

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas
83rd General Assembly
Regular Session, 2001

As Engrossed: S2/13/01

A Bill

HOUSE BILL 1311

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE HEALTH SERVICES AGENCY
FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT FOR THE HEALTH SERVICES AGENCY
APPROPRIATION FOR THE 2001-2003 BIENNIAL.

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

SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby
established for the Health Services Agency for the 2001-2003 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.

Item	Class	Maximum No. of	Maximum Annual Salary Rate Fiscal Years
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No.	Code	Title	Employees	2001-2002	2002-2003
(1)	9957	HLTH DIR ADM HLTH SERVICES AGEN	1	\$78,005	\$80,033
(2)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
(3)	R134	PLANNING SPECIALIST II	1	GRADE 18	
(4)	K153	SECRETARY II	1	GRADE 13	
		MAX. NO. OF EMPLOYEES	4		

SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Health Services Agency, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Health Services Agency for the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 166,775	\$ 171,111
(02) PERSONAL SERV MATCHING	41,391	42,159
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	68,627	68,627
(B) CONF. & TRAVEL	5,274	5,274
(C) PROF. FEES	9,267	9,267
(D) CAP. OUTLAY	5,000	5,000
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 296,334</u>	<u>\$ 301,438</u>

SECTION 3. REGULAR SALARIES - DEVELOPMENTAL DISABILITIES PLANNING COUNCIL - STATE. There is hereby established for the Health Services Agency for the 2001-2003 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	2001-2002 2002-2003
(1)	R009	ADMINISTRATIVE ASSISTANT I	<u>1</u>	GRADE 15
		MAX. NO. OF EMPLOYEES	1	

SECTION 4. APPROPRIATION - DEVELOPMENTAL DISABILITIES PLANNING COUNCIL - STATE. There is hereby appropriated, to the Health Services Agency, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Health Services Agency for the biennial period ending June 30, 2003, the following:

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
(01)	REGULAR SALARIES	\$ 23,340	\$ 23,947
(02)	PERSONAL SERV MATCHING	7,098	7,205
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	0	0
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	20,000	20,000
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	0	0
(04)	SPECIAL PROJECTS/MATCHING GRANTS	<u>35,633</u>	<u>35,633</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 86,071</u>	<u>\$ 86,785</u>

SECTION 5. REGULAR SALARIES - DEVELOPMENTAL DISABILITIES PLANNING COUNCIL - FEDERAL. There is hereby established for the Health Services Agency for the 2001-2003 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	
			No. of	Fiscal Years	
Item	Class		Empl oyees	2001-2002	2002-2003
No.	Code	Title			
(1)	R473	DDPC COORDINATOR	1	GRADE 21	
(2)	R168	GRANTS COORDINATOR II	1	GRADE 19	
(3)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
(4)	R134	PLANNING SPECIALIST II	1	GRADE 18	
(5)	K153	SECRETARY II	1	GRADE 13	
MAX. NO. OF EMPLOYEES			5		

SECTION 6. APPROPRIATION - DEVELOPMENTAL DISABILITIES PLANNING COUNCIL - FEDERAL. There is hereby appropriated, to the Health Services Agency, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Health Services Agency for the biennial period ending June 30, 2003, the following:

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
(01)	REGULAR SALARIES	\$ 153,359	\$ 157,346
(02)	PERSONAL SERV MATCHING	41,980	42,686
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	259,025	259,025
(B)	CONF. & TRAVEL	10,843	10,843
(C)	PROF. FEES	70,000	70,000
(D)	CAP. OUTLAY	5,000	5,000
(E)	DATA PROC.	0	0
(04)	FEDERAL GRANTS AND AID	740,929	740,929
TOTAL AMOUNT APPROPRIATED		<u>\$ 1,281,136</u>	<u>\$ 1,285,829</u>

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER AUTHORITY - DEVELOPMENTAL DISABILITIES PLANNING COUNCIL. The Governor may at any time transfer all personnel, appropriations, fund balances and authorized

positions; and the powers, duties, and personnel of the Developmental Disabilities Planning Council to any other designated agency of the state which meets the requirements of Public Law 104-183. The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. Any unexpended balance of funds generated by fees and fines pursuant to Arkansas Code 20-8-103 et. seq. deposited into the State General Services Fund Account which remain at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law. The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

SECTION 9. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.

(B) The Chief Fiscal Officer of the State shall review the request and

1 approve or disapprove all or any part of the request , after having sought
2 prior review by the Legislative Council .

3
4 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
5 by this act shall be limited to the appropriation for such agency and funds
6 made available by law for the support of such appropriations; and the
7 restrictions of the State Purchasing Law, the General Accounting and Budgetary
8 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures
9 and Restrictions Act, or their successors, and other fiscal control laws of
10 this State, where applicable, and regulations promulgated by the Department of
11 Finance and Administration, as authorized by law, shall be strictly complied
12 with in disbursement of said funds.

13
14 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly
15 that any funds disbursed under the authority of the appropriations contained
16 in this act shall be in compliance with the stated reasons for which this act
17 was adopted, as evidenced by the Agency Requests, Executive Recommendations
18 and Legislative Recommendations contained in the budget manuals prepared by
19 the Department of Finance and Administration, letters, or summarized oral
20 testimony in the official minutes of the Arkansas Legislative Council or Joint
21 Budget Committee which relate to its passage and adoption.

22
23 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
24 Assembly, that the Constitution of the State of Arkansas prohibits the
25 appropriation of funds for more than a two (2) year period; that the
26 effectiveness of this Act on July 1, 2001 is essential to the operation of the
27 agency for which the appropriations in this Act are provided, and that in the
28 event of an extension of the Regular Session, the delay in the effective date
29 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
30 administration and provision of essential governmental programs. Therefore, an
31 emergency is hereby declared to exist and this Act being necessary for the
32 immediate preservation of the public peace, health and safety shall be in full
33 force and effect from and after July 1, 2001.

34 */s/ Joint Budget Committee*