

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

SENATE BILL 122

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF YOUTH SERVICES FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2017; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - DIVISION OF YOUTH SERVICES
16 APPROPRIATION FOR THE 2016-2017 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Human Services - Division of Youth Services for the
25 2016-2017 fiscal year, the following maximum number of regular employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2016-2017
31	(1)	N026N DHS DEPUTY DIRECTOR OF DYS	1	GRADE N909
32	(2)	N124N DHS/DYS ASSISTANT DIVISION DIRECTOR	3	GRADE N904
33	(3)	X007C DHS/DYS ADMIN PROG COMPLIANCE	1	GRADE C127
34	(4)	G255C DYS ACADEMIC ADMINISTRATOR	1	GRADE C126
35	(5)	E010C DHS/DYS EDUCATION MANAGER	1	GRADE C125
36	(6)	D030C INFORMATION SYSTEMS COORDINATOR	1	GRADE C124



1	(7)	G082C	DHS/DYS ADMISSIONS EVALUATOR	1	GRADE C123
2	(8)	E016C	PUBLIC SCHOOL PROGRAM COORDINATOR	1	GRADE C123
3	(9)	E015C	SPECIAL EDUCATION SUPERVISOR	1	GRADE C123
4	(10)	G099C	DHS PROGRAM ADMINISTRATOR	5	GRADE C122
5	(11)	A041C	PROGRAM FISCAL MANAGER	3	GRADE C122
6	(12)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE C121
7	(13)	E026C	EDUCATION & INSTRUCTION COORDINATOR	1	GRADE C120
8	(14)	R021C	BUDGET ANALYST	1	GRADE C119
9	(15)	D062C	DATABASE ANALYST	2	GRADE C119
10	(16)	G152C	DHS PROGRAM MANAGER	12	GRADE C119
11	(17)	X062C	QUALITY ASSURANCE COORDINATOR	3	GRADE C119
12	(18)	R027C	BUDGET SPECIALIST	1	GRADE C117
13	(19)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
14	(20)	G183C	DHS PROGRAM COORDINATOR	8	GRADE C117
15	(21)	G180C	GRANTS ANALYST	5	GRADE C117
16	(22)	X101C	INTERNAL AFFAIRS INVESTIGATOR	1	GRADE C117
17	(23)	B076C	RESEARCH PROJECT ANALYST	1	GRADE C117
18	(24)	E040C	STAFF DEVELOPMENT COORDINATOR	2	GRADE C117
19	(25)	M047C	YOUTH SERVICES ADVISOR	8	GRADE C116
20	(26)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
21	(27)	G210C	DHS PROGRAM SPECIALIST	6	GRADE C115
22	(28)	V015C	PURCHASING SPECIALIST	2	GRADE C115
23	(29)	G214C	GRANTS SPECIALIST	3	GRADE C114
24	(30)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
25	(31)	C043C	RECORDS MANAGEMENT ANALYST	1	GRADE C113
26	(32)	C056C	ADMINISTRATIVE SPECIALIST III	8	GRADE C112
27	(33)	C073C	ADMINISTRATIVE SPECIALIST II	1	GRADE C109
28	(34)	A102C	FISCAL SUPPORT TECHNICIAN	<u>1</u>	GRADE C108
29			MAX. NO. OF EMPLOYEES	91	

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31 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
32 the Department of Human Services - Division of Youth Services for the 2016-
33 2017 fiscal year, the following maximum number of part-time or temporary
34 employees, to be known as "Extra Help", payable from funds appropriated
35 herein for such purposes: thirty-four (34) temporary or part-time employees,
36 when needed, at rates of pay not to exceed those provided in the Uniform

1 Classification and Compensation Act, or its successor, or this act for the
 2 appropriate classification.

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 4 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 5 to the Department of Human Services - Division of Youth Services, to be
 6 payable from the paying account as determined by the Chief Fiscal Officer of
 7 the State, for personal services and operating expenses of the Department of
 8 Human Services - Division of Youth Services for the fiscal year ending June
 9 30, 2017, the following:

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11 ITEM	FISCAL YEAR
12 <u>NO.</u>	<u>2016-2017</u>
13 (01) REGULAR SALARIES	\$3,650,965
14 (02) EXTRA HELP	40,008
15 (03) PERSONAL SERVICES MATCHING	1,297,276
16 (04) OVERTIME	8,004
17 (05) MAINT. & GEN. OPERATION	
18 (A) OPER. EXPENSE	3,013,339
19 (B) CONF. & TRAVEL	114,500
20 (C) PROF. FEES	354,050
21 (D) CAP. OUTLAY	105,000
22 (E) DATA PROC.	0
23 (06) STATEWIDE PREVENTION/INTERVENTION	
24 YOUTH DEV SERVICES	<u>1,516,046</u>
25 TOTAL AMOUNT APPROPRIATED	<u>\$10,099,188</u>

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 27 SECTION 4. APPROPRIATION - JUVENILE ACCOUNTABILITY INCENTIVE BLOCK
 28 GRANT. There is hereby appropriated, to the Department of Human Services -
 29 Division of Youth Services, to be payable from the Juvenile Accountability
 30 Incentive Block Grant Trust Fund, for grant payments of the Juvenile
 31 Accountability Incentive Block Grant of the Department of Human Services -
 32 Division of Youth Services for the fiscal year ending June 30, 2017, the
 33 following:

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35 ITEM	FISCAL YEAR
36 <u>NO.</u>	<u>2016-2017</u>

1 (01) JUVENILE ACCOUNTABILITY INCENTIVE
 2 GRANTS \$1,671,520

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 4 SECTION 5. APPROPRIATION - COMMUNITY BASED SANCTIONS. There is hereby
 5 appropriated, to the Department of Human Services - Division of Youth
 6 Services, to be payable from the Youth Services Fund Account, for grants and
 7 aid for graduated community based sanctions for juveniles adjudicated
 8 delinquent for the fiscal year ending June 30, 2017, the following:

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10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2016-2017</u>
12 (01) COMMUNITY BASED SANCTIONS	<u>\$2,550,000</u>

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 14 SECTION 6. APPROPRIATION - COMMUNITY SERVICES. There is hereby
 15 appropriated, to the Department of Human Services - Division of Youth
 16 Services, to be payable from the Youth Services Fund Account, for the
 17 purchase of services from community based providers by the Department of
 18 Human Services - Division of Youth Services for the fiscal year ending June
 19 30, 2017, the following:

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21 ITEM	FISCAL YEAR
22 <u>NO.</u>	<u>2016-2017</u>
23 (01) COMMUNITY SERVICES	<u>\$20,150,017</u>

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 25 SECTION 7. APPROPRIATION - FEDERAL CHILD AND YOUTH SERVICE GRANTS.
 26 There is hereby appropriated, to the Department of Human Services - Division
 27 of Youth Services, to be payable from the federal funds as designated by the
 28 Chief Fiscal Officer of the State, for federally funded grants of the
 29 Department of Human Services - Division of Youth Services for the fiscal year
 30 ending June 30, 2017, the following:

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32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2016-2017</u>
34 (01) FEDERAL CHILD & YOUTH SERVICE	
35 GRANTS	<u>\$6,262,546</u>

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SECTION 8. APPROPRIATION - RESIDENTIAL SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the Youth Services Fund Account, for the purchase and operation of residential services by the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) RESIDENTIAL SERVICES	<u>\$29,291,690</u>

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF FUNDS FOR THE JUVENILE OMBUDSMAN PROGRAM. The Department of Human Services shall provide funding in an amount not to exceed \$240,000 for the fiscal year ending June 30, ~~2016~~ 2017 for the Juvenile Ombudsman Program described in ACA 16-87-216. Upon request by the Executive Director of the Arkansas Public Defender Commission, the Chief Fiscal Officer of the State shall transfer an amount not to exceed \$240,000 for the fiscal year ending June 30, ~~2016~~ 2017 from an account designated by the Director of the Department of Human Services to the State Central Services Fund as a direct revenue to fund the Juvenile Ombudsman Program.

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER OF FUNDS FOR LOCAL JUVENILE DETENTION FACILITIES. The Chief Fiscal Officer of the State shall transfer funds in an amount of \$400,000 for the fiscal year ending June 30, ~~2016~~ 2017 from the Department of Human Services - Youth Services Fund Account to the Juvenile Detention Facilities Operating Fund to fund the appropriation to the Department of Finance and Administration - Disbursing Officer for grants for operating expenses of local juvenile detention facilities.

The amount of the funds transferred in the fiscal year ending June 30, ~~2016~~ 2017 may be adjusted upon request of the Director of the Department of

1 Human Services on a pro-rata basis with any reductions provided in the
 2 Revenue Stabilization Law from the July 1 Official Forecast of general
 3 revenue funding for the Division of Youth Services.

4 The provisions of this section shall be in effect only from July 1, ~~2015~~
 5 2016 through June 30, ~~2016~~ 2017.

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 7 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. YOUTH
 9 SERVICES - TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND EQUIPMENT. The
 10 Division of Youth Services is authorized to use the administrative operating
 11 account for capital improvements to the physical plant and for the purchase
 12 of capital equipment by the Mansfield Youth Services Facility operated by the
 13 Department of Human Services, Division of Youth Services. The funds shall be
 14 held by the Department of Human Services, Division of Youth Services from the
 15 proceeds of the sale of timber that may be harvested from land owned by the
 16 Division of Youth Services. All funds deposited and all expenses shall be
 17 tracked separately. The harvesting of timber is specifically authorized to
 18 provide funds to finance capital improvements to the physical plant and for
 19 the purchase of major capital equipment by the Mansfield Facility from which
 20 the timber is sold.

21 The Division of Youth Services shall report all income derived from the
 22 sale of timber to the Chief Fiscal Officer of the State and the Arkansas
 23 Legislative Council. Any contracts initiated for the harvesting and sale of
 24 timber shall be submitted to the Review Subcommittee of the Arkansas
 25 Legislative Council for prior review. All expenditures of funds derived from
 26 the sale of timber will be expended in accordance with relevant state
 27 purchasing laws.

28 The provisions of this section shall be in effect only from July 1, ~~2015~~
 29 2016 through June 30, ~~2016~~ 2017.

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 31 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR
 33 SALARIES - CONTINGENT EDUCATIONAL SERVICES POSITIONS. If it has been
 34 determined by the Director of the Department of Human Services that the
 35 Division of Youth Services cannot continue a contract with a private provider
 36 for educational services and deems it necessary to utilize Division staff to

1 provide the required educational services, the Division is authorized, to
 2 seek the approval of the Chief Fiscal Officer of the State, the Governor and
 3 the Arkansas Legislative Council or Joint Budget Committee, to utilize the
 4 contingent educational services positions contained in this Act and to make
 5 the appropriate transfers from the Residential Services Appropriation line
 6 item contained in this Act to Regular Salaries, Personal Services Matching,
 7 and various Maintenance and General Operations classifications.

8 There is hereby established for the Division of Youth Services -
 9 Contingent Educational Services Positions for the ~~2015-2016~~ 2016-2017 fiscal
 10 year, the following maximum number of regular employees whose salaries shall
 11 be governed by the provisions of the Uniform Classification and Compensation
 12 Act (Arkansas Code 21-5-201 et seq.), or its successor, and all laws
 13 amendatory thereto. Provided, however, that any position to which a specific
 14 maximum annual salary is set out herein in dollars, shall be exempt from the
 15 provisions of said Uniform Classification and Compensation Act. All persons
 16 occupying positions authorized herein are hereby governed by the provisions
 17 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code 21-5-
 18 101), or its successor.

19 CONTINGENT POSITIONS - EDUCATIONAL SERVICES

			MAXIMUM ANNUAL	
			MAXIMUM	SALARY RATE
ITEM	CLASS		NO. OF	FISCAL YEAR
NO.	CODE	TITLE	EMPLOYEES	2015-2016 <u>2016-2017</u>
24	(01)	E004C SCHOOL PRINCIPAL	1	GRADE C126
25	(02)	E017C ASSISTANT PRINCIPAL	2	GRADE C123
26	(03)	E035C CERTIFIED MASTERS TEACHER	80	GRADE C119
27	(04)	E032C EDUCATIONAL COUNSELOR	3	GRADE C119
28	(05)	C058C EDUCATION PARAPROFESSIONAL	<u>34</u>	GRADE C111
29	GRAND TOTAL CONTINGENT EMPLOYEES		120	

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

34 The provisions of this section shall be in effect only from July 1, ~~2015~~
 35 2016 through June 30, ~~2016~~ 2017.

1 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
2 authorized by this act shall be limited to the appropriation for such agency
3 and funds made available by law for the support of such appropriations; and
4 the restrictions of the State Procurement Law, the General Accounting and
5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
6 Procedures and Restrictions Act, or their successors, and other fiscal
7 control laws of this State, where applicable, and regulations promulgated by
8 the Department of Finance and Administration, as authorized by law, shall be
9 strictly complied with in disbursement of said funds.

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

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20 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
21 General Assembly, that the Constitution of the State of Arkansas prohibits
22 the appropriation of funds for more than a one (1) year period; that the
23 effectiveness of this Act on July 1, 2016 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the legislative session, the delay in the
26 effective date of this Act beyond July 1, 2016 could work irreparable harm
27 upon the proper administration and provision of essential governmental
28 programs. Therefore, an emergency is hereby declared to exist and this Act
29 being necessary for the immediate preservation of the public peace, health
30 and safety shall be in full force and effect from and after July 1, 2016.

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33 **APPROVED: 05/03/2016**
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