

# Hall of the House of Representatives

## 86th General Assembly - Regular Session, 2007

### Amendment Form

JBC 03/29/07 (1-pm) & (2-pm)

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#### Subtitle of House Bill No. 1292

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

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#### Amendment No. 7 to House Bill No. 1292.

Amend House Bill No. 1292 as engrossed, H3/28/07 (version: 03-28-2007 08:37)

Page 2, line 20, delete "47" and substitute "57"

AND

Page 2, line 32, delete "6" and substitute "3"

AND

Page 3, line 6, delete "178" and substitute "185"

AND

Delete SECTION 6 in its entirety and substitute the following:

" SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL OPERATIONS. There is hereby appropriated, to the Department of Health and Human Services - Director's Office - Office of Chief Counsel, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Health and Human Services - Director's Office - Office of Chief Counsel for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 7,956,832	\$ 8,109,805
(02) EXTRA HELP	22,578	22,578
(03) PERSONAL SERVICES MATCHING	2,489,061	2,522,810
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	992,112	1,048,112
(B) CONF. & TRAVEL	24,472	32,472
(C) PROF. FEES	11,000	11,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(05) DATA PROCESSING SERVICES	12,300	12,300



TOTAL AMOUNT APPROPRIATED

\$ 11,508,355 \$ 11,759,077"

AND

Insert an additional section immediately following SECTION 23 to read as follows:

" SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW HIRE REQUIREMENT. Any new hire for the positions as established for the implementation of the findings of the Arkansas Legislative Task Force on Abused and Neglected Children in the Office of Chief Counsel, implementation of the findings of the Arkansas Legislative Task Force on Abused and Neglected Children in the Division of Children and Family Services, and the Arkansas Options Counseling Care Program in the Division of Aging and Adult Services shall first receive prior approval of the Personnel Subcommittee of the Arkansas Legislative Council or Joint Budget Committee.

The Arkansas General Assembly has authorized additional positions for the Arkansas Options Counseling for Long-Term Care Program and to implement the findings of the Arkansas Legislative Task Force on Abused and Neglected Children Arkansas Child Safety Centers programs. After receiving prior approval of the new hire positions from the Personnel Subcommittee, the Department of Health and Human Services shall be required, as part of their request to the Personnel Subcommittee, to demonstrate that the new hire positions are allocated to the geographical areas of greatest need.

The Department of Health and Human Services shall also report quarterly to the House and Senate Public Health, Welfare and Labor Committees on the activities and progress of the Arkansas Options Counseling for Long-Term Care Program and the Arkansas Legislative Task Force on Abused and Neglected Children Arkansas Child Safety Centers programs, including but not limited to, the number of positions filled, where the employees hired have been stationed, and the specific activities of the positions.

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 Medley  
Senator Steele  
Joint Budget Committee  
JKG/JKG - 03-29-2007 17:53  
JKG250

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