

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: S3/26/97

A Bill

SENATE BILL 539

5 By: Joint Budget Committee
6
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For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE DEPARTMENT OF HEALTH -DIVISION
11 OF HEALTH FACILITY SERVICES FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 1999; AND FOR OTHER PURPOSES."
13

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF HEALTH -
15 DIVISION OF HEALTH FACILITY SERVICES
16 APPROPRIATION FOR THE 1997-99 BIENNIUM."
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REGULAR SALARIES. There is hereby established for the
22 Department of Health - Health Facility Services for the 1997-99 biennium, the
23 following maximum number of regular employees whose salaries shall be governed
24 by the provisions of the Uniform Classification and Compensation Act (Arkansas
25 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
26 Provided, however, that any position to which a specific maximum annual salary
27 is set out herein in dollars, shall be exempt from the provisions of said
28 Uniform Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.
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Item	Class	No. of	Maximum Annual
		Employees	Salary Rate
			Fiscal Years
No.	Code	Title	1997-98 1998-99

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2	(1)	X341	ENGINEER II	1	GRADE 21
3	(2)	QO46	MEDICARE SURVEY SPECIALIST	2	GRADE 20
4	(3)	K153	SECRETARY II	<u>1</u>	GRADE 13
5			MAXIMUM NUMBER OF EMPLOYEES	4	

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7 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 8 Department of Health, to be payable from the Health Facility Services
 9 Revolving Fund, for personal services and operating expenses of the Department
 10 of Health - Health Facility Services for the biennial period ending June 30,
 11 1999, the following:

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13	ITEM	FISCAL YEARS		
14	NO.	1997-98	1998-99	
15	(01)	REGULAR SALARIES	\$ 103,566	\$ 109,661
16	(02)	PERSONAL SERVICES MATCHING	30,572	32,372
17	(03)	MAINTENANCE & GENERAL OPERATIONS		
18	(A)	OPER. EXPENSES	6,342	7,294
19	(B)	CONF. & TRAVEL	4,500	4,500
20	(C)	PROF. FEES	0	0
21	(D)	CAPITAL OUTLAY	0	14,000
22	(E)	DATA PROCESSING	<u>3,000</u>	<u>9,000</u>
23		TOTAL AMOUNT APPROPRIATED	<u>\$ 147,980</u>	<u>\$ 176,827</u>

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25 SECTION 3. REGULAR SALARIES - CONTINGENCY. There is hereby established
 26 for the Department of Health - Health Facility Services - Contingency
 27 Positions for the 1997-99 biennium, the following maximum number of regular
 28 employees whose salaries shall be governed by the provisions of the Uniform
 29 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its
 30 successor, and all laws amendatory thereto. Provided, however, that any
 31 position to which a specific maximum annual salary is set out herein in
 32 dollars, shall be exempt from the provisions of said Uniform Classification
 33 and Compensation Act. All persons occupying positions authorized herein are
 34 hereby governed by the provisions of the Regular Salaries Procedures and
 35 Restrictions Act (Arkansas Code §21-5-101), or its successor.

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			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1997-98	1998-99
(1)	Q046	MEDICARE SURVEY SPECIALIST	<u>2</u>		GRADE 20
		MAXIMUM NUMBER OF EMPLOYEES	2		

9 SECTION 4. APPROPRIATIONS - CONTINGENCY. There is hereby appropriated,
10 to the Department of Health, to be payable from the Health Facility Services
11 Revolving Fund, for personal services and operating expenses of the Department
12 of Health - Health Facility Services - Contingency for the biennial period
13 ending June 30, 1999, the following:

ITEM	FISCAL YEARS		
NO.		1997-98	1998-99
(01)	REGULAR SALARIES	\$ 56,712	\$ 60,046
(02)	PERSONAL SERVICES MATCHING	16,741	17,726
(03)	MAINTENANCE & GENERAL OPERATIONS		
	(A) OPER. EXPENSES	10,607	11,288
	(B) CONF. & TRAVEL	5,500	5,500
	(C) PROF. FEES	0	0
	(D) CAPITAL OUTLAY	15,000	16,000
	(E) DATA PROCESSING	<u>6,000</u>	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 110,560</u>	<u>\$ 110,560</u>

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SECTION 5. SPECIAL LANGUAGE. The positions authorized in Section (3) and appropriated amounts in Section (4) are to be established once sufficient funds have accumulated from the collection of fees for the Health Facility Services Program.

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SECTION 6. SPECIAL LANGUAGE. Subject to the approval of the Chief Fiscal Officer of the State, the Department of Health is authorized to carry forward any unexpended balances from the June 30, 1997 appropriation designated for the Division of Health Facility Services Program to the Health

1 Facility Services Revolving Fund. The Health Facility Services Revolving Fund
2 shall retain any remainder of funds designated for the programs from which
3 they were collected after July 1, 1999.

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

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15 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General
16 Assembly that any funds disbursed under the authority of the appropriations
17 contained in this Act shall be in compliance with the stated reasons for which
18 this Act was adopted, as evidenced by the Agency Requests, Executive
19 Recommendations and Legislative Recommendations contained in the budget
20 manuals prepared by the Department of Finance and Administration, letters, or
21 summarized oral testimony in the official minutes of the Arkansas Legislative
22 Council or Joint Budget Committee which relate to its passage and adoption.

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24 SECTION 9. CODE. All provisions of this Act of a general and permanent
25 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
26 Code Revision Commission shall incorporate the same in the Code.

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28 SECTION 10. SEVERABILITY. If any provision of this Act or the
29 application thereof to any person or circumstance is held invalid, such
30 invalidity shall not affect other provisions or applications of the Act which
31 can be given effect without the invalid provision or application, and to this
32 end the provisions of this Act are declared to be severable.

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34 SECTION 11. GENERAL REPEALER. All laws and parts of laws in conflict
35 with this Act are hereby repealed.

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SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First 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, 1997 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, 1997 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, 1997.

/s/Russ et al

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