

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.

Act 64 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H1/22/09

A Bill

HOUSE BILL 1128

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 HEALTH
11 SERVICES PERMIT AGENCY FOR THE FISCAL YEAR ENDING
12 JUNE 30, 2010; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE HEALTH SERVICES PERMIT
16 AGENCY APPROPRIATION FOR THE 2009-2010
17 FISCAL YEAR.
18
19
20

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Health
24 Services Permit Agency for the 2009-2010 fiscal year, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35 Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2009-2010
4	(1) U025U	HEALTH PERMIT SERVICES DIRECTOR	1	\$96,393
5	(2) A050C	AGENCY FISCAL MANAGER	1	GRADE C121
6	(3) L043C	HEALTH PROGRAM SPECIALIST III	1	GRADE C119
7	(4) G180C	GRANTS ANALYST	1	GRADE C117
8	(5) L053C	HEALTH PROGRAM SPECIALIST I	3	GRADE C117
9	(6) P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
10	(7) G204C	PLANNING SPECIALIST	1	GRADE C115
11	(8) C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
12	(9) C073C	ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE C109
13		MAX. NO. OF EMPLOYEES	11	

SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Health Services Permit Agency, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Health Services Permit Agency - State Operations for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 244,839
(02) PERSONAL SERVICES MATCHING	78,599
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	60,627
(B) CONF. & TRAVEL	5,274
(C) PROF. FEES	17,267
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 406,606</u>

SECTION 3. APPROPRIATION - DEVELOPMENTAL DISABILITIES PLANNING COUNCIL - STATE. There is hereby appropriated, to the Health Services Permit Agency, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Health Services Permit Agency -

1 Developmental Disabilities Planning Council – State for the fiscal year
 2 ending June 30, 2010, the following:

3

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2009-2010</u>
6 (01) REGULAR SALARIES	\$ 37,403
7 (02) PERSONAL SERVICES MATCHING	11,768
8 (03) GRANTS/AID - SYSTEM CHANGE PILOT	
9 GRANTS	<u>4,348</u>
10 TOTAL AMOUNT APPROPRIATED	<u>\$ 53,519</u>

11

12 SECTION 4. APPROPRIATION - DEVELOPMENTAL DISABILITIES PLANNING COUNCIL -
 13 FEDERAL. There is hereby appropriated, to the Health Services Permit Agency,
 14 to be payable from the Federal Funds as designated by the Chief Fiscal
 15 Officer of the State, for personal services and operating expenses of the
 16 Health Services Permit Agency - Developmental Disabilities Planning Council -
 17 Federal for the fiscal year ending June 30, 2010, the following:

18

19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2009-2010</u>
21 (01) REGULAR SALARIES	\$ 220,132
22 (02) PERSONAL SERVICES MATCHING	74,699
23 (03) MAINT. & GEN. OPERATION	
24 (A) OPER. EXPENSE	259,025
25 (B) CONF. & TRAVEL	10,843
26 (C) PROF. FEES	120,000
27 (D) CAP. OUTLAY	0
28 (E) DATA PROC.	0
29 (04) GRANTS/AID - SYSTEM CHANGE PILOT	
30 GRANTS	<u>690,929</u>
31 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,375,628</u>

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33 SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 34 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. Any
 35 unexpended balance of funds generated by fees and fines pursuant to Arkansas
 36 Code 20-8-103 et. seq. deposited into the Miscellaneous Agencies Fund Account

1 which remain at the close of each state fiscal year shall be carried forward
2 to the next state fiscal year to be used for the same intent and purposes as
3 set forth in law.

4 Any carry forward of unexpended balance of ~~appropriation and/or~~ funding as
5 authorized herein, may be carried forward under the following conditions:

6 (1) Prior to June 30, ~~2008~~ 2010 the Agency shall by written statement set
7 forth its reason(s) for the need to carry forward said ~~appropriation and/or~~
8 funding to the Department of Finance and Administration Office of Budget;

9 (2) The Department of Finance and Administration Office of Budget shall
10 report to the Arkansas Legislative Council all amounts carried forward ~~from~~
11 ~~the first fiscal year of the biennium to the second fiscal year of the~~
12 ~~biennium~~ by the September Arkansas Legislative Council or Joint Budget
13 Committee meeting ~~in the second fiscal year of the biennial period~~ which
14 report shall include the name of the Agency, Board, Commission or Institution
15 and the amount of the ~~appropriation and/or~~ funding carried forward ~~from the~~
16 ~~first fiscal year to the second fiscal year~~, the program name or line item,
17 the funding source of that appropriation and a copy of the written request
18 set forth in (1) above;

19 (3) Each Agency, Board, Commission or Institution shall provide a written
20 report to the Arkansas Legislative Council or Joint Budget Committee
21 containing all information set forth in item (2) above, along with a written
22 statement as to the current status of the project, contract, purpose etc. for
23 which the carry forward was originally requested no later than thirty (30)
24 days prior to the time the Agency, Board, Commission or Institution presents
25 its budget request to the Arkansas Legislative Council/Joint Budget
26 Committee; and

27 (4) Thereupon, the Department of Finance and Administration shall include
28 all information obtained in item (3) above in the ~~biennial~~ budget manuals
29 and/or a statement of non-compliance by the Agency, Board, Commission or
30 Institution.

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

33
34 SECTION 6. 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 7. 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 8. 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, 2009 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, 2009 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, 2009.

28
29 /s/ Joint Budget Committee

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31 **APPROVED: 2/5/2009**