas prohibits
10 the appropriation of funds for more than a one (1) year period; that the
11 effectiveness of this Act on July 1, 2017 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the legislative session, the delay in the
14 effective date of this Act beyond July 1, 2017 could work irreparable harm
15 upon the proper administration and provision of essential governmental
16 programs. Therefore, an emergency is hereby declared to exist and this Act
17 being necessary for the immediate preservation of the public peace, health
18 and safety shall be in full force and effect from and after July 1, 2017.
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36