

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.

1 State of Arkansas *As Engrossed: H3/8/01 H3/13/01 H3/29/01 H4/11/01*

2 83rd General Assembly

A Bill

3 Regular Session, 2001

HOUSE BILL 1980

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5 By: Joint Budget Committee

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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
11 SERVICES - DIVISION OF AGING AND ADULT SERVICES FOR
12 THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR
13 OTHER PURPOSES.

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Subtitle

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

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Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2001-2002	2002-2003
(1)	8868	DHS DEPUTY DIRECTOR ADULT SERVICES	1	\$87,846	\$90,129
(2)	8960	AGING & ADULT SVCS ASST DEP DIR	1	\$58,941	\$60,473
(3)	8930	AGING & ADULT SVCS ASST DEP DIR	1	\$57,031	\$58,513
(4)	923Z	DHS PRGM ADMINISTRATOR	4	GRADE 23	
(5)	R115	OFFICE ON AGING PROGRAM SUPERVISOR	6	GRADE 21	
(6)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21	
(7)	697Z	DHS PRGM MANAGER	2	GRADE 21	
(8)	L082	NURSING SERVICES SPECIALIST	4	GRADE 21	
(9)	L070	NURSE II	41	GRADE 20	
(10)	R266	MANAGEMENT PROJECT ANALYST II	3	GRADE 20	
(11)	M127	SR REHABILITATION COUNSELOR	4	GRADE 20	
(12)	R264	MANAGEMENT PROJECT ANALYST I	6	GRADE 18	
(13)	R134	PLANNING SPECIALIST II	1	GRADE 18	
(14)	D034	PROGRAMMER ANALYST	1	GRADE 18	
(15)	M082	SOCIAL SERVICE WORKER III	19	GRADE 18	
(16)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17	
(17)	M079	SOCIAL SERVICE WORKER I	1	GRADE 15	
(18)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14	
(19)	K153	SECRETARY II	<u>7</u>	GRADE 13	
		MAX. NO. OF EMPLOYEES	112		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Human Services - Division of Aging and Adult Services for the 2001-2003 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: eighteen (18) 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. APPROPRIATION - MEALS ON WHEELS. There is hereby appropriated, to the Department of Human Services - Division of Aging and Adult Services,

1 to be payable from the Aging and Adult Services Fund Account, for the Meals
 2 on Wheels Program and transportation services for the elderly of the
 3 Department of Human Services - Division of Aging and Adult Services for the
 4 biennial period ending June 30, 2003, the following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) TRANSPORTATION SERVICES	<u>\$ 3,501,038</u>	<u>\$ 3,501,038</u>

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10 SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 11 the Department of Human Services - Division of Aging and Adult Services, to
 12 be payable from the paying account as determined by the Chief Fiscal Officer
 13 of the State, for personal services and operating expenses of the Department
 14 of Human Services - Division of Aging and Adult Services for the biennial
 15 period ending June 30, 2003, the following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 3,279,077	\$ 3,363,936
(02) EXTRA HELP	137,307	140,868
(03) PERSONAL SERV MATCHING	854,173	869,670
(04) OVERTIME	1,200	1,200
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	568,876	568,876
(B) CONF. & TRAVEL	74,884	74,884
(C) PROF. FEES	343,000	343,000
(D) CAP. OUTLAY	6,000	6,000
(E) DATA PROC.	0	0
(06) PROJECT GRANTS	7,457,740	7,457,740
(07) PURCHASE DATA PROCESSING	30,000	30,000
(08) RETIRED AND SENIOR VOLUNTEER PROGRAM	75,000	75,000
(09) NURSING HOME CARE ALTERNATIVES	8,403,900	8,403,900
(10) COMMUNITY BASED CARE	171,358	171,358
(11) NUTRITION PROGRAMS	7,811,750	7,811,750
(12) OLDER WORKER PROGRAM GRANTS	<u>1,132,006</u>	<u>1,132,006</u>
36 TOTAL AMOUNT APPROPRIATED	<u>\$ 30,346,271</u>	<u>\$ 30,450,188</u>

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SECTION 5. APPROPRIATION - ADULT PROTECTIVE SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Aging and Adult Services, 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 Human Services - Division of Aging and Adult Services - Adult Protective Services for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 735,705	\$ 754,833
(02) PERSONAL SERV MATCHING	205,202	208,615
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	139,894	139,894
(B) CONF. & TRAVEL	6,670	6,670
(C) PROF. FEES	20,000	20,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,107,471</u>	<u>\$ 1,130,012</u>

SECTION 6. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby appropriated, to the Department of Human Services - Division of Aging and Adult Services, to be payable from the Aging and Adult Services Fund Account, for matching funds for the Arkansas Senior Olympics of the Department of Human Services - Division of Aging and Adult Services for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) STATE MATCH	<u>\$ 60,000</u>	<u>\$ 60,000</u>

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND ADULT SERVICES - CARRY FORWARD. Any unexpended balance of funds and

1 appropriation authorized *in Section 3* for elderly transportation including
2 the Meals on Wheels Program which remains at the close of the fiscal year
3 ending June 30, ~~1999~~ 2001 or June 30, ~~2000~~ 2002 or both, shall be carried
4 forward into the next fiscal year, there to be used for the same purpose.

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6 The provisions of this section shall be in effect only from July 1, 2001
7 through June 30, 2003.

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9 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
11 ADULT SERVICES - MATCHING FUNDS. *The funds appropriated for state match for*
12 *the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-*
13 *one state/local matching basis. The Senior Arkansas Sports Organization must*
14 *certify its portion of the match to the Division of Aging and Adult Services*
15 *before any funds appropriated for state match for the Arkansas Senior*
16 *Olympics Program in this Act are disbursed.*

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18 The provisions of this section shall be in effect only from July 1, 2001
19 through June 30, 2003.

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21 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
23 ADULT SERVICES - STATE MATCH AUTHORIZED. The Director of the Department of
24 Human Services is authorized to use State funds appropriated in this Act to
25 match Federal funds available under Title III and Title V of the Older
26 Americans Act, Social Services Block Grant, or such other federal funds as
27 may become available.

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29 The provisions of this section shall be in effect only from July 1, 2001
30 through June 30, 2003.

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32 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
34 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations
35 for state and federal funding contained herein for the Division of Aging and
36 Adult Services and that are distributed under grant or contract methodologies

1 may be disbursed by the Department of Human Services in the same manner as
2 authorized under federal regulations for the disbursement of Title III Older
3 Americans Act funds. Otherwise, all disbursements shall comply with the
4 provisions of this Act.

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6 The provisions of this section shall be in effect only from July 1, 2001
7 through June 30, 2003.

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9 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
11 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home
12 Care Alternatives", as it appears in the Aging and Adult Services -
13 Operations appropriation may be used for home delivered meals, adult day
14 care, homemaker/chore, respite care, personal care, health promotion, and
15 other community based activities. These funds may also be used to match
16 Medicaid community based programs.

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18 The provisions of this section shall be in effect only from July 1, 2001
19 through June 30, 2003.

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21 SECTION 12. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
22 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
23 appropriations as provided in this Act, the agency disbursing officer shall
24 monitor the level of fund balances in relation to expenditures on a monthly
25 basis. If any proposed expenditures would cause a fund balance to decline to
26 less than fifty percent (50%) of the balance available on July 1, 2001, the
27 disbursing officer shall immediately notify the executive head of the agency.
28 Prior to any obligations being made under these circumstances, the agency
29 head shall file written documentation with the Chief Fiscal Officer of the
30 State requesting approval of the expenditures. Such documentation shall
31 provide sufficient financial data to justify the expenditures and shall
32 include the following:
33 1) a plan that clearly indicates the specific fiscal impact of such
34 expenditures on the fund balance.
35 2) information clearly indicating and explaining what programs would be cut
36 or any other measures to be taken by the agency to restore the fund balance.

1 3) the extent to which any of the planned expenditures are for one-time costs
2 or one-time purchase of capitalized items.

3 4) a statement certifying that the expenditure of fund balances will not
4 jeopardize the financial health of the agency, nor result in a permanent
5 depletion of the fund balance.

6 (B) The Chief Fiscal Officer of the State shall review the request and
7 approve or disapprove all or any part of the request , after having sought
8 prior review by the Legislative Council.

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

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

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29 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General
30 Assembly, that the Constitution of the State of Arkansas prohibits the
31 appropriation of funds for more than a two (2) year period; that the
32 effectiveness of this Act on July 1, 2001 is essential to the operation of
33 the agency for which the appropriations in this Act are provided, and that in
34 the event of an extension of the Regular Session, the delay in the effective
35 date of this Act beyond July 1, 2001 could work irreparable harm upon the
36 proper administration and provision of essential governmental programs.

1 Therefore, an emergency is hereby declared to exist and this Act being
2 necessary for the immediate preservation of the public peace, health and
3 safety shall be in full force and effect from and after July 1, 2001.

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5 */s/ Joint Budget Committee*
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