

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 57 of 2001
HOUSE BILL 1267

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE ARKANSAS SPINAL CORD
11 COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2003; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT FOR THE ARKANSAS SPINAL CORD
15 COMMISSION APPROPRIATION FOR THE
16 2001-2003 BIENNIUM.
17
18
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20

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

23 SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
24 established for the Arkansas Spinal Cord Commission for the 2001-2003
25 biennium, the following maximum number of regular employees whose salaries
26 shall be governed by the provisions of the Uniform Classification and
27 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
28 laws amendatory thereto. Provided, however, that any position to which a
29 specific maximum annual salary is set out herein in dollars, shall be exempt
30 from the provisions of said Uniform Classification and Compensation Act. All
31 persons occupying positions authorized herein are hereby governed by the
32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
33 Code §21-5-101), or its successor.
34

35 Maximum Annual
36 Maximum Salary Rate

Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2001-2002	2002-2003
(1)	9992	EXECUTIVE DIRECTOR SPINAL CORD COMM	1	\$56,434	\$57,901
(2)	M071	SPINAL CORD COMM CLIENT SVCS ADMR	1	GRADE 22	
(3)	A008	ACCOUNTING SUPERVISOR II	1	GRADE 21	
(4)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21	
(5)	M127	SR REHABILITATION COUNSELOR	8	GRADE 20	
(6)	M056	REHAB COUNSELOR III	6	GRADE 19	
(7)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
(8)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
(9)	K153	SECRETARY II	<u>4</u>	GRADE 13	
		MAX. NO. OF EMPLOYEES	24		

SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Spinal Cord Commission, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Arkansas Spinal Cord Commission for the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 844,136	\$ 866,085
(02) PERSONAL SERV MATCHING	220,640	224,518
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	186,658	186,658
(B) CONF. & TRAVEL	10,000	10,000
(C) PROF. FEES	59,800	59,800
(D) CAP. OUTLAY	30,000	0
(E) DATA PROC.	0	0
(04) LONG TERM ATTENDANT CARE	181,790	181,790
(05) SPINAL TREATMENT PROGRAM	<u>600,000</u>	<u>625,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 2,133,024</u>	<u>\$ 2,153,851</u>

SECTION 3. APPROPRIATIONS - CASH OPERATIONS. There is hereby appropriated, to the Arkansas Spinal Cord Commission, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Spinal Cord Commission, for

1 operating expenses of the Arkansas Spinal Cord Commission for the biennial
 2 period ending June 30, 2003, the following:

3

4 ITEM	FISCAL YEARS	
5 NO.	2001-2002	2002-2003
6 (01) MAINT. & GEN. OPERATION		
7 (A) OPER. EXPENSE	39,645	39,645
8 (B) CONF. & TRAVEL	0	0
9 (C) PROF. FEES	2,000	2,000
10 (D) CAP. OUTLAY	5,000	5,000
11 (E) DATA PROC.	<u>0</u>	<u>0</u>
12 TOTAL AMOUNT APPROPRIATED	<u>\$ 46,645</u>	<u>\$ 46,645</u>

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14 SECTION 4. REGULAR SALARIES - FEDERAL OPERATIONS. There is hereby
 15 established for the Arkansas Spinal Cord Commission for the 2001-2003
 16 biennium, the following maximum number of regular employees whose salaries
 17 shall be governed by the provisions of the Uniform Classification and
 18 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
 19 laws amendatory thereto. Provided, however, that any position to which a
 20 specific maximum annual salary is set out herein in dollars, shall be exempt
 21 from the provisions of said Uniform Classification and Compensation Act. All
 22 persons occupying positions authorized herein are hereby governed by the
 23 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 24 Code §21-5-101), or its successor.

25

26			Maximum Annual
27			Salary Rate
28 Item Class	Maximum	No. of	Fiscal Years
29 No. Code Title	Employees		2001-2002 2002-2003
30 (1) R150 RESEARCH PROJECT ANALYST	1		GRADE 19
31 (2) R010 ADMINISTRATIVE ASSISTANT II	<u>1</u>		GRADE 17
32 MAX. NO. OF EMPLOYEES	2		

33

34 SECTION 5. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 35 appropriated, to the Arkansas Spinal Cord Commission, to be payable from the
 36 federal funds as designated by the Chief Fiscal Officer of the State, for

1 personal services and operating expenses of the Arkansas Spinal Cord
2 Commission for the biennial period ending June 30, 2003, the following:

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
6	(01) REGULAR SALARIES	\$ 51,874	\$ 53,223
7	(02) PERSONAL SERV MATCHING	15,115	15,354
8	(03) MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE	27,102	27,102
10	(B) CONF. & TRAVEL	6,000	6,000
11	(C) PROF. FEES	31,329	31,329
12	(D) CAP. OUTLAY	20,000	20,000
13	(E) DATA PROC.	<u>0</u>	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 151,420</u>	<u>\$ 153,008</u>

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16 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
17 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LINE ITEM
18 TRANSFER. Any savings made in the State Appropriation for Regular Salaries,
19 Social Security and Retirement Matching may, after receiving advice and
20 approval of the Department of Finance and Administration, be transferred to
21 the Spinal Treatment Program. The provisions of this section shall be in
22 effect only from July 1, 2001 through June 30, 2003.

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24 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
25 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LONG TERM
26 ATTENDANT CARE. Of the funds appropriated for Long Term Attendant Care in
27 Section 2 herein, at least seventy-five thousand dollars (\$75,000) per fiscal
28 year shall be used for long term attendant care; provided that said care shall
29 be provided only to persons who have been residents of the State of Arkansas
30 for at least five (5) years, and provided that they sustained the injury,
31 which requires said care, while a resident of this State.

32 The State Spinal Cord Commission shall, before the beginning of each
33 fiscal year, seek a prior review by the Arkansas Legislative Council
34 pertaining to the rules, regulations, and proposed expenditures for operation
35 and administration of the aforementioned long term attendant care services.

36 In the event, however, that the State Spinal Cord Commission receives

1 funds to be expended for long term attendant care from sources outside of
2 State funds, the amount of funds originating from outside sources may
3 substitute dollar-for-dollar for the State funds. Provided, however, that the
4 total of all outside funds and the State funds, in the aggregate, equal at
5 least \$75,000 to be expended for long term attendant care during each fiscal
6 year. The provisions of this section shall be in effect only from July 1, 2001
7 through June 30, 2003.

8
9 SECTION 8. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
10 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
11 appropriations as provided in this Act, the agency disbursing officer shall
12 monitor the level of fund balances in relation to expenditures on a monthly
13 basis. If any proposed expenditures would cause a fund balance to decline to
14 less than fifty percent (50%) of the balance available on July 1, 2001, the
15 disbursing officer shall immediately notify the executive head of the agency.
16 Prior to any obligations being made under these circumstances, the agency
17 head shall file written documentation with the Chief Fiscal Officer of the
18 State requesting approval of the expenditures. Such documentation shall
19 provide sufficient financial data to justify the expenditures and shall
20 include the following:

- 21 1) a plan that clearly indicates the specific fiscal impact of such
22 expenditures on the fund balance.
- 23 2) information clearly indicating and explaining what programs would be cut or
24 any other measures to be taken by the agency to restore the fund balance.
- 25 3) the extent to which any of the planned expenditures are for one-time costs
26 or one-time purchase of capitalized items.
- 27 4) a statement certifying that the expenditure of fund balances will not
28 jeopardize the financial health of the agency, nor result in a permanent
29 depletion of the fund balance.

30 (B) The Chief Fiscal Officer of the State shall review the request and
31 approve or disapprove all or any part of the request , after having sought
32 prior review by the Legislative Council.

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34 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
35 this act shall be limited to the appropriation for such agency and funds made
36 available by law for the support of such appropriations; and the restrictions

1 of the State Purchasing Law, the General Accounting and Budgetary Procedures
2 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
3 Restrictions Act, or their successors, and other fiscal control laws of this
4 State, where applicable, and regulations promulgated by the Department of
5 Finance and Administration, as authorized by law, shall be strictly complied
6 with in disbursement of said funds.

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8 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
9 that any funds disbursed under the authority of the appropriations contained
10 in this act shall be in compliance with the stated reasons for which this act
11 was adopted, as evidenced by the Agency Requests, Executive Recommendations
12 and Legislative Recommendations contained in the budget manuals prepared by
13 the Department of Finance and Administration, letters, or summarized oral
14 testimony in the official minutes of the Arkansas Legislative Council or Joint
15 Budget Committee which relate to its passage and adoption.

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17 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
18 Assembly, that the Constitution of the State of Arkansas prohibits the
19 appropriation of funds for more than a two (2) year period; that the
20 effectiveness of this Act on July 1, 2001 is essential to the operation of the
21 agency for which the appropriations in this Act are provided, and that in the
22 event of an extension of the Regular Session, the delay in the effective date
23 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
24 administration and provision of essential governmental programs. Therefore, an
25 emergency is hereby declared to exist and this Act being necessary for the
26 immediate preservation of the public peace, health and safety shall be in full
27 force and effect from and after July 1, 2001.

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30 APPROVED: 1/31/2001