

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL 1957

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 CHILDREN AND FAMILY SERVICES FOR THE BIENNIAL
PERIOD ENDING JUNE 30, 1993; AND FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
for the Department of Human Services - Division of Children and Family
Services for the 1991-93 biennium, the following maximum number of regular
employees whose salaries shall be governed by the provisions of the Uniform
Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its
successor, and all laws amendatory thereto. Provided, however, that any
position to which a specific maximum annual salary is set out herein in
dollars, shall be exempt from the provisions of said Uniform Classification
and Compensation Act. All persons occupying positions authorized herein are
hereby governed by the provisions of the Regular Salaries Procedures and
Restrictions Act (Arkansas Code §21-5-101), or its successor.

		Maximum Annual		
		Maximum	Salary Rate	
Item	Class	No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92 1992-93
(1)	9720	DHS/DEPUTY DIRECTOR DCFS	1	\$61,000 \$64,050
(2)	878Z	DCFS ADMR PROGRAM OPERATIONS	1	GRADE 25
	397Z	DCFS ADMIN OF COMMUNITY SVCS	1	
	L124	PSYCHOLOGIST	1	
	880Z	DCFS ADMR PROGRAM SUPPORT	1	

1	886Z DCFS ADMR ADMINISTRATIVE SERVICES	1	
2	(3) 187Z DCFS ADMR INDIVIDUAL & FAMILY SVCS	1	GRADE 24
3	403Z YOUTH SVCS CENTER SUPT	2	
4	(4) 923Z DHS PROGRAM ADMINISTRATOR	2	GRADE 23
5	897Z DHS/DCFS INSTITUTION PROGRAM MGR	2	
6	E015 ED SCHOOL PRINCIPAL	2	
7	(5) M087 DCFS FIELD MANAGER	8	GRADE 22
8	L027 DHS/DCFS COORD OF DIAGNOSTIC SVCS	1	
9	909Z PROGRAM SUPPORT MANAGER	1	
10	L078 NURSE SUPERVISOR	2	
11	(6) 809Z DHS PLANNING & POLICY DEV COORD	1	GRADE 21
12	697Z DHS PROGRAM MANAGER	4	
13	M085 DCFS PROGRAM ADMINISTRATOR	3	
14	L122 PSYCHOLOGICAL EXAMINER II	6	
15	892Z DHS INSTITUTION BUSINESS MANAGER	2	
16	M112 COTTAGE LIFE PROGRAM DIRECTOR	4	
17	R326 QUALITY ASSURANCE COORDINATOR	1	
18	(7) M035 FAMILY SERVICE WORKER III	72	GRADE 20
19	R145 DHS PROGRAM COORDINATOR	15	
20	R266 MANAGEMENT PROJECT ANALYST II	3	
21	M088 SOCIAL WORKER II	6	
22	E026 INSTITUTIONAL INSTRUCTOR SUPERVISOR	3	
23	T016 AGRICULTURAL UNIT SUPERVISOR II	1	
24	E025 DHS/DCFS INSTITUTION ED COORD	1	
25	L070 NURSE II	2	
26	(8) R168 GRANTS COORDINATOR II	8	GRADE 19
27	M030 FAMILY SERVICE WORKER II	98	
28	R084 DHS STAFF SUPERVISOR	2	
29	M160 DHS/DCFS FIELD SVCS REP	13	
30	M086 SOCIAL WORKER I	5	
31	M138 YOUTH SVCS COUNSELOR III	1	
32	(9) R264 MANAGEMENT PROJECT ANALYST I	3	GRADE 18
33	M168 CHILD CARE LICENSING SPECIALIST	26	
34	M068 DHS PROGRAM ANALYST	5	
35	M156 ADOPTION SPECIALIST	16	
36	M082 SOCIAL SERVICE WORKER III	1	

1	M136 YOUTH SVCS COUNSELOR II	16	
2	R048 BUDGET SPECIALIST	1	
3	E024 INSTITUTIONAL INSTRUCTOR II	41	
4	E050 STAFF DEVELOPMENT SPECIALIST II	2	
5	Y041 HEATING & A/C MECHANIC SUPERVISOR	1	
6	E082 VOCATIONAL INSTRUCTOR II	9	
7	G028 BUILDING PLANT MAINTENANCE SUPV II	2	
8	H032 FOOD PRODUCTION MANAGER	2	
9	M050 RECREATIONAL ACTIVITY LEADER SUPV	4	
10	M106 VOCATIONAL REHAB EVALUATOR II	1	
11	(10) M034 FAMILY SERVICE WORKER I	361	GRADE 17
12	R166 GRANTS COORDINATOR I	9	
13	M080 SOCIAL SERVICE WORKER II/SOC. SVC. WK	1	
14	R010 ADMINISTRATIVE ASSISTANT II	4	
15	G089 LANDSCAPE SUPERVISOR II	1	
16	G124 PLANT MAINTENANCE SUPV	1	
17	M099 COTTAGE LIFE PROGRAM SUPERVISOR	6	
18	R190 PERSONNEL OFFICER II	3	
19	T049 SECURITY OFFICER SUPERVISOR	5	
20	Y039 HEATING & A/C MECHANIC	1	
21	Y053 JOURNEYMAN CARPENTER	2	
22	Y057 JOURNEYMAN PAINTER	1	
23	(11) G027 BUILDING PLANT MAINTENANCE SUPV I	1	GRADE 16
24	M134 YOUTH SVCS COUNSELOR I	3	
25	H035 FOOD PRODUCTION SUPERVISOR	3	
26	(12) R009 ADMINISTRATIVE ASSISTANT I	4	GRADE 15
27	A108 ACCOUNTING TECHNICIAN II	1	
28	T047 SECURITY OFFICER III	13	
29	L115 LPTN II	11	
30	V039 PURCHASE AGENT I/ASST PURCHASE AGEN	1	
31	M039 HOUSEPARENT SUPERVISOR	58	
32	V051 STOREROOM SUPV/STORE SUPV	1	
33	(13) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	7	GRADE 14
34	K117 MEDICAL OR LEGAL SECRETARY	1	
35	L049 LPN II	8	

1	G051 FARM FOREMAN	1	
2	(14) K153 SECRETARY II	11	GRADE 13
3	H049 SUPERVISOR OF COOKING	1	
4	M037 HOUSEPARENT	62	
5	E027 INSTITUTIONAL TEACHER ASSISTANT	4	
6	E017 INSTITUTION ASSISTANT LIBRARIAN	1	
7	(15) K039 DOCUMENT EXAMINER II	2	GRADE 12
8	T045 SECURITY OFFICER II	5	
9	(16) K155 SECRETARY I	47	GRADE 11
10	M067 SOCIAL SERVICE AIDE II	43	
11	Y001 APPRENTICE TRADESMAN	1	
12	G073 HEAVY EQUIP OPERATOR	2	
13	(17) K037 DOCUMENT EXAMINER I	2	GRADE 10
14	K023 CLERK TYPIST	43	
15	H027 COOK II	9	
16	W023 RECORDS CENTER OPERATOR II	1	
17	G006 MOTOR VEHICLE OPERATOR	1	
18	K097 RECEPTIONIST	1	
19	(18) G010 LAUNDRY SUPERVISOR	1	GRADE 08
20	H019 CANTEEN SUPERVISOR	1	
21	H003 BAKER I	4	
22	H025 COOK I	2	
23	(19) G191 CLOTHING SHOP OPERATOR	<u>1</u>	GRADE 07
24	MAX NO. OF EMPLOYEES	1,161	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Human Services - Division of Children and Family Services for the 1991-93 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one hundred ten (110) 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 3. APPROPRIATIONS - OPERATIONS. There is hereby appropriated,

to the Department of Human Services - Division of Children and Family Services, to be payable from the Department of Human Services Paying Account as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Human Services - Division of Children and Family Services for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 18,442,120	\$ 19,587,318
(02) EXTRA HELP	62,159	62,159
(03) PERSONAL SERV MATCHING	5,174,190	5,539,139
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 2,705,588	\$ 2,805,588
(B) CONF. & TRAVEL	271,077	271,077
(C) PROF. FEES	605,462	605,462
(D) CAPITAL OUTLAY	112,400	112,400
(E) DATA PROCESSING	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	<u>3,694,527</u>	<u>3,794,527</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 27,372,996</u>	<u>\$ 28,983,143</u>

SECTION 4. APPROPRIATIONS GRANTS - AFDC/FOSTER CARE. There is hereby appropriated, to the Department of Human Services - Division of Children and Family Services, to be payable from the Department of Human Services Paying Account as designated by the Chief Fiscal Officer of the State, for grant payments for AFDC/Foster Care by the Department of Human Services - Division of Children and Family Services for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) AFDC/FOSTER CARE	<u>\$ 1,148,817</u>	<u>\$ 1,148,817</u>

SECTION 5. APPROPRIATIONS - GRANTS - STATE. There is hereby appropriated, to the Department of Human Services - Division of Children and

1 Family Services, to be payable from the Children and Family Services Fund
 2 ~~Account, for grant payments by the Department of Human Services - Division of~~
 3 Children and Family Services for the biennial period ending June 30, 1993, the
 4 following:

6 ITEM	FISCAL YEARS	
7 NO.	1991-92	1992-93
8 (01) FOSTER CARE DAY CARE	\$ 310,888	\$ 310,888
9 (02) RESIDENTIAL TREATMENT CARE	1,820,019	1,820,019
10 (03) FOSTER CARE	5,123,736	5,124,282
11 (04) SCAN	424,110	437,552
12 (05) COMMUNITY SERVICES MATCH	408,078	408,078
13 (06) COMMUNITY SERVICES	2,349,625	2,349,625
14 (07) RESIDENTIAL YOUTH TREATMENT	<u>145,000</u>	<u>145,000</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 10,581,456</u>	<u>\$ 10,595,444</u>

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 17 SECTION 6. APPROPRIATIONS - GRANTS - FEDERAL. There is hereby
 18 appropriated, to the Department of Human Services - Division of Children and
 19 Family Services, to be payable from federal funds as designated by the Chief
 20 ~~Fiscal Officer of the State, for grant payments by the Department of Human~~
 21 Services - Division of Children and Family Services for the biennial period
 22 ending June 30, 1993, the following:

24 ITEM	FISCAL YEARS	
25 NO.	1991-92	1992-93
26 (01) CHILD CARE FOOD	\$ 8,900,000	\$ 8,900,000
27 (02) CHILD WELFARE ASSISTANCE	224,034	224,034
28 (03) CHILD & YOUTH SERVICE - GRANTS	<u>404,625</u>	<u>404,625</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$ 9,528,659</u>	<u>\$ 9,528,659</u>

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 31 SECTION 7. APPROPRIATIONS - CAPITAL GRANTS. There is hereby
 32 appropriated, to the Department of Human Services - Division of Children and
 33 Family Services, to be payable from the Juvenile Detention Facilities Capital
 34 Grant Fund, for grants to construct local juvenile detention facilities for
 35 the biennial period ending June 30, 1993, the sum of\$500,000.

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SECTION 8. APPROPRIATIONS - REVOLVING LOANS. There is hereby appropriated, to the Department of Human Services - Division of Children and Family Services, to be payable from the Juvenile Detention Facilities Revolving Loan Fund, for loans to finance the construction, acquisition, and operation of juvenile detention facilities for the biennial period ending June 30, 1993, the sum of\$1,500,000.

SECTION 9. APPROPRIATIONS - JUVENILE DETENTION FACILITIES. There is hereby appropriated, to the Department of Human Services - Division of Children and Family Services, to be payable from the Juvenile Detention Facilities Operating Fund, to grant operating funds to local juvenile detention facilities for operating expenses for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>1991-92</u>	<u>1992-93</u>
(01) JUVENILE DETENTION FACILITY OPER. EXPENSES	<u>\$500,000</u>	<u>\$500,000</u>

SECTION 10. TRANSFER AUTHORITY. The Director of the Department of Human Services, with the approval of the Governor, shall have the authority to request, from the Chief Fiscal Officer of the State a transfer of funds from the Children and Family Services Fund Account to the funds created in Arkansas Code §§19-5-1033 and 19-5-1034. If it is determined that the request for transfer should be made, the Chief Fiscal Officer of the State shall then initiate the necessary transfer documents to reflect the transfer upon the fiscal records of the State Treasurer, the State Auditor, the Chief Fiscal Officer of the State and the Department of Human Services.

SECTION 11. REVOLVING LOAN FUND ESTABLISHED. (a) There is hereby established on the books of the State Treasurer, State Auditor, and the Chief Fiscal Officer of the State, a fund to be known as the "Juvenile Detention Facilities Revolving Loan Fund". Such funds shall consist of monies transferred from the Budget Stabilization Trust Fund or its successor.

SECTION 12. The Director of the Department of Human Services shall, with the approval of the Chief Fiscal Officer of the State, have the authority to transfer an amount not to exceed \$100,000 for each year of the 1991-93 biennium to be used for the repair and renovation of institutional facilities (Maintenance and General Operations and Professional Fees and Services) needed by the Division of Children and Family Services from Regular Salaries and Personal Services Matching in the administrative paying account appropriation when it is determined a surplus of funds and appropriation will be available.

SECTION 13. Due to current working conditions and the necessity of recruiting and retaining qualified personnel, the Division of Children and Family Services of the Department of Human Services is authorized special rates of pay for current and new employees up to the levels listed below:

CLASS

<u>CODE</u>	<u>TITLE</u>	<u>GRADE</u>	<u>LEVEL</u>
M035	Family Service Worker III	20	III
M030	Family Service Worker II	19	III
M034	Family Service Worker I	17	III

This special provision shall be in full force and effect for the biennium beginning July 1, 1991 and ending June 30, 1993. The Division of Children and Family Services, Department of Human Services shall be limited to a maximum of 80 filled positions in utilizing the title of Family Service Worker III, Grade 20; 150 filled positions in utilizing the title of Family Service Worker II, Grade 19; and 300 filled positions in utilizing the title of Family Service Worker I, Grade 17. At no time during the biennium shall the combined use of all titles referenced above, Family Service Worker I, II and III, exceed 425 total filled positions.

SECTION 14. APPROPRIATIONS. *There is hereby appropriated, to the Department of Human Services - Division of Children and Family Services, to be payable from the State General Services Fund Account, for supportive services for children and families for the biennial period ending June 30, 1993, the following:*

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) SUPPORTIVE SERVICES	<u>\$90,000</u>	<u>\$90,000</u>

SECTION 15. APPROPRIATION - CHILD WELFARE RESTRUCTURING. There is hereby appropriated, to the Department of Human Services - Division of Children and Family Services, to be payable from the Department of Human Services Paying Account as designated by the Chief Fiscal Officer of the State, for Restructuring Child Welfare Services for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) RESTRUCTURING CHILD WELFARE SERVICES	<u>\$ 8,000,000</u>	<u>\$13,000,000</u>

SECTION 16. CHILD WELFARE SERVICES POSITION POOL. In the event that additional programs are implemented to better provide for the safety and well-being of children and families in the State of Arkansas and that such programs would make it necessary to employ additional personnel, the Director of the Department of Human Services may request the Department of Finance and Administration to approve the establishment of one or more additional positions at salary rates not to exceed the maximum salaries established for comparable positions in the Uniform Classification and Compensation Act. Upon approval of the Department of Finance and Administration, and after review by the Arkansas Legislative Council, the Department of Human Services - Division of Children and Family Services may establish such positions.

(a) The following maximum number of new or additional positions are hereby established for the 1991-93 biennium for the Division of Children and Family Services:

Maximum Number of Additional Positions	250
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(b) In the event that new classifications are deemed necessary for any of these additional positions, the Department of Finance and Administration - Office of Personnel Management shall assign the appropriate title and grade after review by the Arkansas Legislative Council.

SECTION 17. RESTRUCTURING CHILD WELFARE SYSTEM. Upon determination by

1 the Director of the Department of Human Services that a reallocation of
 2 resources is necessary for the efficient and effective implementation of the
 3 restructuring of the Child Welfare System, the Director of the Department of
 4 Human Services, with the approval of the Governor, shall have the authority to
 5 request, from the Chief Fiscal Officer of the State, a transfer of
 6 appropriation established in Section 15 of this Act, and positions established
 7 by Section 16 of this Act and/or funds provided herein, between appropriations
 8 and funds within the Department of Human Services and/or those of other state
 9 agencies as required to implement changes in the Child Welfare System. The
 10 Chief Fiscal Officer of the State, prior to approving the request, shall
 11 submit his recommendation to the Arkansas Legislative Council for its review.

12 If it is determined that the requested transfer should be made, the
 13 Chief Fiscal Officer of the State shall initiate the necessary documents to
 14 reflect the transfer upon the fiscal records of the State Treasurer, the State
 15 Auditor, the Chief Fiscal Officer of the State and the affected state
 16 agencies.

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

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28 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General
 29 Assembly that any funds disbursed under the authority of the appropriations
 30 contained in this Act shall be in compliance with the stated reasons for which
 31 this Act was adopted, as evidenced by the Agency Requests, Executive
 32 Recommendations and Legislative Recommendations contained in the budget
 33 manuals prepared by the Department of Finance and Administration, letters, or
 34 summarized oral testimony in the official minutes of the Arkansas Legislative
 35 Council or Joint Budget Committee which relate to its passage and adoption.

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SECTION 20. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 21. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 22. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 23. HEALTH PREMIUMS. The Department of Human Services - Division of Children and Family Services shall not, during the 1992-93 fiscal year, spend more for health insurance per employee than the amount being contributed to the State Employees Health Insurance Program.

SECTION 24. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1991 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, 1991.

/s/ John E. Miller

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