

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

JBC 03/19/07 (9)

Subtitle of House Bill No. 1292

"AN ACT FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES -
ADMINISTRATION APPROPRIATION FOR THE 2007-2009 BIENNIUM."

Amendment No. 3 to House Bill No. 1292.

Amend House Bill No. 1292 as engrossed, H3/16/07 (version: 03-16-2007 09:47)

Insert an additional section immediately following SECTION 13 to read as follows:

" SECTION 14. APPROPRIATION - DHHS DECOUPLE EXPENSES. There is hereby appropriated, to the Department of Health and Human Services - Division of Administrative Services, to be payable from the Department of Human Services Administration Fund Account, for decoupling and related expenses of the Division of Health from the Department of Health and Human Services for the biennial period ending June 30, 2009, the sum of.....\$5,000,000."

AND

Insert an additional section immediately following SECTION 21 to read as follows:

" SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHHS DECOUPLE APPROPRIATION TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State and prior review and approval by the PEER Subcommittee of the Arkansas Legislative Council or Joint Budget Committee, the Director of the Department of Health and Human Services is authorized to transfer, if needed, up to five million dollars (\$5,000,000) in appropriation authorized in this Act for decoupling and related expenses from the Department of Human Services Administration Fund Account to the Public Health Fund for unforeseen costs associated with decoupling the Division of Health from the Department of Health and Human Services.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Health and Human Services may operate more efficiently if some flexibility is provided to the Department of Health and Human Services authorizing broad powers under this Section. Therefore, it



is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

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

AND

Appropriately renumber all SECTION numbers of the bill.

The Amendment was read _____
By: Representative Thyer
JKG/JKG - 03-19-2007 18:38
JKG200 _____ Chief Clerk