

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1040

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HUMAN SERVICES - ADMINISTRATION FOR
12 THE FISCAL YEAR ENDING JUNE 30, 2011; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - ADMINISTRATION APPROPRIATION
18 FOR THE 2010-2011 FISCAL YEAR.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.
25 There is hereby established for the Department of Human Services - Director's
26 Office - Office of Chief Counsel for the 2010-2011 fiscal year, the following
27 maximum number of regular employees whose salaries shall be governed by the
28 provisions of the Uniform Classification and Compensation Act (Arkansas Code
29 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
30 Provided, however, that any position to which a specific maximum annual
31 salary is set out herein in dollars, shall be exempt from the provisions of
32 said Uniform Classification and Compensation Act. All persons occupying
33 positions authorized herein are hereby governed by the provisions of the
34 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
35 or its successor.
36

1				Maximum Annual	
2				Salary Rate	
3	Item	Class	No. of	Fiscal Year	
4	No.	Code	Title	Employees	2010-2011
5	(1)	U011U	DHS DIRECTOR	1	\$149,896
6	(2)	L023N	DHS DEPUTY DIRECTOR	1	GRADE N915
7	(3)	L023N	DHS DEPUTY DIRECTOR	1	GRADE N915
8	(4)	G004N	DHS CHIEF ATTORNEY	1	GRADE N908
9	(5)	N128N	DHS ASST DIR QUALITY ASSURANCE	1	GRADE N904
10	(6)	P004N	DHS DIRECTOR OF PUBLIC RELATIONS	1	GRADE N901
11	(7)	N167N	DHS POLICY & RESEARCH DIRECTOR	1	GRADE N901
12	(8)	G027N	DHS RESEARCH ANALYSIS MANAGER	1	GRADE N901
13	(9)	A007C	AUDIT MANAGER	2	GRADE C129
14	(10)	G004C	MANAGING ATTORNEY	3	GRADE C129
15	(11)	G025C	ATTORNEY SUPERVISOR	4	GRADE C127
16	(12)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	3	GRADE C127
17	(13)	G047C	ATTORNEY SPECIALIST	52	GRADE C126
18	(14)	G042C	DHS ADMINISTRATIVE LAW JUDGE	6	GRADE C126
19	(15)	G073C	ATTORNEY	1	GRADE C124
20	(16)	D030C	INFORMATION SYSTEMS COORDINATOR	2	GRADE C124
21	(17)	A044C	AUDIT COORDINATOR	3	GRADE C122
22	(18)	G124C	OMBUDSMAN	1	GRADE C120
23	(19)	G152C	DHS PROGRAM MANAGER	3	GRADE C119
24	(20)	A066C	INTERNAL AUDITOR	4	GRADE C119
25	(21)	A060C	SENIOR AUDITOR	18	GRADE C119
26	(22)	G170C	DHS ADMINISTRATIVE REVIEW OFFICER	6	GRADE C118
27	(23)	A076C	FINANCE PROGRAM ANALYST	1	GRADE C118
28	(24)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
29	(25)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
30	(26)	G179C	LEGAL SERVICES SPECIALIST	3	GRADE C117
31	(27)	X125C	FRAUD INVESTIGATOR COORDINATOR	3	GRADE C116
32	(28)	P031C	MEDIA SPECIALIST	1	GRADE C116
33	(29)	G210C	DHS PROGRAM SPECIALIST	3	GRADE C115
34	(30)	X156C	FRAUD INVESTIGATOR	6	GRADE C114
35	(31)	C046C	LEGAL SUPPORT SPECIALIST	37	GRADE C113
36	(32)	C056C	ADMINISTRATIVE SPECIALIST III	13	GRADE C112

1 (33) C087C ADMINISTRATIVE SPECIALIST I 2 GRADE C106
 2 MAX. NO. OF EMPLOYEES 188
 3

4 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby
 5 established for the Department of Human Services - Division of Administrative
 6 Services for the 2010-2011 fiscal year, the following maximum number of
 7 regular employees whose salaries shall be governed by the provisions of the
 8 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
 9 seq.), or its successor, and all laws amendatory thereto. Provided, however,
 10 that any position to which a specific maximum annual salary is set out herein
 11 in dollars, shall be exempt from the provisions of said Uniform
 12 Classification and Compensation Act. All persons occupying positions
 13 authorized herein are hereby governed by the provisions of the Regular
 14 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
 15 successor.

Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Empl oyees	Fiscal Year
				2010-2011
21	(1) N016N	DHS DEP DIR ADMINISTRATIVE SVCS	1	GRADE N911
22	(2) N040N	DHS CHIEF INFORMATION OFFICER	1	GRADE N909
23	(3) N112N	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	GRADE N905
24	(4) N111N	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	GRADE N905
25	(5) N107N	DHS/OFA ASSI STANT DIR - ACCOUNTING	1	GRADE N905
26	(6) N109N	DHS/OFA ASSI STANT DIRECTOR	1	GRADE N905
27	(7) R002N	DHS DIRECTOR OF HUMAN RESOURCES	1	GRADE N904
28	(8) G004C	MANAGING ATTORNEY	1	GRADE C129
29	(9) A010C	AGENCY CONTROLLER II	7	GRADE C128
30	(10) D007C	INFORMATION SYSTEMS MANAGER	4	GRADE C128
31	(11) A027C	ACCOUNTING OPERATIONS MANAGER	1	GRADE C125
32	(12) R008C	DHS EMPLOYEE RELATIONS MANAGER	1	GRADE C125
33	(13) A031C	ASSI STANT CONTROLLER	7	GRADE C124
34	(14) R013C	AGENCY HUMAN RESOURCES MANAGER	2	GRADE C123
35	(15) G099C	DHS PROGRAM ADMINI STRATOR	1	GRADE C122
36	(16) A052C	ACCOUNTING COORDINATOR	4	GRADE C121

1	(17)	A047C	FINANCIAL ANALYST II	1	GRADE C121
2	(18)	G109C	GRANTS MANAGER	2	GRADE C121
3	(19)	R014C	PERSONNEL MANAGER	1	GRADE C121
4	(20)	V004C	PROCUREMENT MANAGER	1	GRADE C121
5	(21)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
6	(22)	A056C	DHS FINANCIAL SECTION MANAGER	11	GRADE C120
7	(23)	E023C	TRAINING PROJECT MANAGER	1	GRADE C120
8	(24)	R022C	BENEFITS COORDINATOR	1	GRADE C119
9	(25)	R021C	BUDGET ANALYST	1	GRADE C119
10	(26)	D063C	COMPUTER SUPPORT SPECIALIST	8	GRADE C119
11	(27)	R020C	DHS EMPLOYEE RELATIONS/CIVIL RIGHTS	1	GRADE C119
12	(28)	G152C	DHS PROGRAM MANAGER	4	GRADE C119
13	(29)	G147C	GRANTS COORDINATOR	2	GRADE C119
14	(30)	D061C	INFORMATION SYSTEMS COORDINATION SP	5	GRADE C119
15	(31)	A065C	PAYROLL SERVICES COORDINATOR	2	GRADE C119
16	(32)	V007C	PROCUREMENT COORDINATOR	5	GRADE C119
17	(33)	A063C	RESEARCH & STATISTICS SUPERVISOR	1	GRADE C119
18	(34)	R024C	ASST PERSONNEL MANAGER	9	GRADE C118
19	(35)	A075C	FINANCIAL ANALYST I	1	GRADE C118
20	(36)	A074C	FISCAL SUPPORT SUPERVISOR	9	GRADE C118
21	(37)	D064C	WEBSITE DEVELOPER	1	GRADE C118
22	(38)	R027C	BUDGET SPECIALIST	7	GRADE C117
23	(39)	R026C	CIVIL RIGHTS/EMPLOYEE RELATIONS COORD	5	GRADE C117
24	(40)	G183C	DHS PROGRAM COORDINATOR	2	GRADE C117
25	(41)	G180C	GRANTS ANALYST	34	GRADE C117
26	(42)	R025C	HUMAN RESOURCES ANALYST	5	GRADE C117
27	(43)	G178C	POLICY DEVELOPMENT COORDINATOR	2	GRADE C117
28	(44)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
29	(45)	E040C	STAFF DEVELOPMENT COORDINATOR	5	GRADE C117
30	(46)	A089C	ACCOUNTANT I	15	GRADE C116
31	(47)	R029C	HUMAN RESOURCES RECRUITER	5	GRADE C116
32	(48)	C037C	ADMINISTRATIVE ANALYST	5	GRADE C115
33	(49)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
34	(50)	G210C	DHS PROGRAM SPECIALIST	4	GRADE C115
35	(51)	A091C	FISCAL SUPPORT ANALYST	15	GRADE C115
36	(52)	D077C	HELP DESK SPECIALIST	1	GRADE C115

1	(53)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
2	(54)	S032C	PRINT SHOP SUPERVISOR	1	GRADE C115
3	(55)	V015C	PURCHASING SPECIALIST	6	GRADE C115
4	(56)	P041C	COMMERCIAL GRAPHIC ARTIST	1	GRADE C114
5	(57)	G214C	GRANTS SPECIALIST	1	GRADE C114
6	(58)	C040C	LEASING SPECIALIST	1	GRADE C114
7	(59)	A093C	STATISTICIAN	4	GRADE C114
8	(60)	D081C	TELECOMMUNICATIONS SPECIALIST	1	GRADE C114
9	(61)	V018C	WAREHOUSE MANAGER	1	GRADE C114
10	(62)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	2	GRADE C113
11	(63)	R036C	HUMAN RESOURCES SPECIALIST	6	GRADE C113
12	(64)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
13	(65)	C043C	RECORDS MANAGEMENT ANALYST	7	GRADE C113
14	(66)	C056C	ADMINISTRATIVE SPECIALIST III	21	GRADE C112
15	(67)	A098C	FISCAL SUPPORT SPECIALIST	35	GRADE C112
16	(68)	S054C	PRINTER	4	GRADE C111
17	(69)	R038C	HUMAN RESOURCES ASSISTANT	9	GRADE C110
18	(70)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
19	(71)	C073C	ADMINISTRATIVE SPECIALIST II	13	GRADE C109
20	(72)	C070C	DUPLICATION ASSISTANT	2	GRADE C109
21	(73)	A102C	FISCAL SUPPORT TECHNICIAN	4	GRADE C108
22	(74)	V027C	INVENTORY CONTROL TECHNICIAN	3	GRADE C108
23	(75)	C083C	MAIL SERVICES COORDINATOR	1	GRADE C107
24	(76)	C087C	ADMINISTRATIVE SPECIALIST I	7	GRADE C106
25	(77)	V028C	WAREHOUSE WORKER	1	GRADE C106
26	(78)	C088C	MAIL SERVICES ASSISTANT	<u>6</u>	GRADE C105
27			MAX. NO. OF EMPLOYEES	359	

28

29 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby established
 30 for the Department of Human Services - Division of Volunteerism for the 2010-
 31 2011 fiscal year, the following maximum number of regular employees whose
 32 salaries shall be governed by the provisions of the Uniform Classification
 33 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,
 34 and all laws amendatory thereto. Provided, however, that any position to
 35 which a specific maximum annual salary is set out herein in dollars, shall be
 36 exempt from the provisions of said Uniform Classification and Compensation

1 Act. All persons occupying positions authorized herein are hereby governed
 2 by the provisions of the Regular Salaries Procedures and Restrictions Act
 3 (Arkansas Code §21-5-101), or its successor.

4				5	Maximum Annual
6				Maximum	Salary Rate
7	Item	Class		No. of	Fiscal Year
8	No.	Code	Title	Employees	2010-2011
9	(1)	N171N	DHS DEP DIR OFFICE OF VOL SVCS	1	GRADE N902
10	(2)	G080C	NATIONAL & COMMUNITY SERVICES EXEC	1	GRADE C123
11	(3)	G152C	DHS PROGRAM MANAGER	1	GRADE C119
12	(4)	G150C	DHS/DOV ASST DEP DIR	1	GRADE C119
13	(5)	G147C	GRANTS COORDINATOR	1	GRADE C119
14	(6)	M037C	PROGRAM ELIGIBILITY SUPERVISOR	1	GRADE C117
15	(7)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
16	(8)	G176C	VOLUNTEER PROGRAM MANAGER	1	GRADE C117
17	(9)	C022C	BUSINESS OPERATIONS SPECIALIST	1	GRADE C116
18	(10)	G202C	VOLUNTEER PROGRAM COORDINATOR	8	GRADE C115
19	(11)	C041C	DHS/DOV AREA COORDINATOR	1	GRADE C114
20	(12)	G214C	GRANTS SPECIALIST	1	GRADE C114
21	(13)	C056C	ADMINISTRATIVE SPECIALIST III	2	GRADE C112
22	(14)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
23	(15)	C073C	ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE C109
24	MAX. NO. OF EMPLOYEES			24	

25

26 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.

27 There is hereby authorized, for the Department of Human Services - Director's
 28 Office - Office of Chief Counsel for the 2010-2011 fiscal year, the following
 29 maximum number of part-time or temporary employees, to be known as "Extra
 30 Help", payable from funds appropriated herein for such purposes: ten (10)
 31 temporary or part-time employees, when needed, at rates of pay not to exceed
 32 those provided in the Uniform Classification and Compensation Act, or its
 33 successor, or this act for the appropriate classification.

34

35 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby
 36 authorized, for the Department of Human Services - Division of Administrative

1 Services for the 2010-2011 fiscal year, the following maximum number of part-
2 time or temporary employees, to be known as "Extra Help", payable from funds
3 appropriated herein for such purposes: twenty (20) temporary or part-time
4 employees, when needed, at rates of pay not to exceed those provided in the
5 Uniform Classification and Compensation Act, or its successor, or this act
6 for the appropriate classification.

7

8 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL -
9 OPERATIONS. There is hereby appropriated, to the Department of Human Services
10 - Director's Office - Office of Chief Counsel, to be payable from the paying
11 account as determined by the Chief Fiscal Officer of the State, for personal
12 services and operating expenses of the Department of Human Services -
13 Director's Office - Office of Chief Counsel for the fiscal year ending June
14 30, 2011, the following:

15

16 ITEM	FISCAL YEAR
17 NO.	<u>2010-2011</u>
18 (01) REGULAR SALARIES	\$ 9,055,708
19 (02) EXTRA HELP	200,348
20 (03) PERSONAL SERVICES MATCHING	2,721,889
21 (04) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	1,248,112
23 (B) CONF. & TRAVEL	32,472
24 (C) PROF. FEES	11,000
25 (D) CAP. OUTLAY	0
26 (E) DATA PROC.	0
27 (05) DATA PROCESSING SERVICES	<u>12,300</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$ 13,281,829</u>

29

30 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is
31 hereby appropriated, to the Department of Human Services - Division of
32 Administrative Services, to be payable from the paying account as determined
33 by the Chief Fiscal Officer of the State, for personal services and operating
34 expenses of the Department of Human Services - Division of Administrative
35 Services for the fiscal year ending June 30, 2011, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2010-2011</u>
3	(01) REGULAR SALARIES	\$ 13,924,098
4	(02) EXTRA HELP	64,480
5	(03) PERSONAL SERVICES MATCHING	4,529,781
6	(04) OVERTIME	10,000
7	(05) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	2,789,827
9	(B) CONF. & TRAVEL	20,000
10	(C) PROF. FEES	9,075,792
11	(D) CAP. OUTLAY	0
12	(E) DATA PROC.	0
13	(06) DATA PROCESSING SERVICES	<u>1,967,600</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 32,381,578</u>

15

16 SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC
 17 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department
 18 of Human Services - Division of Administrative Services, to be payable from
 19 cash funds as defined by Arkansas Code 19-4-801 of the Department of Human
 20 Services, for purchase of services of the Department of Human Services -
 21 Division of Administrative Services for the fiscal year ending June 30, 2011,
 22 the following:

23

24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2010-2011</u>
26	(01) PURCHASE OF SERVICES	<u>\$ 120,000</u>

27

28 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING
 29 CONSTRUCTION. There is hereby appropriated, to the Department of Human
 30 Services - Division of Administrative Services, to be payable from the
 31 Department of Human Services Renovation Fund, for construction, renovation,
 32 maintenance, equipment and repairs for various buildings operated by the
 33 Department of Human Services for the fiscal year ending June 30, 2011, the
 34 following:

35

36	ITEM	FISCAL YEAR
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1	<u>NO.</u>	2010-2011
2	(01) CONSTRUCTION	\$ <u>8,185,200</u>

3

4 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST.

5 There is hereby appropriated, to the Department of Human Services - Division

6 of Administrative Services, to be payable from the DHS Consolidated Cost

7 Revolving Fund, for operating expenses of the Department of Human Services -

8 Division of Administrative Services - Consolidated Cost for the fiscal year

9 ending June 30, 2011, the following:

10		
11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2010-2011</u>
13	(01) MAINT. & GEN. OPERATION	
14	(A) OPER. EXPENSE	\$ 821,500
15	(B) CONF. & TRAVEL	0
16	(C) PROF. FEES	0
17	(D) CAP. OUTLAY	0
18	(E) DATA PROC.	<u>0</u>
19	TOTAL AMOUNT APPROPRIATED	\$ <u>821,500</u>

20

21 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES

22 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of

23 Human Services - Division of Administrative Services, to be payable from the

24 federal funds as designated by the Chief Fiscal Officer of the State, for

25 purchase of services of the Department of Human Services - Division of

26 Administrative Services for the fiscal year ending June 30, 2011, the

27 following:

28		
29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2010-2011</u>
31	(01) PURCHASE OF SERVICES	\$ <u>139,733</u>

32

33 SECTION 12. APPROPRIATION - ADMINISTRATIVE SERVICES - AMERICAN RECOVERY

34 AND REINVESTMENT ACT OF 2009. There is hereby appropriated, to the Department

35 of Human Services - Division of Administrative Services, to be payable from

36 the paying account as determined by the Chief Fiscal Officer of the State,

1 for Department of Human Services capital improvements, information
 2 technologies and one-time costs of the Department of Human Services for the
 3 fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>\$ 179,680,169</u>

9 SECTION 13. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby
 10 appropriated, to the Department of Human Services - Division of Volunteerism,
 11 to be payable from the paying account as determined by the Chief Fiscal
 12 Officer of the State, for personal services and operating expenses of the
 13 Department of Human Services - Division of Volunteerism for the fiscal year
 14 ending June 30, 2011, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) REGULAR SALARIES	\$ 912,377
(02) PERSONAL SERVICES MATCHING	298,960
(03) OVERTIME	1,000
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	295,719
(B) CONF. & TRAVEL	22,000
(C) PROF. FEES	15,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) DELTA SERVICE CORPS GRANTS	2,564,077
(06) DATA PROCESSING SERVICES	8,400
(07) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009	<u>530,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,647,533</u>

32 SECTION 14. 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 fiscal

1 year ending June 30, 2011, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2010-2011</u>
5 (01) MAINT. & GEN. OPERATION	
6 (A) OPER. EXPENSE	\$ 7,703
7 (B) CONF. & TRAVEL	2,865
8 (C) PROF. FEES	1,432
9 (D) CAP. OUTLAY	0
10 (E) DATA PROC.	<u>0</u>
11 TOTAL AMOUNT APPROPRIATED	<u>\$ 12,000</u>

12

13 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

15 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 16 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
 17 Department of Human Services may transfer an amount up to but not to exceed
 18 \$12,000 and deposit same in a bank account for the purpose of purchasing
 19 evidence in the course of investigating the illegal use of food
 20 stamps/Electronic Benefit Transfer (EBT) cards. The funds so transferred
 21 shall be subject to accounting in a manner substantially similar to that
 22 employed by the Arkansas State Police for such transactions; provided
 23 however, that information tending to identify participants in such
 24 transactions shall be exempt from the Arkansas Freedom of Information Act.

25 The provisions of this section shall be in effect only from July 1, ~~2007~~
 26 2010 through June 30, ~~2009~~ 2011.

27

28 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
 30 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

1 (c) The fund shall consist of:

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

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

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

17 (d)(1) At the request of the Director of the Department of Human Services,
18 and upon certification of the availability of such funds, the Chief Fiscal
19 Officer of the State shall initiate the necessary transfer documents to
20 reflect the transfer on the books of record of the Treasurer of State, the
21 Auditor of State, the Chief Fiscal Officer of the State, and the Department
22 of Human Services.

23 (2) The Director of the Department of Human Services shall submit any
24 transfer plan to and must receive approval of the plan from the Chief Fiscal
25 Officer of the State, the Governor and the Arkansas Legislative Council prior
26 to the effective date of the transfer.

27 (e) Provided, that any non-general revenue funding that may remain in the
28 fund at the end of any fiscal year shall be carried over into the next fiscal
29 year and all obligated general revenue funding that may remain in the fund at
30 the end of any fiscal year shall be carried over into the next fiscal year to
31 satisfy such legal and contractual obligations that have been entered into
32 prior to the end of the fiscal year.

33 (f) Determining the amount of funds appropriated to a state agency is the
34 prerogative of the General Assembly and is usually accomplished by
35 delineating specific line items and by identifying the appropriation and
36 funding attached to that line item. The General Assembly has determined that

1 the Department of Human Services could be operated more efficiently if some
 2 flexibility is given to that agency. That flexibility is being accomplished
 3 by providing transfer authority in subsection (d) of this section, and since
 4 the General Assembly has granted the agency broad powers under the transfer
 5 authority concept, it is both necessary and appropriate that the General
 6 Assembly maintain oversight of the utilization of the transfer authority by
 7 requiring prior approval of the Legislative Council in the utilization of
 8 this transfer authority. Therefore, the requirement of approval by the
 9 Legislative Council is not a severable part of this section. If the
 10 requirement of approval by the Legislative Council is ruled unconstitutional
 11 by a court jurisdiction, this entire section is void.

12 The provisions of this section shall be in effect only from July 1, ~~2007~~
 13 2010 through June 30, ~~2009~~ 2011.

14

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

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

23 (b) MATCH TRANSFER. The Director of the Department of Human Services,
 24 with the approval of the Chief Fiscal Officer of the State, is authorized to
 25 effect inter-agency and inter-divisional fund transfers for the purpose of
 26 providing the State's matching share for payments made to that Division or
 27 Office or its service providers for services eligible for federal
 28 reimbursement under programs administered by the Department of Human
 29 Services. The Department of Human Services shall report to the Legislative
 30 Council or Joint Budget Committee on a quarterly basis all fund transfers
 31 made in accordance with the authority granted by this section; and

32 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The
 33 Division of Youth Services (DYS) is authorized to fulfill its responsibility
 34 to house offenders between the ages of 18 and 21 and to separate juvenile
 35 offenders by age and seriousness of offense by either employing additional
 36 state employees and providing the corresponding operating expenses or

1 entering into professional services contracts. If the Division of Youth
 2 Services determines that the Division needs to employ state employees to
 3 fulfill the housing and separation requirements, they may transfer up to the
 4 total amount appropriated for the DYS - Residential Services Program
 5 appropriation to the appropriate DYS appropriation and line items, upon
 6 approval of the Chief Fiscal Officer of the State, and prior review by the
 7 Legislative Council; and

8 (d) REALLOCATION OF RESOURCES: (1) The Department of Human Services (DHS)
 9 provides hundreds of different services to over 1 million Arkansans. The
 10 specific mix of service needs and the funding and staffing required to
 11 provide them can vary significantly based on many factors, including natural
 12 disasters, changing federal mandates and funding sources, demographic shifts,
 13 fluctuating court-ordered services, social trends, and job market variations
 14 such as nursing shortages. The impact of these factors through the course of
 15 any fiscal year make it very difficult for the Department to accurately
 16 predict the exact needs for funding, appropriation and positions in each of
 17 its over 100 different appropriations. To ensure that it can respond quickly
 18 to changing client needs and make the most effective use of the resources
 19 allocated to it, the Department of Human Services shall be authorized to
 20 utilize the reallocation of resource authority to make the proper adjustments
 21 to the budgets within the Department. Therefore, upon determination by the
 22 Director of the Department of Human Services that a reallocation of resources
 23 within the department is necessary for the efficient and effective operation
 24 of the department, the director, with approval of the Governor, shall have
 25 the authority to request, from the Chief Fiscal Officer of the State, a
 26 transfer of positions, appropriations, line item appropriations, and funds
 27 within or between existing and newly created divisions, offices, sections, or
 28 units of the department. Provided, however, that no transfer of funds or
 29 appropriation that provides direct support or matching support for the
 30 Arkansas Medicaid Program shall be made to any other fund account or
 31 appropriation that does not directly support the Arkansas Medicaid Program.
 32 Further, no positions, funds, or appropriation authorized during the budget
 33 process for the Division of Children and Family Services compliance with
 34 initiatives established under the Angela R. consent decree shall be
 35 transferred to any other division. Nothing in this provision is intended to
 36 prevent the one-time transfers of savings in any other program to the

1 Arkansas Medicaid Program, with the exception of the provisions previously
 2 cited for the Division of Children and Family Services – Angela R. consent
 3 decree. The Division of Developmental Disabilities – Grants to Community
 4 Providers line item of the Developmental Disabilities Services - Grants-in-
 5 Aid appropriation may not be decreased. The appropriation, funding, and
 6 positions provided for the six Human Development Centers shall remain at a
 7 level sufficient to ensure quality care for the Centers' residents. The
 8 exemptions provided in this subsection whereby certain DHS Programs and
 9 Divisions are protected from appropriation, fund, or position transfers are
 10 applicable only to the reallocation or transfer authority granted herein, and
 11 not by any reductions which are applicable to all state programs.

12 The Director of the Department of Human Services shall submit any requests
 13 for transfers to and must receive approval of the requests for transfers from
 14 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
 15 Legislative Council prior to the effective date of the transfers. Provided,
 16 however, that the Department of Human Services shall be limited to submitting
 17 no more than two reallocation of resources transfer requests during any
 18 fiscal year. In each Departmental request no single division will request
 19 reallocation for more than one purpose as listed in this section. Transfer
 20 authority for unforeseen purposes shall further be limited to no more than 5%
 21 of the total appropriation, funding, and positions authorized for the
 22 Department. Reallocation of resources transfers may include multiple items
 23 but shall be limited to the following purposes:

- 24 i). Medicaid Program
- 25 ii). Facilities and institutions costs, including operational expenses and
 26 construction/renovation/equipping expenses
- 27 iii). Departmental grants and contracts
- 28 iv). Court ordered settlements and payments
- 29 v). Payment of administrative expenses, including but not limited to,
 30 overtime and other costs of personnel for critical services or functions
 31 necessary to carry out the mission of the agency
- 32 vi). Restructuring efforts as deemed necessary to comply with new and/or
 33 unanticipated federal or state mandates
- 34 vii). Redirecting internal resources, both direct and/or indirect, to meet
 35 client needs and services

36 Determining the maximum number of employees and the maximum amount of

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

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

26 The provisions of this section shall be in effect only from July 1, ~~2007~~
 27 2010 through June 30, ~~2009~~ 2011.

28
 29 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

31 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
 32 Nursing/Direct Care Education Stipend Program for the Department of Human
 33 Services is hereby authorized to pay from State and Federal Funds
 34 appropriated in each division Act. This program is for eligible nursing
 35 students who are attending accredited nursing institutions to become
 36 Registered or Licensed Practical Nurses, as well as Certified Nursing

1 Assistants, ~~Life Skills Trainers~~ Residential Care Assistants, Residential
2 Care Technicians, Residential Care Supervisors and ~~Mental Health Workers~~
3 Behavioral Health Aides.

4 The stipend is \$5,000 per person per year. Any student who is awarded and
5 accepts a stipend is under employment commitment to the respective DHS
6 Division and is required to work for that division, in a full-time employee
7 status effective immediately upon graduation. The student employment
8 commitment is equal to the number of years the stipend was awarded and
9 accepted. In the event of Employee/Student default of the employment
10 commitment, the Employee/Student will be considered in breach of contract and
11 repayment of the stipend will be required as specified in the Stipend
12 Contract.

13 Each division participating in the Education Stipend Program shall
14 determine on an annual basis, the number of student stipends available.

15 The provisions of this section shall be in effect only from July 1, ~~2007~~
16 2010 through June 30, ~~2009~~ 2011.

17
18 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SELL,
20 LEASE, RENT, CONVEY OR ENCUMBER RAY WINDER FIELD. In no event shall the
21 Department of Human Services, or any of its governing boards, sell, lease,
22 rent, convey or encumber the land and facilities of Ray Winder Field in
23 Little Rock, Arkansas without the prior review and approval of the Arkansas
24 Legislative Council or Joint Budget Committee.

25
26 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
28 NURSING/DIRECT CARE RECRUITMENT/RETENTION BONUSES. Special provision to
29 provide Nursing/Direct Care Recruitment and Retention Bonuses for the
30 Department of Human Services is hereby authorized to pay from State and
31 Federal funds appropriated for each respective division. Nursing/direct care
32 service recruitment/retention bonuses are in addition to the maximum annual
33 amounts provided in the Regular Salaries Section of the respective Division
34 Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing
35 Assistant, ~~Life Skills Trainer~~ Residential Care Assistant, Residential Care
36 Technician, Residential Care Supervisor and ~~Mental Health Worker~~ Behavioral

1 Health Aide. New hire nurses must be licensed by the Arkansas State Board of
2 Nursing. The total recruitment/retention bonus payment commitment for
3 eligible nurses shall not exceed \$4,000 per Registered Nurse and \$2,000 per
4 Licensed Practical Nurse and \$1,000 per Certified Nursing Assistant, ~~Life~~
5 ~~Skills Trainer~~ Residential Care Assistant, Residential Care Technician,
6 Residential Care Supervisor and ~~Mental Health Worker~~ Behavioral Health Aide.

7 The lump sum bonus payments and employment commitment to the State will be
8 made in partial payments as follows:

9
10 Registered Nurse Classifications

- 11 \$1,000 after completing 6 months probationary employment
- 12 \$1,500 after completing 1st year employment
- 13 \$1,500 after completing 2nd year employment

14
15 Licensed Practical Nurse Classifications

- 16 \$ 500 after completing 6 months probationary employment
- 17 \$ 500 after completing 1st year employment
- 18 \$1,000 after completing 2nd year employment

19
20 Certified Nursing Assistant/~~Life Skills Trainer~~Residential Care
21 Assistant/Residential Care Technician/Residential Care Supervisor/~~Mental~~
22 ~~Health Worker~~Behavioral Health Aide Classifications

- 23 \$ 500 after completing 6 month probationary employment
- 24 \$ 500 after completing 1st year employment

25
26 Any qualified person hired and offered bonus payment described herein will
27 forfeit the balance of the payments if he/she voluntarily resigns or is
28 terminated for cause from employment from the Department of Human Services
29 prior to completing the required employment commitment time periods outlined
30 above.

31 The provisions of this section shall be in effect only from July 1, ~~2007~~
32 2010 through June 30, ~~2009~~ 2011.

33
34 SECTION 21. 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 Procurement 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 22. 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 23. 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 one (1) year period; that the
20 effectiveness of this Act on July 1, 2010 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 legislative session, the delay in the
23 effective date of this Act beyond July 1, 2010 could work irreparable harm
24 upon the proper administration and provision of essential governmental
25 programs. Therefore, an emergency is hereby declared to exist and this Act
26 being necessary for the immediate preservation of the public peace, health
27 and safety shall be in full force and effect from and after July 1, 2010.

28
29
30 **APPROVED: 2/26/2010**
31
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