

REPORT OF THE
PERSONNEL SUBCOMMITTEE
OF THE
JOINT BUDGET COMMITTEE

February 17, 2009

Mr. Chairmen:

The Personnel Subcommittee of the Joint Budget Committee met on February 12, 2009 at 8:00 a.m. in Room 151 of the State Capitol. The Committee makes the following recommendations to the Joint Budget Committee:

1. HB 1257 - Workforce Education approved as submitted. **(Bill is released to the Joint Budget Committee)**
2. HB 1259 - Military Department approved as submitted. **(Bill is released to the Joint Budget Committee)**
3. HB 1287 - DHS - County Operations approved as submitted. **(Bill is released to the Joint Budget Committee)**
4. SB 290 - Department Of Education approved as submitted. **(Bill is released to the Joint Budget Committee)**
5. HB 1188 - Legislative Audit approved as submitted. **(Bill is released to the Joint Budget Committee)**
6. SB 198 - Supreme Court approved as submitted. **(Bill is released to the Joint Budget Committee)**
7. WLC 092 Amendment to SB 263 - Auditor (Juvenile Probation Officers) approved as submitted. **(Amendment is released to the Joint Budget Committee)**

Respectfully Submitted,

Senator Barbara Horn

Representative Rick Green

REPORT OF THE SPECIAL LANGUAGE SUBCOMMITTEE
OF THE
JOINT BUDGET COMMITTEE

B.2

Tuesday, February 17, 2009

Mr. Chairman:

Your Special Language Subcommittee met on Monday, February 16, 2009 and makes the following recommendations listed below to the Joint Budget Committee.

1. The following amendments are recommended for approval and the bills are released from the Special Language Subcommittee:

- A. SB265 - Auditor of State - Trail Court Administrative Assistants Appropriation (Attachment 1 - WLC099)
- B. SB274 - War memorial Stadium Commission Reappropriation (Attachment 2 -KCS093)
- C. SB284 - Cemetery Board Reappropriation (Attachment 3 - KCS090)

Respectfully Submitted,

Senator Paul Bookout, Chair

Representative Kathy Webb, Chair

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

DRAFT

Subtitle of Senate Bill No. 265
"AN ACT FOR THE AUDITOR OF STATE - TRIAL COURT ADMINISTRATIVE
ASSISTANTS APPROPRIATION FOR THE 2009-2010 FISCAL YEAR."

Amendment No. _____ to Senate Bill No. 265.

Amend Senate Bill No. 265 as originally introduced:

Page 2, line 12, delete "State " and substitute "Trial Court Administrative Assistant Fund"

AND

Page 2, line 13, delete "Administration of Justice Fund"

AND

Page 2, immediately following Section 3 insert new Sections to read as follows:

"SECTION 4. FUND CREATED. (a) There is hereby created on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a miscellaneous revenue fund to be known as the Trial Court Administrative Assistant Fund. (b) This fund shall consist of those monies transferred from the State Administration of Justice Fund and other monies as authorized by law. (c) The fund shall be used for paying personal services, Trial Court Assistant expenses and Trial Court Staff Substitutes.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CERTIFICATION. Any Trial Court Administrative Assistant who is or becomes certified by the National Center for State Courts as a certified Court Manager shall be entitled to have the annual salary for which he or she is eligible to be increased by ten percent (10%), which shall not exceed the maximum amount for the grade assigned.

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

AND

Appropriately renumber subsequent Section numbers.

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

DRAFT

Subtitle of Senate Bill No. 274
"AN ACT FOR THE WAR MEMORIAL STADIUM COMMISSION REAPPROPRIATION."

Amendment No. _____ to Senate Bill No. 274.

Amend Senate Bill No. 274 as originally introduced:

Page 1, line 27, delete ", in a sum not to exceed" and substitute "or for costs associated with various maintenance, renovation, equipping, construction, acquisition, improvement, upgrades and repair projects for War Memorial Stadium Commission, in a sum not to exceed"

And

Insert a new Section immediately following Section 7 to read as follows:
" SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As referenced in SECTION 3 of Act 1202 of 2007 and SECTION 3 of Act 1753 of 2007, the authorized funding for the War Memorial Stadium Commission for elevator construction and maintenance shall also be deemed to include costs associated with various maintenance, renovation, equipping, construction, acquisition, improvement, upgrades and repair projects for War Memorial Stadium Commission."

And

Appropriately renumber the subsequent Sections of the bill.

The Amendment was read the first time, rules suspended and read the second time and _____
By: Senator Broadway
KCS/KCS - 02-12-2009 13:51
KCS093

Secretary

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

DRAFT

Subtitle of Senate Bill No. 284

"AN ACT FOR THE ARKANSAS CEMETERY BOARD REAPPROPRIATION."

Amendment No. _____ to Senate Bill No. 284.

Amend Senate Bill No. 284 as originally introduced:

Page 1, line 30 delete ", in a sum not to exceed" and substitute "or for grants to be made to non-profit/government entity owners of perpetual care cemeteries of historic nature, the sum of"

And

Insert a new Section immediately following Section 1 to read as follows:

" SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As referenced in SECTION 3 of Act 1202 of 2007 and SECTION 3 of Act 1753 of 2007, the authorized funding for the Arkansas Cemetery Board for the project for cemetery maintenance, operations and acquisition costs shall also be deemed to include grants to be made to non-profit/government entity owners of perpetual care cemeteries of historic nature."

And

Appropriately renumber the subsequent Sections of the bill.

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

By: Senator Elliott
KCS/KCS - 02-04-2009 16:32
KCS090

Secretary



State of Arkansas
Bureau of
Legislative Research

David Ferguson., Director
Kim Arnall, Assistant Director
for Fiscal Services
Marty Garrity, Assistant Director
for Legal Services
Richard Wilson, Assistant Director
for Research Services

B.3

Memorandum

TO: Senator Gilbert Baker, Co-Chair
Representative Bruce Maloch, Co-Chair

FROM: Andrew Bass
Personnel Review Section
Fiscal Services Division

DATE: February 12, 2009

SUBJECT: Base Position Level Report

The attached report lists appropriation bills and amendments for agencies and/or institutions that have been considered and released to the Joint Budget Committee by the Personnel Subcommittee. For each agency or institution, the report provides the following:

- the number of current authorized positions;
- the number of base level positions for Fiscal Year 2009;
- the number of positions for Fiscal Year 2010 in each bill; and,
- the number of positions that are above the base level.

The positions, titles, and grades that are included in the bills were reviewed and recommended by the Personnel Subcommittee of the Arkansas Legislative Council / Joint Budget Committee in the fall hearings.

AGENCY / INSTITUTION NAME	2008 - 2009 AUTHORIZED POSITIONS	2008 - 2009 BASE LEVEL POSITIONS	FY 2010 RECOMMENDED POSITIONS	POSITIONS OVER BASE LEVEL	POSITIONS OVER AUTHORIZED
APPRAISERS BOARD	4	3	4	1	0
BUILDING AUTHORITY	88	88	92	4	4
CRIME INFORMATION CENTER	72	70	72	2	0
CRIME LABORATORY	148	140	141	1	-7
CROWLEY'S RIDGE TECHNICAL INSTITUTE	61	60	61	1	0
DEPARTMENT OF EDUCATION	359	348	361	13	2
DFA - Child Support Enforcement	876	822	876	54	0
DFA - Management Services	427	425	451	26	24
DHS - Administrative Services	362	340	359	19	-3
DHS - Director's Office / Office of Chief Counsel	185	184	188	4	3
DHS - Volunteerism	23	23	24	1	1
DHS - Aging and Adult Services	203	195	203	8	0
DHS - Behavioral Health	956	956	1,167	211	211
DHS - Children and Family Services	1,135	1,031	1,194	163	59
DHS - County Operations	1,884	1,772	1,882	110	-2
DHS - Developmental Disabilities	2,598	2,509	2,726	217	128
DHS - Medical Services	304	302	322	20	18
DHS - Services for the Blind	74	73	75	2	1
DHS - Youth Services	160	93	159	66	-1
DISABILITY DETERMINATION, SOCIAL SECURITY	284	233	284	51	0
ELECTION COMMISSIONERS BOARD	6	6	7	1	1
EMERGENCY MANAGEMENT, DEPARTMENT OF	82	82	84	2	2
ENVIRONMENTAL QUALITY, DEPARTMENT OF	423	422	427	5	4
GEOLOGICAL SURVEY	25	25	30	5	5
HIGHER EDUCATION, DEPARTMENT OF	48	47	48	1	0
LABOR, DEPARTMENT OF	106	101	103	2	-3
LEGISLATIVE AUDIT	263	262	277	15	14
MILITARY DEPARTMENT	799	573	759	186	-40
NATURAL RESOURCES COMMISSION	95	92	94	2	-1
OIL & GAS COMMISSION	32	32	39	7	7
SCHOOL FOR THE BLIND	102	100	101	1	-1
SUPREME COURT	44	44	45	1	1
TOBACCO SETTLEMENT COMMISSION	2	2	3	1	1
VETERANS' AFFAIRS, DEPARTMENT OF	216	202	221	19	5
WORKFORCE EDUCATION	110	101	106	5	-4
WORKFORCE SERVICES, DEPARTMENT OF	916	682	929	247	13
SB 263 - AUDITOR (DRUG COURT PROBATION OFFICERS)	0	0	10	10	10

TOTAL

13,472	12,440	13,924	1,484	452
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State of Arkansas
Bureau of
Legislative Research

David Ferguson, Director
Kim Arnall, Assistant Director
for Fiscal Services
Marty Garrity, Assistant Director
for Legal Services
Richard Wilson, Assistant Director
for Research Services

February 13, 2009

B.4

Senator Gilbert Baker, Co-Chair
Representative Bruce Maloch, Co-Chair
Joint Budget Committee

RE: Contract Disclosure

Dear Senator Baker and Representative Maloch;

DFA - Office of State Procurement has submitted a construction contract according to A.C.A. 19-11-264.

19-11-264.Submission of contracts with members of the General Assembly required.

(a)All contracts with a member of the General Assembly, his or her spouse, or with any business in which such person or his or her spouse is an officer, a director, or a stockholder owning more than ten percent (10%) of the stock in the business shall be presented to the Legislative Council or to the Joint Budget Committee, if the General Assembly is in session, before the execution date of the contract.

(b)The Legislative Council or the Joint Budget Committee shall provide the State Procurement Director and the Director of the Arkansas Ethics Commission with its review as to the propriety of the contract, including without limitation whether the agency properly complied with the procurement process and whether the contract represents an improper conflict of interest between the member and the agency, within thirty (30) days after receipt of the proposed contract.

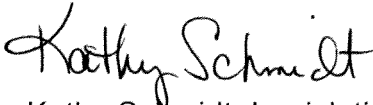
(c)The contract shall not be submitted to the Legislative Council or to the Joint Budget Committee until the Department of Finance and Administration has reviewed the contract and provided the Legislative Council or the Joint Budget Committee with a recommendation regarding the legality of the contract.

The construction contract is between the Department of Corrections and Hydco, Inc. for \$513,660. It is for construction of the Wrightsville Furniture Shop Annex. Arkansas Building Authority (ABA) reports the project was competitively and formally bid. The bid sheet shows 18 accepted bids with Hydco, Inc. being the lowest. The Disclosure Form shows Representative Barry Hyde as having 90% Ownership Interest and holding the position of CEO in Hydco, Inc.

Jane Benton, Administrator, Office of State Procurement has forwarded the attached letter recommending that the contact has fulfilled all necessary requirements to create a legal contract. DFA and ABA have also forwarded copies of the Contract Agreement Form, Disclosure Form and Official Bid Tabulation.

According to the code, JBC shall provide the State Procurement Director and Director of the Arkansas Ethics Commission with its review of the contract.

Sincerely,

A handwritten signature in black ink that reads "Kathy Schmidt". The signature is written in a cursive style with a large, prominent "K" and "S".

Kathy Schmidt, Legislative Analyst
PEER/Review Subcommittee Staff



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF STATE PROCUREMENT
1509 West Seventh Street, Suite 300
Little Rock, Arkansas 72201-4222
Phone: (501) 324-9316
Fax (501) 324-9311
<http://www.arkansas.gov>

February 12, 2009

Senator Co-Chair Gilbert Baker
Representative Co-Chair Bruce Maloch
Joint Budget Committee

RE: Contract Disclosure

Dear Senator Baker and Representative Maloch:

The Arkansas Department of Corrections plans to enter into a construction contract with Hydco, Inc. which was awarded through a competitive bid process. Barry Hyde, the President of Hydco has disclosed that he is a current State Representative. Therefore I am submitting this contract for the review of the Arkansas Joint Budget Committee in accordance with the provisions of ACA 19-11-264 (Act 567 of 2007).

Arkansas Building Authority confirms that this contract meets their minimum standards and criteria and the Department of Corrections properly complied with the procurement process. The Office of State Procurement therefore recommends that this contract has fulfilled all necessary requirements to create a legal contract.

Respectfully yours,

Jane T. Benton, Administrator
Office of State Procurement

cc: ABA

Contract Information for Project #4800803

Agency: Department of Corrections (DOC)

Contractor: Hydco, Inc.
North Little Rock, AR

Term: 180 Calendar Days

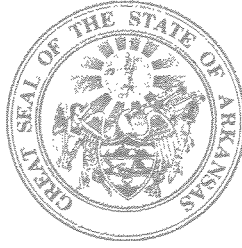
Procurement
Method: RFP (low bid)

Total Cost: \$513,660

Funding
Source: Industry Funds - Industry Division

Project: Construction of Furniture Shop Annex at Wrightsville

JBC Date: February 17, 2009



STATE OF ARKANSAS
MIKE BEEBE
GOVERNOR

February 12, 2009

Senator Gilbert Baker, Co-Chair
Representative Bruce Maloch, Co-Chair
Joint Budget Committee
Arkansas General Assembly
State Capitol Building
Little Rock, AR 72201

Gentlemen:

I respectfully request an amendment to HB 1137, the Operating Appropriations Bill for the State Bank Department.

Please make changes in Section 1. REGULAR SALARIES as follows:

Item No. (1) Change the title of DIRECTOR BANK DEPARTMENT to STATE BANK COMMISSIONER.

Item No. (2) Change the title of BANK ASSISTANT COMMISSIONER to BANK DEPUTY COMMISSIONER.

Item No. (3) Change the GRADE C128 to GRADE N906.

Item No. (4) Change the GRADE C127 to GRADE C130

Item No. (8) Change the title BANK REVIEW ADMINISTRATOR to CERTIFIED EXAMINER MANAGER and the GRADE C124 to GRADE C128.

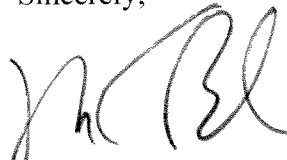
Item No. (10) Change the title BANK SENIOR EXAMINER to CERTIFIED BANK SENIOR EXAMINER and the GRADE C123 to GRADE C126.

Senator Gilbert Baker, Co-Chair
Representative Bruce Maloch, Co-Chair
February 12, 2009
Page 2

The State Bank Department in the past has used special language to provide a career path for examination personnel, maintain salary levels comparable to market rates, and hold down turnover. These changes are requested to provide a similar framework within the Regular Salaries Section for the retention of examiners to ensure that the Department has the personnel resources to continue providing the best services possible to the banking industry and the general public.

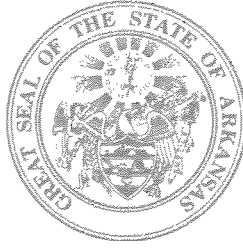
I appreciate your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "MBE", written in a cursive style.

Mike Beebe

MB:fms:lh



STATE OF ARKANSAS
MIKE BEEBE
GOVERNOR

February 12, 2009

Senator Gilbert Baker, Co-Chair
Representative Bruce Maloch, Co-Chair
Joint Budget Committee
Arkansas General Assembly
State Capitol Building
Little Rock, AR 72201

Gentlemen:

I respectfully request an amendment to HB1286, the Annual Appropriations Bill for the Arkansas Department of Health - Tobacco Prevention and Cessation Programs.

Please add the following amounts by amending Section 3.

SECTION 3. APPROPRIATION – TOBACCO PREVENTION AND CESSATION PROGRAMS

ITEM NO .	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$361,471
(02) EXTRA HELP	\$25,000
(03) PERSONAL SERVICES MATCHING	\$127,009
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$157,345
(B) CONF. & TRAVEL	\$13,043
(C) PROF. FEES	\$1,042,835
(06) TOBACCO PREVENTION & CESSATION EXPENSES	\$3,801,498

Please delete Item (05) in Section 3 in its entirety.

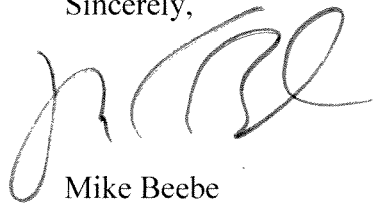
Senator Gilbert Baker, Co-Chair
Representative Bruce Maloch, Co-Chair
February 12, 2009
Page 2

This request restores the Executive Recommendation presented to ALC/JBC Committee in the fall. Due to the nature of these programs, the full amount of each appropriation is needed during the 2010 fiscal year.

Additionally, I am requesting the addition of a line item in Section 3 of \$500,000 for Juvenile Drug Court Treatment Programs to allow for the funding of substance abuse treatment focused on reducing tobacco addiction. The Department has made a commitment of \$500,000 in FY10 and \$1,000,000 in FY11 for treatment programs within the juvenile drug courts. This request is for appropriation only.

I appreciate your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Beebe", written in a cursive style.

Mike Beebe

MB:fms:lh