

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 84th General Assembly  
3 First Extraordinary Session, 2003  
4

# A Bill

Call Item 3  
Act 27 of 2003  
HOUSE BILL 1004

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE  
10 DEPARTMENT OF HUMAN SERVICES - ADMINISTRATION FOR  
11 THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR  
12 OTHER PURPOSES.

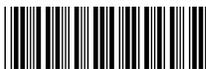
## Subtitle

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15 AN ACT FOR THE DEPARTMENT OF HUMAN  
16 SERVICES - ADMINISTRATION APPROPRIATION  
17 FOR THE 2003-2005 BIENNIUM.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE. There is hereby  
24 established for the Department of Human Services - Director's Office for the  
25 2003-2005 biennium, the following maximum number of regular employees whose  
26 salaries shall be governed by the provisions of the Uniform Classification  
27 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,  
28 and all laws amendatory thereto. Provided, however, that any position to  
29 which a specific maximum annual salary is set out herein in dollars, shall be  
30 exempt from the provisions of said Uniform Classification and Compensation  
31 Act. All persons occupying positions authorized herein are hereby governed  
32 by the provisions of the Regular Salaries Procedures and Restrictions Act  
33 (Arkansas Code §21-5-101), or its successor.  
34

35 Maximum Annual  
36 Maximum Salary Rate



05012003JKG0835.JKG255

Item	Class	No. of	Fiscal Years			
No.	Code	Title	Employees	2003-2004	2004-2005	
3	(1)	9984	DHS DIRECTOR	1	\$125,805	\$128,417
4	(2)	9920	DHS DEPUTY DIRECTOR	1	\$101,422	\$103,692
5	(3)	9726	DHS CHIEF ATTORNEY	1	\$90,313	\$92,427
6	(4)	9617	DHS CHIEF DEPUTY ATTORNEY	1	\$79,620	\$81,533
7	(5)	7405	NATIONAL SERVICE SPECIALIST	1	\$77,912	\$79,792
8	(6)	8958	DHS AUDIT/FISCAL REVIEW MANAGER	1	\$71,609	\$73,370
9	(7)	8957	DHS ATTORNEY SUPERVISOR	2	\$71,607	\$73,368
10	(8)	8959	DHS PROGRAM MANAGER	1	\$66,005	\$67,659
11	(9)	R038	ATTORNEY SUPERVISOR	3		GRADE 26
12	(10)	R170	ATTORNEY SPECIALIST	41		GRADE 25
13	(11)	897Z	DHS INSTITUTION PROGRAM MANAGER	1		GRADE 23
14	(12)	R165	DHS CLIENT ADVOCATE	1		GRADE 23
15	(13)	A095	DHS AUDIT SUPERVISOR	4		GRADE 22
16	(14)	697Z	DHS PRGM MANAGER	1		GRADE 21
17	(15)	A251	SR AUDITOR	31		GRADE 21
18	(16)	R145	DHS PROGRAM COORDINATOR	3		GRADE 20
19	(17)	R266	MANAGEMENT PROJECT ANALYST II	2		GRADE 20
20	(18)	R424	FAIR HEARING REFEREE	6		GRADE 19
21	(19)	M068	DHS PROGRAM ANALYST	2		GRADE 18
22	(20)	M072	SOCIAL SERVICE INVESTIGATOR II	11		GRADE 18
23	(21)	R264	MANAGEMENT PROJECT ANALYST I	2		GRADE 18
24	(22)	R010	ADMINISTRATIVE ASSISTANT II	5		GRADE 17
25	(23)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4		GRADE 15
26	(24)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2		GRADE 14
27	(25)	K117	MEDICAL OR LEGAL SECRETARY	36		GRADE 14
28	(26)	K155	SECRETARY I	<u>1</u>		GRADE 11
29			MAX. NO. OF EMPLOYEES	165		

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31 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby  
 32 established for the Department of Human Services - Division of Administrative  
 33 Services for the 2003-2005 biennium, the following maximum number of regular  
 34 employees whose salaries shall be governed by the provisions of the Uniform  
 35 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or  
 36 its successor, and all laws amendatory thereto. Provided, however, that any

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

				Maximum Annual		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
Item	Class			Employees	2003-2004	2004-2005
No.	Code	Title				
11	(1)	9724	DHS DEP DIR ADMINISTRATIVE SVCS	1	\$93,803	\$95,966
12	(2)	9234	CHIEF ADMINISTRATIVE OFFICER	1	\$93,803	\$95,966
13	(3)	8945	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	\$77,912	\$79,793
14	(4)	8946	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	\$71,411	\$73,168
15	(5)	8947	DHS ASST DEP DIR GENERAL ACCOUNTING	1	\$68,293	\$69,990
16	(6)	8951	DHS ASST DEP DIR HUMAN RESOURCES	1	\$62,518	\$64,105
17	(7)	397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1	GRADE 25	
18	(8)	297Z	GENERAL BUSINESS MANAGER	1	GRADE 24	
19	(9)	055Z	DP MANAGER	2	GRADE 23	
20	(10)	923Z	DHS PRGM ADMINISTRATOR	5	GRADE 23	
21	(11)	M011	FAMILY SERVICE WORKER PRINCIPAL	1	GRADE 23	
22	(12)	506Z	REHAB SERVICES PERSONNEL MANAGER	1	GRADE 22	
23	(13)	698Z	DHS/DAS MATERIALS MGMT ADMR	1	GRADE 22	
24	(14)	909Z	PROGRAM SUPPORT MANAGER	4	GRADE 22	
25	(15)	A088	DHS FINANCIAL SECTION MANAGER	12	GRADE 22	
26	(16)	D066	SYSTEMS COORDINATION ANALYST II	18	GRADE 22	
27	(17)	E051	TRAINING PROJECT MANAGER	1	GRADE 22	
28	(18)	L078	NURSE SUPERVISOR	1	GRADE 22	
29	(19)	M009	FAMILY SERVICE WORKER SUPERVISOR	1	GRADE 22	
30	(20)	V042	GENERAL SERVICES MANAGER	1	GRADE 22	
31	(21)	697Z	DHS PRGM MANAGER	8	GRADE 21	
32	(22)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21	
33	(23)	A008	ACCOUNTING SUPERVISOR II	29	GRADE 21	
34	(24)	D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE 21	
35	(25)	L072	REGISTERED NURSE PRACTITIONER I	1	GRADE 21	
36	(26)	R143	DHS RESEARCH & STATISTICS MGR	1	GRADE 21	

1	(27)	R488	GRANTS ADMIN SUPV	2	GRADE 21
2	(28)	V080	MGR PURCHASING & PROPERTY MGT	1	GRADE 21
3	(29)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
4	(30)	A038	FINANCIAL ANALYST	1	GRADE 20
5	(31)	D121	USER SUPPORT ANALYST	2	GRADE 20
6	(32)	E114	STAFF DEVELOPMENT COORDINATOR	10	GRADE 20
7	(33)	M005	FAMILY SERVICE WORKER SPECIALIST	1	GRADE 20
8	(34)	R145	DHS PROGRAM COORDINATOR	6	GRADE 20
9	(35)	R266	MANAGEMENT PROJECT ANALYST II	13	GRADE 20
10	(36)	R406	DHS PERSONNEL PROCESSING SUPV	1	GRADE 20
11	(37)	A087	BUDGET OFFICER	2	GRADE 19
12	(38)	M164	QUALITY CONTROL REVIEW SUPV	1	GRADE 19
13	(39)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
14	(40)	R048	BUDGET SPECIALIST	4	GRADE 19
15	(41)	R068	EEO/GRIEVANCE OFFICER	2	GRADE 19
16	(42)	R084	DHS STAFF SUPERVISOR	2	GRADE 19
17	(43)	R150	RESEARCH PROJECT ANALYST	3	GRADE 19
18	(44)	R168	GRANTS COORDINATOR II	35	GRADE 19
19	(45)	R424	FAIR HEARING REFEREE	1	GRADE 19
20	(46)	V022	LEASING SPECIALIST II	1	GRADE 19
21	(47)	A111	ACCOUNTANT	22	GRADE 18
22	(48)	D034	PROGRAMMER ANALYST	2	GRADE 18
23	(49)	D128	P C SUPPORT SPECIALIST	2	GRADE 18
24	(50)	M068	DHS PROGRAM ANALYST	3	GRADE 18
25	(51)	R195	PERSONNEL ANALYST	3	GRADE 18
26	(52)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
27	(53)	V020	LEASING SPECIALIST	1	GRADE 18
28	(54)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18
29	(55)	V040	PURCHASE AGENT II/PURCHASE AGENT	8	GRADE 18
30	(56)	W030	RECORDS MANAGEMENT ANALYST II	4	GRADE 18
31	(57)	Y087	PRINTER SUPERVISOR	1	GRADE 18
32	(58)	M023	FAMILY SUPPORT SPECIALIST III	1	GRADE 17
33	(59)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
34	(60)	R010	ADMINISTRATIVE ASSISTANT II	15	GRADE 17
35	(61)	R162	STATISTICIAN/STATISTICIAN II	6	GRADE 17
36	(62)	R190	PERSONNEL OFFICER II	7	GRADE 17

1	(63)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
2	(64)	A024	COLLECTION OFFICER	4	GRADE 16
3	(65)	Y085	PRINTER II	6	GRADE 16
4	(66)	A063	PAYROLL OFFICER	2	GRADE 15
5	(67)	A108	ACCOUNTING TECHNICIAN II	46	GRADE 15
6	(68)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15
7	(69)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
8	(70)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
9	(71)	R342	INTERVIEWER	3	GRADE 15
10	(72)	T047	SECURITY OFFICER III	1	GRADE 15
11	(73)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	15	GRADE 14
12	(74)	K117	MEDICAL OR LEGAL SECRETARY	3	GRADE 14
13	(75)	K153	SECRETARY II	12	GRADE 13
14	(76)	K039	DOCUMENT EXAMINER II	28	GRADE 12
15	(77)	K089	PERSONNEL ASSISTANT	1	GRADE 12
16	(78)	K115	STATISTICIAN ASST II/STATISTICIAN I	1	GRADE 12
17	(79)	K181	MAILROOM SUPERVISOR	1	GRADE 12
18	(80)	V043	SHIPPING & RECEIVING CLERK	2	GRADE 11
19	(81)	G013	WAREHOUSE WORKER	2	GRADE 10
20	(82)	K103	REPROD EQUIPMENT OPERATOR	2	GRADE 10
21	(83)	K065	MAIL OFFICER	2	GRADE 09
22	(84)	V015	CENTRAL SUPPLY TECHNICIAN	1	GRADE 09
23	(85)	G045	EQUIPMENT OPERATOR	<u>3</u>	GRADE 08
24			MAX. NO. OF EMPLOYEES	412	

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26 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby established  
 27 for the Department of Human Services - Division of Volunteerism for the 2003-  
 28 2005 biennium, the following maximum number of regular employees whose  
 29 salaries shall be governed by the provisions of the Uniform Classification  
 30 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,  
 31 and all laws amendatory thereto. Provided, however, that any position to  
 32 which a specific maximum annual salary is set out herein in dollars, shall be  
 33 exempt from the provisions of said Uniform Classification and Compensation  
 34 Act. All persons occupying positions authorized herein are hereby governed  
 35 by the provisions of the Regular Salaries Procedures and Restrictions Act  
 36 (Arkansas Code §21-5-101), or its successor.

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			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	2003-2004	2004-2005
(1)	7406	COMMUNITY SERVICE SPECIALIST	1	\$71,950	\$73,717
(2)	7354	DHS DEP DIR OFFICE OF VOL SVCS	1	\$65,647	\$67,294
(3)	7404	NATIONAL & COMM. SVC, EXEC DIR	1	\$63,108	\$64,707
(4)	8973	DOV ASST DEP DIR	1	\$43,810	\$44,993
(5)	923Z	DHS PRGM ADMINISTRATOR	1	GRADE	23
(6)	M113	VOLUNTEER PROGRAM MANAGER	1	GRADE	21
(7)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE	20
(8)	M097	VOLUNTEER PROGRAM DEVELOPER II	7	GRADE	19
(9)	A111	ACCOUNTANT	1	GRADE	18
(10)	N328	INFORMATION OFFICER II	1	GRADE	18
(11)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE	17
(12)	A108	ACCOUNTING TECHNICIAN II	1	GRADE	15
(13)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE	15
(14)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE	14
(15)	K153	SECRETARY II	<u>2</u>	GRADE	13
MAX. NO. OF EMPLOYEES			23		

23 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE. There is hereby authorized,  
 24 for the Department of Human Services - Director's Office for the 2003-2005  
 25 biennium, the following maximum number of part-time or temporary employees,  
 26 to be known as "Extra Help", payable from funds appropriated herein for such  
 27 purposes: five (5) temporary or part-time employees, when needed, at rates  
 28 of pay not to exceed those provided in the Uniform Classification and  
 29 Compensation Act, or its successor, or this act for the appropriate  
 30 classification.

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 32 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby  
 33 authorized, for the Department of Human Services - Division of Administrative  
 34 Services for the 2003-2005 biennium, the following maximum number of part-  
 35 time or temporary employees, to be known as "Extra Help", payable from funds  
 36 appropriated herein for such purposes: twenty (20) temporary or part-time

1 employees, when needed, at rates of pay not to exceed those provided in the  
 2 Uniform Classification and Compensation Act, or its successor, or this act  
 3 for the appropriate classification.

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 5 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OPERATIONS. There is hereby  
 6 appropriated, to the Department of Human Services - Director's Office, to be  
 7 payable from the paying account as determined by the Chief Fiscal Officer of  
 8 the State, for personal services and operating expenses of the Department of  
 9 Human Services - Director's Office for the biennial period ending June 30,  
 10 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 6,218,945	\$ 6,386,851
(02) EXTRA HELP	22,579	22,579
(03) PERSONAL SERV MATCH	1,693,396	1,724,202
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	992,112	992,112
(B) CONF. & TRAVEL	24,473	24,473
(C) PROF. FEES	11,000	11,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(05) DATA PROCESSING SERVICES	<u>12,300</u>	<u>12,300</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 8,974,805</u>	<u>\$ 9,173,518</u>

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 26 SECTION 7. APPROPRIATIONS - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC  
 27 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department  
 28 of Human Services - Division of Administrative Services, to be payable from  
 29 cash funds as defined by Arkansas Code 19-4-801 of the Department of Human  
 30 Services, for purchase of services of the Department of Human Services -  
 31 Division of Administrative Services for the biennial period ending June 30,  
 32 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) PURCHASE OF SERVICES	<u>\$ 120,000</u>	<u>\$ 120,000</u>

1 TOTAL AMOUNT APPROPRIATED \$ 120,000 \$ 120,000

2

3 SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING  
 4 CONSTRUCTION. There is hereby appropriated, to the Department of Human  
 5 Services - Division of Administrative Services, to be payable from the  
 6 Department of Human Services Renovation Fund, for construction, renovation,  
 7 maintenance, equipment and repairs for various buildings operated by the  
 8 Department of Human Services for the biennial period ending June 30, 2005,  
 9 the following:

10

11 ITEM	FISCAL YEARS	
12 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
13 (01) CONSTRUCTION	\$ <u>4,813,060</u>	\$ <u>4,813,060</u>
14 TOTAL AMOUNT APPROPRIATED	\$ <u>4,813,060</u>	\$ <u>4,813,060</u>

15

16 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST.  
 17 There is hereby appropriated, to the Department of Human Services - Division  
 18 of Administrative Services, to be payable from the DHS Consolidated Cost  
 19 Revolving Fund, for operating expenses of the Department of Human Services -  
 20 Division of Administrative Services - Consolidated Cost for the biennial  
 21 period ending June 30, 2005, the following:

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23 ITEM	FISCAL YEARS	
24 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
25 (01) MAINT. & GEN. OPERATION		
26 (A) OPER. EXPENSE	\$ 943,000	\$ 943,000
27 (B) CONF. & TRAVEL	0	0
28 (C) PROF. FEES	0	0
29 (D) CAP. OUTLAY	0	0
30 (E) DATA PROC.	<u>0</u>	<u>0</u>
31 TOTAL AMOUNT APPROPRIATED	\$ <u>943,000</u>	\$ <u>943,000</u>

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33 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is  
 34 hereby appropriated, to the Department of Human Services - Division of  
 35 Administrative Services, to be payable from the paying account as determined  
 36 by the Chief Fiscal Officer of the State, for personal services and operating

1 expenses of the Department of Human Services - Division of Administrative  
 2 Services for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 12,919,891	\$ 13,268,735
(02) EXTRA HELP	69,480	69,480
(03) PERSONAL SERV MATCH	3,758,733	3,822,803
(04) OVERTIME	10,000	10,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	2,800,648	2,800,648
(B) CONF. & TRAVEL	53,891	53,891
(C) PROF. FEES	10,542,660	10,542,660
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(06) DATA PROCESSING SERVICES	<u>2,096,760</u>	<u>2,096,760</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 32,252,063</u>	<u>\$ 32,664,977</u>

18  
 19 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES BLOCK  
 20 GRANT - FEDERAL. There is hereby appropriated, to the Department of Human  
 21 Services - Division of Administrative Services, to be payable from the  
 22 federal funds as designated by the Chief Fiscal Officer of the State, for  
 23 purchase of services of the Department of Human Services - Division of  
 24 Administrative Services for the biennial period ending June 30, 2005, the  
 25 following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) PURCHASE OF SERVICES	<u>\$ 888,133</u>	<u>\$ 888,133</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 888,133</u>	<u>\$ 888,133</u>

31  
 32 SECTION 12. APPROPRIATION - VOLUNTEERISM - CASH. There is hereby  
 33 appropriated, to the Department of Human Services - Division of Volunteerism,  
 34 to be payable from the cash fund deposited in the State Treasury as  
 35 determined by the Chief Fiscal Officer of the State, for operating expenses  
 36 of the Department of Human Services - Division of Volunteerism for the

1 biennial period ending June 30, 2005, the following:

2

3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
5	(01) MAINT. & GEN. OPERATION		
6	(A) OPER. EXPENSE	\$ 7,500	\$ 7,500
7	(B) CONF. & TRAVEL	5,000	5,000
8	(C) PROF. FEES	2,500	2,500
9	(D) CAP. OUTLAY	0	0
10	(E) DATA PROC.	<u>0</u>	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,000</u>	<u>\$ 15,000</u>

12

13 SECTION 13. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby  
 14 appropriated, to the Department of Human Services - Division of Volunteerism,  
 15 to be payable from the paying account as determined by the Chief Fiscal  
 16 Officer of the State, for personal services and operating expenses of the  
 17 Department of Human Services - Division of Volunteerism for the biennial  
 18 period ending June 30, 2005, the following:

19

20	ITEM	FISCAL YEARS	
21	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
22	(01) REGULAR SALARIES	\$ 724,774	\$ 744,343
23	(02) PERSONAL SERV MATCH	210,204	213,793
24	(03) OVERTIME	1,000	1,000
25	(04) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE	305,338	305,768
27	(B) CONF. & TRAVEL	56,695	56,695
28	(C) PROF. FEES	33,013	33,013
29	(D) CAP. OUTLAY	0	0
30	(E) DATA PROC.	0	0
31	(05) DELTA SERVICE CORPS GRANTS	2,078,586	2,078,586
32	(06) DATA PROCESSING SERVICES	<u>5,238</u>	<u>5,238</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,414,848</u>	<u>\$ 3,438,436</u>

34

35 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 36 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIRECTOR'S

1 OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon approval by the  
 2 Chief Fiscal Officer of the State, the Chief Counsel for the Department of  
 3 Human Services may transfer an amount up to but not to exceed \$12,000 for the  
 4 ~~2001-2003~~ 2003-2005 biennial period and deposit same in a bank account for  
 5 the purpose of purchasing evidence in the course of investigating the illegal  
 6 use of food stamps /Electronic Benefit Transfer (EBT) cards. The funds so  
 7 transferred shall be subject to accounting in a manner substantially similar  
 8 to that employed by the Arkansas State Police for such transactions; provided  
 9 however, that information tending to identify participants in such  
 10 transactions shall be exempt from the Arkansas Freedom of Information Act.

11 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 12 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

13  
 14 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
 16 SALARIES. There is hereby authorized for the Department of Human Services  
 17 for the ~~2001-2003~~ 2003-2005 biennium the following increases in salaries for  
 18 certain positions provided in the regular salary schedule of the Department  
 19 of Human Services and to be in addition to the annual amounts as established  
 20 by the Uniform Classification and Compensation Act, as amended: for full-time  
 21 physicians certified by the American Specialty Boards, a rate of pay not to  
 22 exceed an additional \$4,500 per year; for each full-time physician eligible  
 23 to be certified by the American Specialty Boards, a rate of pay not to exceed  
 24 \$2,500 per year. If a physician is certified in Child Psychiatry, an  
 25 additional \$2,500 per year will be allowed with the total not to exceed  
 26 \$7,000. If a physician is certified in Forensic Psychiatry, an additional  
 27 \$2,500 per year will be allowed with the total not to exceed \$7,000. In the  
 28 event the physician is not a full-time employee, the amount specified herein  
 29 shall be adjusted proportionately to the amount of time worked for the  
 30 Department of Human Services by that physician.

31 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 32 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

33  
 34 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN  
 36 SERVICES RENOVATION FUND.

1 Department of Human Services Renovation Fund.

2 (a) There is established on the books of the Treasurer of State, Auditor of  
 3 State, and the Chief Fiscal Officer of the State a fund to be known as the  
 4 Department of Human Services Renovation Fund.

5 (b) This fund shall be used for constructing, acquiring, renovating,  
 6 maintaining, repairing, and equipping facilities of the Department of Human  
 7 Services and for paying disallowances by the federal government.

8 (c) The fund shall consist of:

9 (1) Federal reimbursement received by the Department of Human Services  
 10 and deposited in the various fund accounts of the department; and

11 (2) General revenues transferred from the Division of Youth Services, the  
 12 Division of Mental Health Services, and the Division of Developmental  
 13 Disabilities Services for the purposes of repairing, renovating, equipping,  
 14 acquiring and constructing Department of Human Services facilities with an  
 15 annual maximum of five million dollars (\$5,000,000). The projects for which  
 16 these transfers are authorized must be projects which were unanticipated  
 17 during the preceding regular session of the Arkansas General Assembly and  
 18 must be projects which, if not carried out in the interim period between  
 19 regular sessions of the Arkansas General Assembly would cause greater harm to  
 20 the facilities, clients or programs of the Department of Human Services than  
 21 to wait until the next regular session.

22 (3) Other non-general revenue funds as may be available within the  
 23 Department of Human Services that can be used for the purposes of this fund.

24 (d) At the request of the Director of the Department of Human Services, and  
 25 upon certification of the availability of such funds, the Chief Fiscal  
 26 Officer of the State shall initiate the necessary transfer documents to  
 27 reflect the transfer on the books of record of the Treasurer of State, the  
 28 Auditor of State, the Chief Fiscal Officer of the State, and the Department  
 29 of Human Services. The Director of the Department of Human Services shall  
 30 submit any transfer plan to and must receive approval of the plan from the  
 31 Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative  
 32 Council prior to the effective date of the transfer.

33 (e) Provided, that any non-general revenue funding that may remain in the  
 34 fund at the end of any fiscal year shall be carried over into the next fiscal  
 35 year and all obligated general revenue funding that may remain in the fund at  
 36 the end of any fiscal year shall be carried over into the next fiscal year to

1 satisfy such legal and contractual obligations that have been entered into  
 2 prior to the end of the fiscal year.

3 (f) Determining the amount of funds appropriated to a state agency is the  
 4 prerogative of the General Assembly and is usually accomplished by  
 5 delineating specific line items and by identifying the appropriation and  
 6 funding attached to that line item. The General Assembly has determined that  
 7 the Department of Human Services could be operated more efficiently if some  
 8 flexibility is given to that agency. That flexibility is being accomplished  
 9 by providing transfer authority in subsection (d) of this section, and since  
 10 the General Assembly has granted the agency broad powers under the transfer  
 11 authority concept, it is both necessary and appropriate that the General  
 12 Assembly maintain oversight of the utilization of the transfer authority by  
 13 requiring prior approval of the Legislative Council in the utilization of  
 14 this transfer authority. Therefore, the requirement of approval by the  
 15 Legislative Council is not a severable part of this section. If the  
 16 requirement of approval by the Legislative Council is ruled unconstitutional  
 17 by a court jurisdiction, this entire section is void.

18 The provisions of this section shall be in effect only from ~~July 1, 2001~~  
 19 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

20  
 21 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 23 AUTHORITY. The Director of the Department of Human Services shall have  
 24 transfer authority provided by the following:

25 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the  
 26 Department of Human Services is authorized to request fund transfers  
 27 according to the provisions established by Arkansas Code Ann. 19-5-1020,  
 28 Department of Human Services Renovation Fund, as amended herein; and  
 29

30 (b) MATCH TRANSFER. The Director of the Department of Human Services, with  
 31 the approval of the Chief Fiscal Officer of the State, is authorized to  
 32 effect inter-agency and inter-divisional fund transfers for the purpose of  
 33 providing the State's matching share for payments made to that Division or  
 34 Office or its service providers for services eligible for federal  
 35 reimbursement under programs administered by the Department of Human  
 36 Services. The Department of Human Services shall report to the Legislative

1 Council or Joint Budget Committee on a quarterly basis all fund transfers  
 2 made in accordance with the authority granted by this section; and

3  
 4 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The  
 5 Division of Youth Services (DYS) is authorized to fulfill its responsibility  
 6 to house offenders between the ages of 18 and 21 and to separate juvenile  
 7 offenders by age and seriousness of offense by either employing additional  
 8 state employees and providing the corresponding operating expenses or  
 9 entering into professional services contracts. If the Division of Youth  
 10 Services determines that the Division needs to employ state employees to  
 11 fulfill the housing and separation requirements, they may transfer up to the  
 12 total amount appropriated for the DYS - Offender Housing and Separation  
 13 appropriation to the appropriate DYS appropriation and line items, upon  
 14 approval of the Chief Fiscal Officer of the State, and prior review by the  
 15 Legislative Council.

16  
 17 (d) REALLOCATION OF RESOURCES: (1) Upon determination by the Director of the  
 18 Department of Human Services that a reallocation of resources within the  
 19 department is necessary for the efficient and effective operation of the  
 20 department, the director, with approval of the Governor, shall have the  
 21 authority to request, from the Chief Fiscal Officer of the State, a transfer  
 22 of positions, appropriations, line item appropriations, and funds within or  
 23 between existing and newly created divisions, offices, sections, or units of  
 24 the department. Provided, however, that no transfer of funds or appropriation  
 25 that provides direct support or matching support for the Arkansas Medicaid  
 26 Program shall be made to any other fund account or appropriation that does  
 27 not directly support the Arkansas Medicaid Program. Further, no positions,  
 28 funds, or appropriation authorized during the ~~2001-2003~~ 2003-2005 biennial  
 29 budget process for the Division of Children and Family Services ~~for~~  
 30 compliance with initiatives established under the Angela R. ~~lawsuit-consent~~  
 31 decree shall be transferred to any other division. Nothing in this provision  
 32 is intended to prevent the one-time transfers of savings in any other program  
 33 to the Arkansas Medicaid Program, with the exception of the provisions  
 34 previously cited for the Division of Children and Family Services – Angela R.  
 35 ~~lawsuit~~ consent decree. The Division of Developmental Disabilities – Grants  
 36 to Community Providers line item of the Developmental Disabilities Services -

1 Grants-in-Aid appropriation may not be decreased. The appropriation, funding,  
 2 and positions provided for the six Human Development Centers shall remain at  
 3 a level sufficient to ensure quality care for the Centers' residents. ~~The~~  
 4 ~~exemptions provided in this subsection whereby certain DHS Programs and~~  
 5 ~~Divisions are protected from appropriation, fund, or position transfers are~~  
 6 ~~applicable only to the reallocation or transfer authority granted herein, and~~  
 7 ~~not by any reductions which are applicable to all state programs.~~ If  
 8 requested by the Division of Child Care and Early Childhood Education  
 9 (DCCECE), the Division of County Operations shall transfer sufficient general  
 10 revenue to allow the State to access the full allocation of Federal Funds  
 11 available through the Matching Category of the Child Care Development Fund.  
 12 General Revenue Dollars transferred to DCCECE must be used as matching funds  
 13 to support the Transitional Employment Assistance (TEA) Program and must be  
 14 eligible to be counted toward the State's Maintenance-of-Effort requirement  
 15 for the Temporary Assistance for Needy Families (TANF) Block Grant. The  
 16 exemptions provided in this subsection whereby certain DHS Programs and  
 17 Divisions are protected from appropriation, fund, or position transfers are  
 18 applicable only to the reallocation or transfer authority granted herein, and  
 19 not by any reductions which are applicable to all state programs.

20 The Director of the Department of Human Services shall submit any requests  
 21 for transfers to and must receive approval of the requests for transfers from  
 22 the Chief Fiscal Officer of the State, the Governor, and the Arkansas  
 23 Legislative Council prior to the effective date of the transfers. Provided,  
 24 however, that the Department of Human Services shall be limited to submitting  
 25 no more than four requests for reallocation of resources transfers during any  
 26 fiscal year. Transfer authority for unforeseen purposes shall further be  
 27 limited to no more than 5% of the total appropriation, funding, and positions  
 28 authorized for the Department. Reallocation of resources transfers may  
 29 include multiple items but shall be limited to the following purposes:

- 30 i). Medicaid Program
- 31 ii). Facilities and institutions costs, including operational expenses and
- 32 Construction/Renovation/Equipping expenses
- 33 iii). Departmental grants and contracts
- 34 iv). Court ordered settlements and payments
- 35 v). Payment of administrative expenses, including but not limited to,
- 36 overtime and other costs of personnel for critical services or functions

1 necessary to carry out the mission of the agency  
 2 vi). Restructuring efforts as deemed necessary to comply with federal or  
 3 state mandates  
 4 Determining the maximum number of employees and the maximum amount of  
 5 appropriation and general revenue funding for a state agency each fiscal year  
 6 is the prerogative of the General Assembly. This is usually accomplished by  
 7 delineating such maximums in the appropriation act(s) for a state agency and  
 8 the general revenue allocations authorized for each fund and fund account by  
 9 amendment to the Revenue Stabilization law. Further, the General Assembly  
 10 has determined that the Department of Human Services may operate more  
 11 efficiently if some flexibility is provided to the Department of Human  
 12 Services authorizing broad powers under the Reallocation of Resources  
 13 provisions herein. Therefore, it is both necessary and appropriate that the  
 14 General Assembly maintain oversight by requiring prior approval of the  
 15 Legislative Council or Joint Budget Committee as provided by this section.  
 16 The requirement of approval by the Legislative Council or Joint Budget  
 17 Committee is not a severable part of this section. If the requirement of  
 18 approval by the Legislative Council or Joint Budget Committee is ruled  
 19 unconstitutional by a court of competent jurisdiction, this entire section is  
 20 void.

21 (2) If it is determined that the requested reallocation of resources  
 22 transfers should be made, the Chief Fiscal Officer of the State shall then  
 23 initiate the necessary transfer documents to reflect the transfers upon the  
 24 fiscal records of the Treasurer of State, the Auditor of State, the Chief  
 25 Fiscal Officer of the State, and the Department of Human Services. In  
 26 addition, the Chief Fiscal Officer of the State, together with the Co-  
 27 Chairpersons of the Legislative Council or Joint Budget Committee, may  
 28 approve, on an emergency basis, requests for utilization of this Section  
 29 without prior approval of the Arkansas Legislative Council, with any such  
 30 actions reported at the next meeting of the Arkansas Legislative Council.

31 The provisions of this section shall be in effect only from July 1, ~~2001~~  
 32 2003 through June 30, ~~2003~~ 2005.

33

34 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 35 by this act shall be limited to the appropriation for such agency and funds  
 36 made available by law for the support of such appropriations; and the

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

7  
 8 SECTION 19. 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  
 15 Joint Budget Committee which relate to its passage and adoption.

16  
 17 SECTION 20. 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, 2003 is essential to the operation of  
 21 the agency for which the appropriations in this Act are provided, and that in  
 22 the event of an extension of the Regular Session, the delay in the effective  
 23 date of this Act beyond July 1, 2003 could work irreparable harm upon the  
 24 proper administration and provision of essential governmental programs.  
 25 Therefore, an emergency is hereby declared to exist and this Act being  
 26 necessary for the immediate preservation of the public peace, health and  
 27 safety shall be in full force and effect from and after July 1, 2003.

28  
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 30 *APPROVED: 5-8-2003*  
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