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# ARKANSAS SENATE

92nd General Assembly - Regular Session, 2019

Amendment Form

DRAFT

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## Subtitle of Senate Bill No. 102

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF AGING, ADULT, AND  
BEHAVIORAL HEALTH SERVICES APPROPRIATION FOR THE 2019-2020 FISCAL YEAR.

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## Amendment No. \_\_\_\_ to Senate Bill No. 102

Amend Senate Bill No. 102 as engrossed, S3/27/19 (version: 03/27/2019 03:22:33 PM)

On page 19, immediately following SECTION 28, insert the following:

" SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD OF UNOBLIGATED GENERAL REVENUE FUNDS FOR SENIOR CITIZEN CENTERS. (a) On June 30, 2019, or as soon as is practicable to determine funds available as authorized in this Section, and each fiscal year thereafter the Chief Fiscal Officer of the State shall cause to be transferred on his or her books and those of the State Treasurer and Auditor of State the balance of unobligated general revenue funds, excluding funds carried forward for other purposes, remaining in the Fund or Fund Accounts and the corresponding paying account as determined by the Chief Fiscal Officer of the State, as set out in subsection (b) herein, to the Department of Human Services - Division of Aging, Adult, and Behavioral Health Services paying account to be used exclusively for the disbursement of funds for Senior Citizen Centers in the amount of recouped and recovered general revenue not to exceed five hundred thousand dollars (\$500,000).

(b) Any unobligated general revenue, excluding funds carried forward for other purposes, remaining in the following Fund or Fund Accounts and the corresponding paying accounts at the end of the Fiscal Year that would normally be transferred into the General Revenue Allotment Reserve Fund as recouped or recovered General Revenue shall be transferred as authorized in subsection (a) herein:

- (1) Department of Human Services Administration Fund Account;
- (2) Children and Family Services Fund Account;
- (3) Child Care and Early Childhood Education Fund Account;
- (4) Youth Services Fund Account;
- (5) Developmental Disabilities Services Fund Account;
- (6) Medical Services Fund Account;
- (7) Behavioral Health Services Fund Account;
- (8) State Services for the Blind Fund Account;

DRAFT

LCW069 - 03-28-2019 10:18:28

Page 1 of 3



(9) County Operations Fund Account; and

(10) Provider Services and Quality Assurance Fund Account.

(c)(1) Any general revenue recouped or recovered as authorized in subsections (a) and (b) herein shall be carried forward to the following fiscal year for Senior Citizen Centers and shall be distributed in the same manner as the funding formula requirements set out in the federal Older Americans Act funding law.

(2) The additional funding provided by this provision shall supplement and not supplant any monies currently funding services for Senior Citizen Centers.

(d) Should additional funding provided for in subsections (a) and (b) herein be insufficient to provide for the full five hundred thousand dollars (\$500,000) authorized, the increases shall be provided to the extent that general revenue is recouped and carried forward.

(e)(1) The Department of Human Services shall provide a written report to the Department of Finance and Administration Budget Office, the Arkansas Legislative Council or Joint Budget Committee the total amount of general revenue carried forward and distributed as set forth in this section no later than thirty (30) days prior to the time the Department presents its budget request to the Legislative Council or Joint Budget Committee.

(2) The Department of Finance and Administration shall include all information obtained in subsection (e)(1) herein in the budget manual submitted to the Arkansas Legislative Council or Joint Budget Committee for the Department."

AND

On page 19, delete SECTION 31 in its entirety and insert the following:

" SECTION 31. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2019 is essential to the operation of the agency for which the appropriations in this Act are provided; with the exception that Sections 23 and 29 in this Act shall be in full force and effect from and after the date of its passage and approval, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2019, with the exception that Sections 23 and 29 in this Act shall be in full force and effect from and after the date of its passage and approval, could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2019; with the exception that Sections 23 and 29 in this Act shall be in full force and effect from and after the date of its passage and approval."

AND

Appropriately renumber the SECTIONS of the bill.

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Joint Budget Committee

By: Senator Maloch

LCW/LCW - 03-28-2019 10:18:28

LCW069

\_\_\_\_\_  
Secretary

5

State of Arkansas As Engrossed: S2/18/19 S3/11/19 S3/27/19

92nd General Assembly

# A Bill

Regular Session, 2019

SENATE BILL 102

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN  
SERVICES - DIVISION OF AGING, ADULT, AND BEHAVIORAL  
HEALTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30,  
2020; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF HUMAN  
SERVICES - DIVISION OF AGING, ADULT, AND  
BEHAVIORAL HEALTH SERVICES APPROPRIATION  
FOR THE 2019-2020 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby  
established for the Department of Human Services - Division of Aging, Adult,  
and Behavioral Health Services for the 2019-2020 fiscal year, the following  
maximum number of regular employees.

Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
No.	Code Title		
(1)	N221N ARKANSAS STATE HOSPITAL COO	1	GRADE SE03
(2)	N181N DIRECTOR OF MEDICAL SERVICES	1	GRADE SE02
(3)	N019N DHS DEP DIR BEHAV HLTH SERVICES	1	GRADE SE01
(4)	N027N DHS DEPUTY DIRECTOR ADULT SERVICES	1	GRADE SE01





1 The provisions of this section shall be in effect only from July 1, 2018  
2 2019 through June 30, 2019 2020.

INSERT

NEW

SECTION  
HERE

3 →  
4 SECTION 29. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
5 authorized by this act shall be limited to the appropriation for such agency  
6 and funds made available by law for the support of such appropriations; and  
7 the restrictions of the State Procurement Law, the General Accounting and  
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
9 Procedures and Restrictions Act, or their successors, and other fiscal  
10 control laws of this State, where applicable, and regulations promulgated by  
11 the Department of Finance and Administration, as authorized by law, shall be  
12 strictly complied with in disbursement of said funds.  
13

14 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General  
15 Assembly that any funds disbursed under the authority of the appropriations  
16 contained in this act shall be in compliance with the stated reasons for  
17 which this act was adopted, as evidenced by the Agency Requests, Executive  
18 Recommendations and Legislative Recommendations contained in the budget  
19 manuals prepared by the Department of Finance and Administration, letters, or  
20 summarized oral testimony in the official minutes of the Arkansas Legislative  
21 Council or Joint Budget Committee which relate to its passage and adoption.  
22

DELETE  
AND  
REPLACE

23 → SECTION 31. EMERGENCY CLAUSE. It is found and determined by the General  
24 Assembly, that the Constitution of the State of Arkansas prohibits the  
25 appropriation of funds for more than a one (1) year period; that the  
26 effectiveness of this Act on July 1, 2019 is essential to the operation of  
27 the agency for which the appropriations in this Act are provided; with the  
28 exception that Section 23 in this Act shall be in full force and effect from  
29 and after the date of its passage and approval, and that in the event of an  
30 extension of the legislative session, the delay in the effective date of this  
31 Act beyond July 1, 2019, with the exception that Section 23 in this Act  
32 shall be in full force and effect from and after the date of its passage and  
33 approval, could work irreparable harm upon the proper administration and  
34 provision of essential governmental programs. Therefore, an emergency is  
35 hereby declared to exist and this Act being necessary for the immediate  
36 preservation of the public peace, health and safety shall be in full force

# Hall of the House of Representatives

92nd General Assembly - Regular Session, 2019

## Amendment Form

DRAFT

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### Subtitle of House Bill No. 1156

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIRECTOR'S OFFICE APPROPRIATION FOR  
THE 2019-2020 FISCAL YEAR.

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### Amendment No. \_\_\_\_ to House Bill No. 1156

Amend House Bill No. 1156 as engrossed, H3/26/19 (version: 03/26/2019 03:36:51 PM)

On page 16, immediately following SECTION 13, insert the following:

" SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REIMBURSEMENT INCREASE FOR COMMUNITY PROVIDERS. The Department of Human Services - Division of Medical Services shall increase reimbursement rates for the following providers by eight and eight tenths percent (8.8%) in response to the January 1, 2019 increase in the minimum wage:

(1) Day habilitation providers of Early Intervention Day Treatment Services for children and Adult Development Day Treatment services;

(2) Personal care providers;

(3) ARChoices attendant care and respite care providers; and

(4) Outpatient substance abuse providers.

Additionally, Community and Employment Supports Waiver providers for individuals with intellectual and developmental disabilities shall be allowed to increase waiver plans to reflect mandated increases in the minimum wage for direct care workers. The Department shall also direct its actuary to recalculate the Provider-Led Arkansas Shared Savings Entity (PASSE) capitation rates for 2019 to include all these rate increases and shall pay the PASSE capitation rates reflective of the recalculated increases.

The provisions of this section shall be in effect only from July 1, 2019 through June 30, 2020."

AND

Appropriately renumber the subsequent SECTIONS of the bill.

DRAFT

The Amendment was read \_\_\_\_\_  
By: Joint Budget Committee  
By: Representative Murdock  
LCW/LCW - 03-28-2019 07:55:49  
LCW070

\_\_\_\_\_  
Chief Clerk

8



1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019

As Engrossed: H3/26/19

# A Bill

HOUSE BILL 1156

4  
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 - DIRECTOR'S OFFICE FOR THE FISCAL YEAR  
11 ENDING JUNE 30, 2020; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN  
15 SERVICES - DIRECTOR'S OFFICE  
16 APPROPRIATION FOR THE 2019-2020 FISCAL  
17 YEAR.  
18  
19  
20

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

23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
24 for the Department of Human Services - Director's Office for the 2019-2020  
25 fiscal year, the following maximum number of regular employees.  
26

		Maximum Annual
		Salary Rate
		Fiscal Year
Item	Class	
No.	Code Title	Employees
		2019-2020
31	(1) U133U DHS EXECUTIVE DIRECTOR	1 GRADE SE05
32	(2) L023N DHS DEPUTY DIRECTOR	3 GRADE SE03
33	(3) N011N DFA CHIEF INFORMATION OFFICER	1 GRADE SE02
34	(4) N220N DHS CHIEF ATTORNEY	1 GRADE SE02
35	(5) A018N DHS CHIEF FINANCIAL OFFICER	1 GRADE SE02
36	(6) N040N DHS CHIEF INFORMATION OFFICER	2 GRADE SE02



1 Technician/Residential Care Supervisor/Behavioral Health Aide  
2 Classifications

3 \$ 500 after completing 6 months probationary employment

4 \$ 500 after completing 1st year employment

5

6 Any qualified person hired and offered bonus payment described herein will  
7 forfeit the balance of the payments if he/she voluntarily resigns or is  
8 terminated for cause from employment from the Department of Human Services  
9 prior to completing the required employment commitment time periods outlined  
10 above.

11 The provisions of this section shall be in effect only from July 1, 2018  
12 2019 through June 30, ~~2019~~ 2020.

INSERT  
NEW  
SECTION  
HERE

13 →  
14 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
15 authorized by this act shall be limited to the appropriation for such agency  
16 and funds made available by law for the support of such appropriations; and  
17 the restrictions of the State Procurement Law, the General Accounting and  
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
19 Procedures and Restrictions Act, or their successors, and other fiscal  
20 control laws of this State, where applicable, and regulations promulgated by  
21 the Department of Finance and Administration, as authorized by law, shall be  
22 strictly complied with in disbursement of said funds.

23

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

32

33 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the  
34 General Assembly, that the Constitution of the State of Arkansas prohibits  
35 the appropriation of funds for more than a one (1) year period; that the  
36 effectiveness of this Act on July 1, 2019 is essential to the operation of

# ARKANSAS SENATE

92nd General Assembly - Regular Session, 2019

Amendment Form

DRAFT

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Subtitle of Senate Bill No. 136

AN ACT FOR THE DEPARTMENT OF EDUCATION-PUBLIC SCHOOL FUND - GRANTS AND AID TO  
LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS APPROPRIATION FOR THE 2019-2020 FISCAL  
YEAR.

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Amendment No. \_\_\_\_ to Senate Bill No. 136

Amend Senate Bill No. 136 as engrossed, S2/25/19 (version: 02/25/2019 3:06:18 PM)

Page, 19, immediately following SECTION 31, insert a new SECTION to read as follows:

" SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DEPARTMENT OF EDUCATION DISTRICT TAKEOVER STUDIES AND STRATEGIC PLANS. Prior to June 30, 2020, the Department of Education shall conduct a study and create a ten (10) year strategic plan for education for each local school district under state control at any point in the Fiscal Year 2020. The study and strategic plan for each district shall consider and address enrollment trends including current and future demand, administrative efficiencies, facilities needs, including but not limited to facilities efficiencies and improvements, personnel needs and efficiencies, and how to ensure world class educational opportunities to all students in each district. The plan shall assess enrollment, facilities and transportation needs in the context of all public schools within the district and shall seek input from parents, teachers, and administrators from all public schools within each district.

The Department of Education may contract with an outside contractor for assistance in completing the study and strategic plan for each district and may require district financial participation through cost sharing as long as the district is consulted in determining the contractor.

The provisions of this section shall be in effect only from July 1, 2019, through June 30, 2020."

AND

Appropriately renumber subsequent SECTION numbers of the bill.

**DRAFT**

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Joint Budget Committee

By: Senator Bond

KMW/KMW - 03-28-2019 07:37:46

KMW060

\_\_\_\_\_  
Secretary



1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019

As Engrossed: S2/25/19

# A Bill

SENATE BILL 136

4  
5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO  
9 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE  
10 DEPARTMENT OF EDUCATION-PUBLIC SCHOOL FUND FOR THE  
11 FISCAL YEAR ENDING JUNE 30, 2020; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF EDUCATION-  
16 PUBLIC SCHOOL FUND - GRANTS AND AID TO  
17 LOCAL SCHOOL DISTRICTS AND SPECIAL  
18 PROGRAMS APPROPRIATION FOR THE 2019-2020  
19 FISCAL YEAR.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND  
26 SPECIAL PROGRAMS. There is hereby appropriated, to the Department of  
27 Education, to be payable from the Department of Education Public School Fund  
28 Account, for grants and aid to local school districts and special programs of  
29 the Department of Education for the fiscal year ending June 30, 2020, the  
30 following:  
31

32 ITEM	FISCAL YEAR
33 NO.	2019-2020
34 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
35 (02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
36 HEALTH INSURANCE	15,000,000



1 purpose of meeting the requirements on limitation of fund balances pursuant  
2 to A.C.A. 6-20-2210. The Arkansas Department of Education shall promulgate  
3 rules to administer this section.

4 The provisions of this section shall be in effect only from July 1,  
5 2019 through June 30, 2020.

INSERT  
NEW  
SECTION  
HERE →

6  
7 SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
8 authorized by this act shall be limited to the appropriation for such agency  
9 and funds made available by law for the support of such appropriations; and  
10 the restrictions of the State Procurement Law, the General Accounting and  
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
12 Procedures and Restrictions Act, or their successors, and other fiscal  
13 control laws of this State, where applicable, and regulations promulgated by  
14 the Department of Finance and Administration, as authorized by law, shall be  
15 strictly complied with in disbursement of said funds.  
16

17 SECTION 33. LEGISLATIVE INTENT. It is the intent of the General  
18 Assembly that any funds disbursed under the authority of the appropriations  
19 contained in this act shall be in compliance with the stated reasons for  
20 which this act was adopted, as evidenced by the Agency Requests, Executive  
21 Recommendations and Legislative Recommendations contained in the budget  
22 manuals prepared by the Department of Finance and Administration, letters, or  
23 summarized oral testimony in the official minutes of the Arkansas Legislative  
24 Council or Joint Budget Committee which relate to its passage and adoption.  
25

26 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the  
27 General Assembly, that the Constitution of the State of Arkansas prohibits  
28 the appropriation of funds for more than a one (1) year period; that the  
29 effectiveness of this Act on July 1, 2019 is essential to the operation of  
30 the agency for which the appropriations in this Act are provided, and that in  
31 the event of an extension of the legislative session, the delay in the  
32 effective date of this Act beyond July 1, 2019 could work irreparable harm  
33 upon the proper administration and provision of essential governmental  
34 programs. Therefore, an emergency is hereby declared to exist and this Act  
35 being necessary for the immediate preservation of the public peace, health  
36 and safety shall be in full force and effect from and after July 1, 2019.



# ARKANSAS SENATE

92nd General Assembly - Regular Session, 2019

Amendment Form

DRAFT

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Subtitle of Senate Bill No. 93

AN ACT FOR THE DEPARTMENT OF HIGHER EDUCATION APPROPRIATION FOR THE 2019-2020  
FISCAL YEAR.

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Amendment No. \_\_\_\_ to Senate Bill No. 93

Amend Senate Bill No. 93 as engrossed, S2/25/19 (version: 2/25/2019 2:55:28 PM)

Page 22, insert an additional SECTION immediately following SECTION 41 to read as follows:

" SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. VETERINARY MEDICINE FUNDING REQUIREMENT. (a) The Department of Higher Education shall allocate, budget, and commit an amount sufficient to provide for five (5) Arkansas veterinary medicine students' participation in the Arkansas Health Education Grant Program while attending Mississippi State University.

(b) If the number of Arkansas veterinary medicine participants in the Arkansas Health Education Grant Program at Mississippi State University is less than five (5), the Department of Higher Education may utilize any unexpended Arkansas Health Education Grant Program funding as set forth in (a) for veterinary medicine grants at other participating institutions in the program.

The provisions of this section shall be in effect only from July 1, 2019 through June 30, 2020."

AND

Appropriately renumber subsequent SECTIONS of the bill.

DRAFT

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Joint Budget Committee

By: Representative A. Davis

HAR/HAR - 03-27-2019 10:55:10

HAR076

\_\_\_\_\_  
Secretary

14

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: S2/25/19

# A Bill

SENATE BILL 93

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 HIGHER  
10 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2020;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF HIGHER  
16 EDUCATION APPROPRIATION FOR THE 2019-2020  
17 FISCAL YEAR.  
18  
19

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

22 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby  
23 established for the Department of Higher Education for the 2019-2020 fiscal  
24 year, the following maximum number of regular employees.  
25

				Maximum Annual	
			Maximum	Salary Rate	
	Item	Class	No. of	Fiscal Year	
	No.	Code	Title	Employees	2019-2020
30	(1)	U024U	DHE DIRECTOR	1	GRADE SE05
31	(2)	U089U	DHE DEPUTY DIRECTOR	1	GRADE SE02
32	(3)	D022N	IT SENIOR PROJECT MANAGER	1	GRADE IT09
33	(4)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
34	(5)	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	2	GRADE IT07
35	(6)	D016C	SENIOR TECHNOLOGY ANALYST	1	GRADE IT06
36	(7)	N002N	DHE SENIOR ASSOC DIRECTOR	3	GRADE GS15



1 and distributed from the Higher Education Grants Fund Account, the Chief  
2 Fiscal Officer of the State shall transfer two hundred ninety-five thousand  
3 dollars (\$295,000) to the Department of Higher Education Fund Account to be  
4 allocated, budgeted, committed and distributed to the Statewide Scholarship  
5 and Grant Promotion line item in the General Operations section of this act  
6 for the purpose of increasing public awareness of the scholarships and grants  
7 offered by the State through the Arkansas Department of Higher Education. The  
8 Department shall utilize a minimum of one hundred forty-seven five hundred  
9 dollars (\$147,500) of the aforementioned total specifically for the promotion  
10 of the Arkansas Futures Grant Program.

11 The provisions of this section shall be in effect only from July 1, 2019  
12 through June 30, 2020.

INSERT  
NEW  
SECTION  
HERE

13  
14 SECTION 42. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
15 authorized by this act shall be limited to the appropriation for such agency  
16 and funds made available by law for the support of such appropriations; and  
17 the restrictions of the State Procurement Law, the General Accounting and  
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
19 Procedures and Restrictions Act, or their successors, and other fiscal  
20 control laws of this State, where applicable, and regulations promulgated by  
21 the Department of Finance and Administration, as authorized by law, shall be  
22 strictly complied with in disbursement of said funds.  
23

24 SECTION 43. LEGISLATIVE INTENT. It is the intent of the General  
25 Assembly that any funds disbursed under the authority of the appropriations  
26 contained in this act shall be in compliance with the stated reasons for  
27 which this act was adopted, as evidenced by the Agency Requests, Executive  
28 Recommendations and Legislative Recommendations contained in the budget  
29 manuals prepared by the Department of Finance and Administration, letters, or  
30 summarized oral testimony in the official minutes of the Arkansas Legislative  
31 Council or Joint Budget Committee which relate to its passage and adoption.  
32

33 SECTION 44. EMERGENCY CLAUSE. It is found and determined by the  
34 General Assembly, that the Constitution of the State of Arkansas prohibits  
35 the appropriation of funds for more than a one (1) year period; that the  
36 effectiveness of this Act on July 1, 2019 is essential to the operation of

**ARKANSAS SENATE**  
92nd General Assembly - Regular Session, 2019  
**Amendment Form**

**DRAFT**

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**Subtitle of Senate Bill No. 68**

AN ACT FOR THE ADMINISTRATIVE OFFICE OF THE COURTS APPROPRIATION FOR THE 2019-2020  
FISCAL YEAR.

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**Amendment No. \_\_\_\_ to Senate Bill No. 68**

Amend Senate Bill No. 68 as originally introduced:

Page 3, delete line 11 in its entirety

AND

Appropriately renumber all Item Numbers in Section 3

AND

Page 15, delete Sections 30 and 31 in their entirety

AND

Page 19, delete Section 40 in its entirety

AND

Appropriately renumber Sections of the bill.

**DRAFT**

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_  
By: Senator A. Clark  
JAR/JAR - 03-27-2019 13:22:11  
JAR076

\_\_\_\_\_  
Secretary





1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019

# A Bill

SENATE BILL 68

4  
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 ADMINISTRATIVE OFFICE  
10 OF THE COURTS FOR THE FISCAL YEAR ENDING JUNE 30,  
11 2020; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 AN ACT FOR THE ADMINISTRATIVE OFFICE OF  
16 THE COURTS APPROPRIATION FOR THE 2019-  
17 2020 FISCAL YEAR.  
18  
19

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

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
23 for the Administrative Office of the Courts for the 2019-2020 fiscal year,  
24 the following maximum number of regular employees.  
25

				Maximum Annual
				Salary Rate
				Fiscal Year
				2019-2020
Item	Class		Maximum	
No.	Code	Title	No. of	
			Employees	
30	(1)	Q004N AOC DIRECTOR	1	GRADE SE02
31	(2)	Q260C AOC COURT APPLICATIONS BUSINESS DIR	1	GRADE IT10
32	(3)	Q088C AOC COMPUTER SUPPORT MANAGER	1	GRADE IT07
33	(4)	Q219C AOC DATA QUALITY MANAGER	1	GRADE IT07
34	(5)	Q114C AOC COMPUTER SUPPORT ANALYST II	2	GRADE IT06
35	(6)	Q048C AOC SOFTWARE ENGINEER	2	GRADE IT06
36	(7)	Q070C AOC REGIONAL FUNCTIONAL SPECIALIST	6	GRADE IT05





1 the State Central Services Fund for a portion of the expenses of the  
2 Administrative Office of the Courts - Division of Dependency-Neglect  
3 Representation.

4 The provisions of this section shall be in effect only from July 1, ~~2018~~  
5 2019 through June 30, ~~2019~~ 2020.

6  
7 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING.  
9 Funds received by the Arkansas State Police from the Department of  
10 Transportation from the safety incentive funds received under P.L. 105-178,  
11 title I, Section 1404(a), 23 USC Section 163 for "Safety Incentives to  
12 Prevent Operation of Motor Vehicles by Intoxicated Persons" may be  
13 transferred to the Administrative Office of the Courts as directed by the  
14 Arkansas State Police for operating expenses of the District Court State  
15 Automation System.

16 The provisions of this section shall be in effect only from July 1, ~~2018~~  
17 2019 through June 30, ~~2019~~ 2020.

18  
19 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MONTHLY  
21 INSTALLMENT. From July 1, ~~2018~~ 2019 through June 20, ~~2019~~ 2020, a lump sum  
22 monthly installment of at least one-twelfth (1/12) of a portion of the annual  
23 appropriation provided for in the Division of Dependency-Neglect  
24 Representation appropriation of this Act, or so much thereof as may be made  
25 available, shall be provided from the State Administration of Justice Fund to  
26 the State Central Services Fund to provide a portion of the funds for that  
27 appropriation.

28 The provisions of this section shall be in effect only from July 1, ~~2018~~  
29 2019 through June 30, ~~2019~~ 2020.

30

DELETE

31 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDIGENT  
33 PARENT COUNSEL REPRESENTATION. The Administrative Office of the Courts shall  
34 have the authority to use the appropriation provided in line item Parent  
35 Counsel Reimbursements of the Parent Counsel Program appropriation herein for  
36 the purpose of entering into professional service contracts on a full-time or

1 part-time basis with attorneys who are qualified to provide counsel for  
2 indigent parents in dependency-neglect cases.

3 The provisions of this section shall be in effect only from July 1, 2018  
4 2019 through June 30, ~~2019~~ 2020.

5  
6 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
8 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
9 State and Arkansas Legislative Council or Joint Budget Committee, the Agency  
10 is authorized to transfer appropriation from any line item authorized in  
11 Court Automation Appropriation of the Administrative Office of the Courts in  
12 this Act to any other line item authorized in Court Automation Appropriation.

13 Determining the maximum number of employees and the maximum amount of  
14 appropriation and general revenue funding for a state agency each fiscal year  
15 is the prerogative of the General Assembly. This is usually accomplished by  
16 delineating such maximums in the appropriation act(s) for a state agency and  
17 the general revenue allocations authorized for each fund and fund account by  
18 amendment to the Revenue Stabilization law. Further, the General Assembly  
19 has determined that the Administrative Office of the Courts may operate more  
20 efficiently if some flexibility is provided to the Administrative Office of  
21 the Courts authorizing broad powers under this Section. Therefore, it is both  
22 necessary and appropriate that the General Assembly maintain oversight by  
23 requiring prior approval of the Legislative Council or Joint Budget Committee  
24 as provided by this section. The requirement of approval by the Legislative  
25 Council or Joint Budget Committee is not a severable part of this section.  
26 If the requirement of approval by the Legislative Council or Joint Budget  
27 Committee is ruled unconstitutional by a court of competent jurisdiction,  
28 this entire section is void.

29 The provisions of this section shall be in effect only from July 1, 2018  
30 2019 through June 30, ~~2019~~ 2020.

31

32 SECTION 42. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
33 authorized by this act shall be limited to the appropriation for such agency  
34 and funds made available by law for the support of such appropriations; and  
35 the restrictions of the State Procurement Law, the General Accounting and  
36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

# ARKANSAS SENATE

92nd General Assembly - Regular Session, 2019  
Amendment Form

DRAFT

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## Subtitle of Senate Bill No. 36

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER COMMISSION APPROPRIATION FOR THE 2019-2020  
FISCAL YEAR.

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## Amendment No. \_\_\_\_ to Senate Bill No. 36

Amend Senate Bill No. 36 as engrossed, S3/27/19 (version: 03/27/2019 3:22:54 PM)

Page 3, line 11, delete "9" and insert "7"

And

Page 3, line 12, delete "53" and insert "52"

And

Page 3, line 21, delete "10" and insert "9"

And

Page 3, line 26, delete "\_\_48" and insert "\_\_47"

And

Page 3, line 27, delete "254" and insert "249"

And

Page 4, line 9, delete "\$16,973,828" and insert "\$16,643,709"

And

Page 4, line 11, delete "5,221,438" and insert "5,121,471"

And

Page 4, line 15, delete "750,000" and insert "725,000"

And

**DRAFT**

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Page 1 of 4

21



Page 4, line 20, delete "\$24,705,522" and insert "\$24,250,436"

And

Page 5, immediately following SECTION 8 insert the following Sections:

" SECTION 9. REGULAR SALARIES - COMMISSION FOR PARENT COUNSEL. There is hereby established for the Arkansas Public Defender Commission - Commission for Parent Counsel for the 2019-2020 fiscal year, the following maximum number of regular employees.

		Maximum	Maximum Annual
		No. of	Salary Rate
Item	Class		Fiscal Year
No.	Code Title	Employees	2019-2020
(1)	Q252C EXECUTIVE DIRECTOR PARENT COUNSEL	1	GRADE GS13
(2)	G025C ATTORNEY SUPERVISOR	2	GRADE GS12
(3)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
(4)	Q253C EXECUTIVE ASSISTANT PARENT COUNSEL	1	GRADE GS06
(5)	G179C LEGAL SERVICES SPECIALIST	1	GRADE GS06
(6)	C046C LEGAL SUPPORT SPECIALIST	<u>1</u>	GRADE GS04
MAX. NO. OF EMPLOYEES		7	

SECTION 10. EXTRA HELP - COMMISSION FOR PARENT COUNSEL. There is hereby authorized, for the Arkansas Public Defender Commission - Commission for Parent Counsel for the 2019-2020 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: fourteen (14) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 11. APPROPRIATION - COMMISSION FOR PARENT COUNSEL. There is hereby appropriated, to the Arkansas Public Defender Commission, to be payable from the State Central Services Fund, for personal services, operating expenses and parent counsel refunds/reimbursements of the Commission for Parent Counsel for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(01) REGULAR SALARIES	\$457,441
(02) EXTRA HELP	630,000
(03) PERSONAL SERVICES MATCHING	139,484
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	20,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	25,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) PARENT COUNSEL REIMBURSEMENTS	<u>1,870,231</u>
TOTAL AMOUNT APPROPRIATED	<u>\$3,142,156</u>

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INDIGENT PARENT COUNSEL REPRESENTATION. The Commission for Parent Counsel shall have the authority to use the appropriation provided in line item Parent Counsel Reimbursements of the Parent Counsel Program appropriation herein for the purpose of entering into independent professional service contracts on a full-time or part-time basis with attorneys who are qualified to provide counsel for indigent parents in dependency-neglect cases.

The provisions of this section shall be in effect only from July 1, 2019 through June 30, 2020.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL OR TEMPORARY LAW. TRANSFER PROVISION – LINE ITEMS - COMMISSION FOR PARENT COUNSEL. After receiving approval from the Chief Fiscal Officer of the State and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Arkansas Public Defender Commission is authorized to transfer appropriation, with the exception of Personal Services Matching, between the line items authorized herein for the Commission for Parent Counsel, to best utilize resources to meet the needs of the Parent Counsel's clientele.

The provisions of this section shall be in effect only from July 1, 2019 through June 30, 2020.

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP EXEMPTION - COMMISSION FOR PARENT COUNSEL. Extra Help positions authorized herein for the Commission for Parent Counsel are specifically exempt from limitation of hours. Employees currently working on a part-time basis may be utilized concurrently as Extra Help within the agency. The total amount of compensation for part-time and Extra Help work combined cannot exceed the maximum compensation allowed for a grade GS11 as authorized in the Uniform Classification and Compensation Act. Flexibility is needed to



allow for non-traditional work schedules that may be necessary to accommodate the schedule of the individual being represented. Attorneys utilized as Extra Help employees are not prevented from having other employment.

The provisions of this section shall be in effect only from July 1, 2019 through June 30, 2020.

SECTION 15. Arkansas Code § 9-27-703 is amended to read as follows:  
9-27-703. Commission for Parent Counsel.

(f)(1) ~~General~~ Financial support staff, financial data entry staff and facilities, and operating assistance for the Commission for Parent Counsel shall be provided by the ~~Administrative Office of the Courts~~ Arkansas Public Defender Commission from funds that are specifically appropriated for that purpose by the General Assembly.

(2) However, the ~~office~~ Arkansas Public Defender Commission shall not have oversight responsibility or authority over the ~~commission~~ Commission for Parent Counsel ~~except when the commission requests that the office facilitate any contract with an attorney who has been approved for contract by the commission.~~

(3) Under no circumstances shall the:

(A) Commission for Parent Counsel exercise oversight of the Executive Director of the Arkansas Public Defender Commission;

(B) Arkansas Public Defender Commission exercise oversight of the Executive Director of the Commission for Parent Counsel; and

(C) Either Executive Director of the Arkansas Public Defender Commission or the Commission for Parent Counsel be under the oversight of the other executive director.

SECTION 16. Arkansas Code § 9-27-704 is amended to read as follows:

9-27-704. Power and duties of the Commission for Parent Counsel - Funding Formula - Liability.

(a)(2) The Commission for Parent Counsel may employ or enter into independent professional service contract contracts with attorneys to represent a parent at the trial court level as well as at the appellate level.

(d) Neither the ~~Administrative Office of the Courts~~ Arkansas Public Defender Commission nor the Commission for Parent Counsel is liable directly or indirectly to any attorney or to the Arkansas State Claims Commission for the payment of attorney's fees or expenses except to the extent specific funding is appropriated and available for the purpose of providing indigent parent counsel in dependency-neglect cases."

AND

Appropriately renumber subsequent Sections of the bill.

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator A. Clark

JAR/JAR - 04-01-2019 13:21:03 \_\_\_\_\_

State of Arkansas *As Engrossed: S3/25/19 S3/27/19*

92nd General Assembly

Regular Session, 2019

# A Bill

SENATE BILL 36

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE ARKANSAS PUBLIC  
DEFENDER COMMISSION FOR THE FISCAL YEAR ENDING JUNE  
30, 2020; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS PUBLIC DEFENDER  
COMMISSION APPROPRIATION FOR THE 2019-  
2020 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby  
established for the Arkansas Public Defender Commission - State Operations  
for the 2019-2020 fiscal year, the following maximum number of regular  
employees.

Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
(1)	U082U PUBLIC DEF COMM EXEC DIRECTOR	1	GRADE SE02
(2)	G012N PUBLIC DEFENDER III	4	GRADE GS13
(3)	G022N PUBLIC DEFENDER II	5	GRADE GS12
(4)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
(5)	X056C CAPITAL CONFLICTS INVESTIGATOR	2	GRADE GS07
(6)	G146C MITIGATION SPECIALIST	1	GRADE GS07



1 Defender Commission - Ombudsman Program for the fiscal year ending June 30,  
2 2020, the following:

3		
4	ITEM	FISCAL YEAR
5	NO.	2019-2020
6	(01) REGULAR SALARIES	\$56,685
7	(02) PERSONAL SERVICES MATCHING	18,207
8	TOTAL AMOUNT APPROPRIATED	<u>\$74,892</u>

INSERT  
NEW  
SECTIONS  
HERE

9  
10 SECTION 9. Arkansas Code § 5-4-303, concerning conditions of  
11 suspension or probation for a criminal offense, is amended to add an  
12 additional subsection to read as follows:

13 (i)(1) Unless specified otherwise in subsection (g) of this section  
14 and § 16-87-213, the moneys collected by the courts under subsection (g) of  
15 this section and § 16-87-213 shall be deposited into the State Treasury to  
16 the credit of the State Central Services Fund.

17 (2) If Arkansas law requires that the fees levied under  
18 subsection (g) of this section be deposited into the State Administration of  
19 Justice Fund, the Treasurer of State shall transfer the amount of the fees  
20 collected each month under subsection (g) of this section from the State  
21 Administration of Justice Fund to the State Central Services Fund.

22  
23 SECTION 10. Arkansas Code § 17-19-301, concerning bail bond premiums,  
24 is amended to add an additional subsection to read as follows:

25 (i)(1) Unless specified otherwise under subsection (e) of this  
26 section, the moneys collected by each bail bond company under subsection (e)  
27 of this section shall be deposited into the State Treasury to the credit of  
28 the Public Defender User Fees Fund within the State Central Services Fund.

29 (2)(A) Of the fee collected by each licensed professional bail  
30 bond company, three dollars (\$3.00) shall be transferred to the various  
31 counties for the sole purpose of defraying the operating expenses of the  
32 local public defender's office.

33 (B) The remaining moneys collected shall be used to defray  
34 operating expenses of the Arkansas Public Defender Commission.

35 (3) On a quarterly basis, the Arkansas Public Defender Commission  
36 shall remit to each county its portion of the three dollars (\$3.00) per bail