

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
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/8/01 H4/4/01 H4/10/01

A Bill

HOUSE BILL 2081

5 By: Joint Budget Committee
6
7

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 - ADMINISTRATION FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE DEPARTMENT OF HUMAN
16 SERVICES - ADMINISTRATION APPROPRIATION
17 FOR THE 2001-2003 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE. There is hereby
24 established for the Department of Human Services - Director's Office for the
25 2001-2003 biennium, the following maximum number of regular employees whose
26 salaries shall be governed by the provisions of the Uniform Classification and
27 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
28 laws amendatory thereto. Provided, however, that any position to which a
29 specific maximum annual salary is set out herein in dollars, shall be exempt
30 from the provisions of said Uniform Classification and Compensation Act. All
31 persons occupying positions authorized herein are hereby governed by the
32 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
33 Code §21-5-101), or its successor.
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Maximum Annual
Maximum Salary Rate

Item	Class		No. of Employees	Fiscal Years	
	No.	Title		2001-2002	2002-2003
3	(1)	9984 DHS DIRECTOR	1	\$120,108	\$123,230
4	(2)	9920 DHS DEPUTY DIRECTOR	1	\$96,671	\$99,184
5	(3)	9726 DHS CHIEF ATTORNEY	1	\$86,001	\$88,237
6	(4)	9617 DHS CHIEF DEPUTY ATTORNEY	1	\$75,773	\$77,743
7	(5)	7405 NATIONAL SERVICE SPECIALIST	1	\$74,140	\$76,067
8	(6)	8958 DHS AUDIT/FISCAL REVIEW MANAGER	1	\$68,111	\$69,881
9	(7)	8957 DHS ATTORNEY SUPERVISOR	2	\$68,109	\$69,879
10	(8)	8959 DHS PROGRAM MANAGER	1	\$62,751	\$64,382
11	(9)	R038 ATTORNEY SUPERVISOR	3	GRADE 26	
12	(10)	R170 ATTORNEY SPECIALIST	41	GRADE 25	
13	(11)	R165 DHS CLIENT ADVOCATE	1	GRADE 23	
14	(12)	897Z DHS INSTITUTION PROGRAM MANAGER	1	GRADE 23	
15	(13)	A095 DHS AUDIT SUPERVISOR	4	GRADE 22	
16	(14)	697Z DHS PRGM MANAGER	1	GRADE 21	
17	(15)	A251 SR AUDITOR	32	GRADE 21	
18	(16)	R266 MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
19	(17)	R145 DHS PROGRAM COORDINATOR	3	GRADE 20	
20	(18)	R424 FAIR HEARING REFEREE	6	GRADE 19	
21	(19)	R264 MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
22	(20)	M068 DHS PROGRAM ANALYST	2	GRADE 18	
23	(21)	M072 SOCIAL SERVICE INVESTIGATOR II	11	GRADE 18	
24	(22)	R010 ADMINISTRATIVE ASSISTANT II	5	GRADE 17	
25	(23)	K011 ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15	
26	(24)	K117 MEDICAL OR LEGAL SECRETARY	36	GRADE 14	
27	(25)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
28	(26)	K155 SECRETARY I	<u>1</u>	GRADE 11	
29		MAX. NO. OF EMPLOYEES	166		

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31 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby
 32 established for the Department of Human Services - Division of Administrative
 33 Services for the 2001-2003 biennium, the following maximum number of regular
 34 employees whose salaries shall be governed by the provisions of the Uniform
 35 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its
 36 successor, and all laws amendatory thereto. Provided, however, that any

1 position to which a specific maximum annual salary is set out herein in
 2 dollars, shall be exempt from the provisions of said Uniform Classification
 3 and Compensation Act. All persons occupying positions authorized herein are
 4 hereby governed by the provisions of the Regular Salaries Procedures and
 5 Restrictions Act (Arkansas Code §21-5-101), or its successor.

			Maximum	Maximum Annual		
			No. of	Salary Rate	Fiscal Years	
Item	Class	Title	Employees	2001-2002	2002-2003	
(1)	9724	DHS DEP DIR ADMINISTRATIVE SVCS	1	\$89,347	\$91,670	
(2)	9234	CHIEF ADMINISTRATIVE OFFICER	1	\$89,347	\$91,670	
(3)	8945	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	\$74,140	\$76,067	
(4)	8946	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	\$67,922	\$69,687	
(5)	8947	DHS ASST DEP DIR GENERAL ACCOUNTING	1	\$64,939	\$66,627	
(6)	8951	DHS ASST DEP DIR HUMAN RESOURCES	1	\$59,415	\$60,959	
(7)	397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1		GRADE 25	
(8)	297Z	GENERAL BUSINESS MANAGER	1		GRADE 24	
(9)	055Z	DP MANAGER	2		GRADE 23	
(10)	M011	FAMILY SERVICE WORKER PRINCIPAL	1		GRADE 23	
(11)	923Z	DHS PRGM ADMINISTRATOR	5		GRADE 23	
(12)	A088	DHS FINANCIAL SECTION MANAGER	13		GRADE 22	
(13)	909Z	PROGRAM SUPPORT MANAGER	4		GRADE 22	
(14)	506Z	REHAB SERVICES PERSONNEL MANAGER	1		GRADE 22	
(15)	D066	SYSTEMS COORDINATION ANALYST II	18		GRADE 22	
(16)	698Z	DHS/DAS MATERIALS MGMT ADMR	1		GRADE 22	
(17)	M009	FAMILY SERVICE WORKER SUPERVISOR	1		GRADE 22	
(18)	V042	GENERAL SERVICES MANAGER	1		GRADE 22	
(19)	E051	TRAINING PROJECT MANAGER	1		GRADE 22	
(20)	L078	NURSE SUPERVISOR	1		GRADE 22	
(21)	A008	ACCOUNTING SUPERVISOR II	30		GRADE 21	
(22)	V080	MGR PURCHASING & PROPERTY MGT	2		GRADE 21	
(23)	R488	GRANTS ADMIN SUPV	2		GRADE 21	
(24)	697Z	DHS PRGM MANAGER	8		GRADE 21	
(25)	R143	DHS RESEARCH & STATISTICS MGR	1		GRADE 21	
(26)	D123	APPLICATIONS & SYSTEMS ANALYST	1		GRADE 21	

1	(27)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
2	(28)	L072	REGISTERED NURSE PRACTITIONER I	1	GRADE 21
3	(29)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
4	(30)	R145	DHS PROGRAM COORDINATOR	5	GRADE 20
5	(31)	A038	FINANCIAL ANALYST	1	GRADE 20
6	(32)	R266	MANAGEMENT PROJECT ANALYST II	13	GRADE 20
7	(33)	E114	STAFF DEVELOPMENT COORDINATOR	11	GRADE 20
8	(34)	M005	FAMILY SERVICE WORKER SPECIALIST	1	GRADE 20
9	(35)	R406	DHS PERSONNEL PROCESSING SUPV	1	GRADE 20
10	(36)	D121	USER SUPPORT ANALYST	2	GRADE 20
11	(37)	R168	GRANTS COORDINATOR II	36	GRADE 19
12	(38)	R030	ASST PERSONNEL MANAGER	3	GRADE 19
13	(39)	R084	DHS STAFF SUPERVISOR	2	GRADE 19
14	(40)	R048	BUDGET SPECIALIST	4	GRADE 19
15	(41)	V022	LEASING SPECIALIST II	1	GRADE 19
16	(42)	R150	RESEARCH PROJECT ANALYST	3	GRADE 19
17	(43)	R068	EEO/GRIEVANCE OFFICER	2	GRADE 19
18	(44)	R424	FAIR HEARING REFEREE	1	GRADE 19
19	(45)	A087	BUDGET OFFICER	2	GRADE 19
20	(46)	A111	ACCOUNTANT	22	GRADE 18
21	(47)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
22	(48)	W030	RECORDS MANAGEMENT ANALYST II	4	GRADE 18
23	(49)	Y087	PRINTER SUPERVISOR	1	GRADE 18
24	(50)	M068	DHS PROGRAM ANALYST	3	GRADE 18
25	(51)	R195	PERSONNEL ANALYST	3	GRADE 18
26	(52)	D128	P C SUPPORT SPECIALIST	2	GRADE 18
27	(53)	V040	PURCHASE AGENT II/PURCHASE AGENT	8	GRADE 18
28	(54)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18
29	(55)	D034	PROGRAMMER ANALYST	2	GRADE 18
30	(56)	V020	LEASING SPECIALIST	1	GRADE 18
31	(57)	R190	PERSONNEL OFFICER II	7	GRADE 17
32	(58)	R162	STATISTICIAN/STATISTICIAN II	6	GRADE 17
33	(59)	R010	ADMINISTRATIVE ASSISTANT II	15	GRADE 17
34	(60)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
35	(61)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
36	(62)	A024	COLLECTION OFFICER	4	GRADE 16

1	(63)	Y085	PRINTER II	6	GRADE 16
2	(64)	A108	ACCOUNTING TECHNICIAN II	47	GRADE 15
3	(65)	A063	PAYROLL OFFICER	3	GRADE 15
4	(66)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15
5	(67)	R342	INTERVIEWER	3	GRADE 15
6	(68)	T047	SECURITY OFFICER III	1	GRADE 15
7	(69)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
8	(70)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
9	(71)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	16	GRADE 14
10	(72)	K117	MEDICAL OR LEGAL SECRETARY	3	GRADE 14
11	(73)	K153	SECRETARY II	12	GRADE 13
12	(74)	K039	DOCUMENT EXAMINER II	30	GRADE 12
13	(75)	K115	STATISTICIAN ASST II/STATISTICIAN I	2	GRADE 12
14	(76)	K089	PERSONNEL ASSISTANT	1	GRADE 12
15	(77)	K181	MAILROOM SUPERVISOR	1	GRADE 12
16	(78)	V043	SHIPPING & RECEIVING CLERK	2	GRADE 11
17	(79)	K103	REPROD EQUIPMENT OPERATOR	2	GRADE 10
18	(80)	G013	WAREHOUSE WORKER	2	GRADE 10
19	(81)	V015	CENTRAL SUPPLY TECHNICIAN	1	GRADE 09
20	(82)	K065	MAIL OFFICER	2	GRADE 09
21	(83)	G045	EQUIPMENT OPERATOR	<u>3</u>	GRADE 08
22			MAX. NO. OF EMPLOYEES	421	

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24 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby established
 25 for the Department of Human Services - Division of Volunteerism for the 2001-
 26 2003 biennium, the following maximum number of regular employees whose
 27 salaries shall be governed by the provisions of the Uniform Classification and
 28 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all
 29 laws amendatory thereto. Provided, however, that any position to which a
 30 specific maximum annual salary is set out herein in dollars, shall be exempt
 31 from the provisions of said Uniform Classification and Compensation Act. All
 32 persons occupying positions authorized herein are hereby governed by the
 33 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas
 34 Code §21-5-101), or its successor.

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Maximum Annual

Item	Class		Maximum	Salary Rate	
No.	Code	Title	No. of	Fiscal Years	
			Employees	2001-2002	2002-2003
(1)	7406	COMMUNITY SERVICE SPECIALIST	1	\$68,437	\$70,216
(2)	7354	DHS DEP DIR OFFICE OF VOL SVCS	1	\$62,408	\$64,030
(3)	7404	NATIONAL & COMM. SVC, EXEC DIR	1	\$59,980	\$61,539
(4)	8973	DOV ASST DEP DIR	1	\$41,577	\$42,658
(5)	923Z	DHS PRGM ADMIN STRATOR	1	GRADE 23	
(6)	M113	VOLUNTEER PROGRAM MANAGER	1	GRADE 21	
(7)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
(8)	M097	VOLUNTEER PROGRAM DEVELOPER II	7	GRADE 19	
(9)	N328	INFORMATION OFFICER II	1	GRADE 18	
(10)	A111	ACCOUNTANT	1	GRADE 18	
(11)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
(12)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15	
(13)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
(14)	K153	SECRETARY II	<u>2</u>	GRADE 13	
		MAX. NO. OF EMPLOYEES	22		

SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE. There is hereby authorized, for the Department of Human Services - Director's Office 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: five (5) 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 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby authorized, for the Department of Human Services - Division of Administrative 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: twenty (20) 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 6. APPROPRIATION - DIRECTOR'S OFFICE - OPERATIONS. There is hereby appropriated, to the Department of Human Services - Director's Office, 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 - Director's Office for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 6,119,866	\$ 6,278,968
(02) EXTRA HELP	138,124	138,124
(03) PERSONAL SERV MATCHING	1,588,776	1,617,370
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,062,258	1,060,258
(B) CONF. & TRAVEL	92,280	92,280
(C) PROF. FEES	11,000	11,000
(D) CAP. OUTLAY	75,800	52,500
(E) DATA PROC.	0	0
(05) DATA PROCESSING SERVICES	<u>18,400</u>	<u>18,400</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 9,106,504</u>	<u>\$ 9,268,900</u>

SECTION 7. APPROPRIATIONS - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department of Human Services - Division of Administrative Services, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Human Services, for purchase of services of the Department of Human Services - Division of Administrative Services for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) PURCHASE OF SERVICES	<u>\$ 120,000</u>	<u>\$ 120,000</u>

SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING CONSTRUCTION. There is hereby appropriated, to the Department of Human

1 Services - Division of Administrative Services, to be payable from the
 2 Department of Human Services Renovation Fund, for construction, renovation,
 3 maintenance, equipment and repairs for various buildings operated by the
 4 Department of Human Services for the biennial period ending June 30, 2003, the
 5 following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) CONSTRUCTION	\$ 8,199,516	\$ 8,199,516

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11 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST.

12 There is hereby appropriated, to the Department of Human Services - Division
 13 of Administrative Services, to be payable from the DHS Consolidated Cost
 14 Revolving Fund, for operating expenses of the Department of Human Services -
 15 Division of Administrative Services - Consolidated Cost for the biennial
 16 period ending June 30, 2003, the following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	3,579,724	3,579,724
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	100,000	100,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>3,679,724</u>	\$ <u>3,679,724</u>

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28 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is
 29 hereby appropriated, to the Department of Human Services - Division of
 30 Administrative Services, to be payable from the paying account as determined
 31 by the Chief Fiscal Officer of the State, for personal services and operating
 32 expenses of the Department of Human Services - Division of Administrative
 33 Services for the biennial period ending June 30, 2003, the following:

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ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003

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1	(01)	REGULAR SALARIES	\$ 12,965,073	\$ 13,302,167
2	(02)	EXTRA HELP	71,800	71,800
3	(03)	PERSONAL SERV MATCHING	3,568,025	3,628,313
4	(04)	OVERTIME	20,000	20,000
5	(05)	MAINT. & GEN. OPERATION		
6	(A)	OPER. EXPENSE	2,834,236	2,841,641
7	(B)	CONF. & TRAVEL	149,661	134,661
8	(C)	PROF. FEES	12,587,749	12,587,749
9	(D)	CAP. OUTLAY	3,367,550	3,357,550
10	(E)	DATA PROC.	0	0
11	(06)	DATA PROCESSING SERVICES	<u>4,000,000</u>	<u>4,000,000</u>
12		TOTAL AMOUNT APPROPRIATED	<u>\$ 39,564,094</u>	<u>\$ 39,943,881</u>

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14 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES BLOCK
 15 GRANT - FEDERAL. There is hereby appropriated, to the Department of Human
 16 Services - Division of Administrative Services, to be payable from the federal
 17 funds as designated by the Chief Fiscal Officer of the State, for purchase of
 18 services of the Department of Human Services - Division of Administrative
 19 Services for the biennial period ending June 30, 2003, the following:

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21	ITEM	FISCAL YEARS	
22	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
23	(01) PURCHASE OF SERVICES	<u>\$ 15,030,747</u>	<u>\$ 15,030,747</u>

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25 SECTION 12. APPROPRIATIONS - VOLUNTEERISM - CASH. There is hereby
 26 appropriated, to the Department of Human Services - Division of Volunteerism,
 27 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the
 28 Department of Human Services, for operating expenses of the Department of
 29 Human Services - Division of Volunteerism for the biennial period ending June
 30 30, 2003, the following:

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32	ITEM	FISCAL YEARS	
33	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
34	(01) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSE	7,500	7,500
36	(B) CONF. & TRAVEL	5,000	5,000

1	(C) PROF. FEES	2,500	2,500
2	(D) CAP. OUTLAY	0	0
3	(E) DATA PROC.	<u>0</u>	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,000</u>	<u>\$ 15,000</u>

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 6 SECTION 13. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby
 7 appropriated, to the Department of Human Services - Division of Volunteerism,
 8 to be payable from the paying account as determined by the Chief Fiscal
 9 Officer of the State, for personal services and operating expenses of the
 10 Department of Human Services - Division of Volunteerism for the biennial
 11 period ending June 30, 2003, the following:

14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
16	(01) REGULAR SALARIES	\$ 742,326	\$ 761,626
17	(02) PERSONAL SERV MATCHING	197,674	201,109
18	(03) OVERTIME	1,000	1,000
19	(04) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	279,044	279,044
21	(B) CONF. & TRAVEL	90,970	90,970
22	(C) PROF. FEES	124,779	124,779
23	(D) CAP. OUTLAY	0	0
24	(E) DATA PROC.	0	0
25	(05) DELTA SERVICE CORPS GRANTS	2,078,586	2,078,586
26	(06) DATA PROCESSING SERVICES	<u>5,238</u>	<u>5,238</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,519,617</u>	<u>\$ 3,542,352</u>

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 29 SECTION 14. APPROPRIATION - ADMINISTRATIVE SERVICES - SUPPLEMENTAL - DATA
 30 PROCESSING SERVICES. There is hereby appropriated, to the Department of Human
 31 Services - Division of Administrative Services, to be payable from the paying
 32 account as determined by the Chief Fiscal Officer of the State, for Data
 33 Processing Services of the Department of Human Services - Division of
 34 Administrative Services for the fiscal year ending June 30, 2001, the sum of
 35 \$1,800,000.

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1 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIRECTOR'S
3 OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon approval by the
4 Chief Fiscal Officer of the State, the Chief Counsel for the Department of
5 Human Services may transfer an amount up to but not to exceed \$12,000 for the
6 ~~1999-2001~~ 2001-2003 biennial period and deposit same in a bank account for the
7 purpose of purchasing evidence in the course of investigating the illegal use
8 of food stamps /Electronic Benefit Transfer (EBT) cards. The funds so
9 transferred shall be subject to accounting in a manner substantially similar
10 to that employed by the Arkansas State Police for such transactions; provided
11 however, that information tending to identify participants in such
12 transactions shall be exempt from the Arkansas Freedom of Information Act.
13

14 The provisions of this section shall be in effect only from July 1, 2001
15 through June 30, 2003.
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17 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
19 SALARIES. There is hereby authorized for the Department of Human Services for
20 the ~~1999-2001~~ 2001-2003 biennium the following increases in salaries for
21 certain positions provided in the regular salary schedule of the Department of
22 Human Services and to be in addition to the annual amounts as established by
23 the Uniform Classification and Compensation Act, as amended: for full-time
24 physicians certified by the American Specialty Boards, a rate of pay not to
25 exceed an additional \$4,500 per year; for each full-time physician eligible to
26 be certified by the American Specialty Boards, a rate of pay not to exceed
27 \$2,500 per year. If a physician is certified in Child Psychiatry, an
28 additional \$2,500 per year will be allowed with the total not to exceed
29 \$7,000. If a physician is certified in Forensic Psychiatry, an additional
30 \$2,500 per year will be allowed with the total not to exceed \$7,000. In the
31 event the physician is not a full-time employee, the amount specified herein
32 shall be adjusted proportionately to the amount of time worked for the
33 Department of Human Services by that physician.
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35 The provisions of this section shall be in effect only from July 1, 2001
36 through June 30, 2003.

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SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN SERVICES RENOVATION FUND. Arkansas Code Ann. 19-5-1020 is amended to read as follows:

"19-5-1020. Department of Human Services Renovation Fund.

(a) There is established on the books of the Treasurer of State, Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the Department of Human Services Renovation Fund.

(b) This fund shall be used for constructing, acquiring, renovating, maintaining, repairing, and equipping facilities of the Department of Human Services and for paying disallowances by the federal government.

(c) The fund shall consist of:

(1) Federal reimbursement received by the Department of Human Services and deposited in the various fund accounts of the department; and

(2) General revenues transferred from the Division of Youth Services, the Division of Mental Health Services, and the Division of Developmental Disabilities Services for the purposes of repairing, renovating, equipping, acquiring and constructing Department of Human Services facilities with an annual maximum of five million dollars (\$5,000,000). The projects for which these transfers are authorized must be projects which were unanticipated during the preceding regular session of the Arkansas General Assembly and must be projects which, if not carried out in the interim period between regular sessions of the Arkansas General Assembly would cause greater harm to the facilities, clients or programs of the Department of Human Services than to wait until the next regular session.

(3) Other non-general revenue funds as may be available within the Department of Human Services that can be used for the purposes of this fund.

(d) At the request of the Director of the Department of Human Services, and upon certification of the availability of such funds, the Chief Fiscal Officer of the State shall initiate the necessary transfer documents to reflect the transfer on the books of record of the Treasurer of State, the Auditor of State, the Chief Fiscal Officer of the State, and the Department of Human Services. The Director of the Department of Human Services shall submit any transfer plan to and must receive approval of the plan from the Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative Council prior

1 to the effective date of the transfer.

2 (e) Provided, that any non-general revenue funding that may remain in the
3 fund at the end of any fiscal year shall be carried over into the next fiscal
4 year and all obligated general revenue funding that may remain in the fund at
5 the end of any fiscal year shall be carried over into the next fiscal year to
6 satisfy such legal and contractual obligations that have been entered into
7 prior to the end of the fiscal year.

8 (f) Determining the amount of funds appropriated to a state agency is the
9 prerogative of the General Assembly and is usually accomplished by delineating
10 specific line items and by identifying the appropriation and funding attached
11 to that line item. The General Assembly has determined that the Department of
12 Human Services could be operated more efficiently if some flexibility is given
13 to that agency. That flexibility is being accomplished by providing transfer
14 authority in subsection (d) of this section, and since the General Assembly
15 has granted the agency broad powers under the transfer authority concept, it
16 is both necessary and appropriate that the General Assembly maintain oversight
17 of the utilization of the transfer authority by requiring prior approval of
18 the Legislative Council in the utilization of this transfer authority.
19 Therefore, the requirement of approval by the Legislative Council is not a
20 severable part of this section. If the requirement of approval by the
21 Legislative Council is ruled unconstitutional by a court jurisdiction, this
22 entire section is void.

23

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

26

27 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
29 ADMINISTRATIVE SERVICES - CLIENT SPECIFIC EMERGENCY SERVICES REVOLVING CASH
30 FUND PAYING ACCOUNT. The Department of Human Services - Division of
31 Administrative Services is hereby authorized to establish and maintain as a
32 cash fund account the Client Specific Emergency Services Revolving Fund Paying
33 Account consisting of Federal grants, aids, cash donations, reimbursements and
34 State general revenue, not to exceed a daily balance of \$10,000.00, for
35 delivery of immediate care, short-term or emergency services to eligible
36 clients. Said account shall be established and maintained in accordance with

1 procedures established by the Chief Fiscal Officer of the State for cash funds
2 and shall be administered under the direction of the Director of the
3 Department of Human Services.

4
5 The provisions of this section shall be in effect only from July 1, 2001
6 through June 30, 2003.

7
8 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
10 AUTHORITY. The Director of the Department of Human Services shall have
11 transfer authority provided by the following:

12
13 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the
14 Department of Human Services is authorized to request fund transfers according
15 to the provisions established by Arkansas Code Ann. 19-5-1020, Department of
16 Human Services Renovation Fund, as amended herein; and

17
18 (b) MATCH TRANSFER. The Director of the Department of Human Services, with
19 the approval of the Chief Fiscal Officer of the State, is authorized to effect
20 inter-agency and inter-divisional fund transfers for the purpose of providing
21 the State's matching share for payments made to that Division or Office or its
22 service providers for services eligible for federal reimbursement under
23 programs administered by the Department of Human Services. The Department of
24 Human Services shall report to the Legislative Council or Joint Budget
25 Committee on a quarterly basis all fund transfers made in accordance with the
26 authority granted by this section; and

27
28 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The
29 Division of Youth Services (DYS) is authorized to fulfill its responsibility
30 to house offenders between the ages of 18 and 21 and to separate juvenile
31 offenders by age and seriousness of offense by either employing additional
32 state employees and providing the corresponding operating expenses or entering
33 into professional services contracts. If the Division of Youth Services
34 determines that the Division needs to employ state employees to fulfill the
35 housing and separation requirements, they may transfer up to the total amount
36 appropriated for the DYS - Offender Housing and Separation appropriation

1 ~~provided herein~~ to the appropriate DYS appropriation and line items, upon
2 approval of the Chief Fiscal Officer of the State, and prior review by the
3 Legislative Council.

4

5 (d) REALLOCATION OF RESOURCES: (1) Upon determination by the Director of
6 the Department of Human Services that a reallocation of resources within the
7 department is necessary for the efficient and effective operation of the
8 department, the director, with approval of the Governor, shall have the
9 authority to request, from the Chief Fiscal Officer of the State, a transfer
10 of positions, appropriations, line item appropriations, and funds within or
11 between existing and newly created divisions, offices, sections, or units of
12 the department. Provided, however, that no transfer of funds or appropriation
13 that provides direct support or matching support for the Arkansas Medicaid
14 Program shall be made to any other fund account or appropriation that does not
15 directly support the Arkansas Medicaid Program. Further, no positions, funds,
16 or appropriation authorized during the ~~1999-2001~~ 2001-2003 biennial budget
17 process for the Division of Children and Family Services for compliance with
18 the Angela R. Lawsuit shall be transferred to any other division. Nothing in
19 this provision is intended to prevent the one-time transfers of savings in any
20 other program to the Arkansas Medicaid Program, with the exception of the
21 provisions previously cited for the Division of Children and Family Services -
22 Angela R. Lawsuit. The Division of Developmental Disabilities - Grants to
23 Community Providers line item of the Developmental Disabilities Services -
24 Grants-in-Aid appropriation may not be decreased. The appropriation,
25 funding, and positions provided ~~in this act~~ for the six Human Development
26 Centers shall remain at a level sufficient to ensure quality care for the
27 Centers' residents. The exemptions provided in this subsection whereby certain
28 DHS Programs and Divisions are protected from appropriation, fund, or position
29 transfers are applicable only to the reallocation or transfer authority
30 granted herein, and not by any reductions which are applicable to all state
31 programs. If requested by the Division of Child Care and Early Childhood
32 Education (DCCECE), the Division of County Operations shall transfer
33 sufficient general revenue to allow the State to access the full allocation of
34 Federal Funds available through the Matching Category of the Child Care
35 Development Fund. General Revenue Dollars transferred to DCCECE must be used
36 as matching funds to support the Transitional Employment Assistance (TEA)

1 Program and must be eligible to be counted toward the State's Maintenance-of-
2 Effort requirement for the Temporary Assistance for Needy Families (TANF)
3 Block Grant. The exemptions provided in this subsection whereby certain DHS
4 Programs and Divisions are protected from appropriation, fund, or position
5 transfers are applicable only to the reallocation or transfer authority
6 granted herein, and not by any reductions which are applicable to all state
7 programs.

8 The Director of the Department of Human Services shall submit any requests
9 for transfers to and must receive approval of the requests for transfers from
10 the Chief Fiscal Officer of the State, the Governor, and the Arkansas
11 Legislative Council prior to the effective date of the transfers.

12

13 Provided, however, that the Department of Human Services shall be limited to
14 submitting no more than four requests for reallocation of resources transfers
15 during any fiscal year. Transfer authority for unforeseen purposes shall
16 further be limited to no more than 5% of the total appropriation, funding, and
17 positions authorized for the Department. Reallocation of resources transfers
18 may include multiple items but shall be limited to the following purposes:

19 i). Medicaid Program

20 ii). Facilities and institutions costs, including operational expenses and
21 Construction/Renovation/Equipping expenses

22 iii). Departmental grants and contracts

23 iv). Court ordered settlements

24 v). Payment of administrative expenses, including but not limited to,
25 overtime and other costs of personnel for critical services or functions
26 necessary to carry out the mission of the agency

27 vi). Restructuring efforts as deemed necessary to comply with federal or state
28 mandates

29

30 Determining the maximum number of employees and the maximum amount of
31 appropriation and general revenue funding for a state agency each fiscal year
32 is the prerogative of the General Assembly. This is usually accomplished by
33 delineating such maximums in the appropriation act(s) for a state agency and
34 the general revenue allocations authorized for each fund and fund account by
35 amendment to the Revenue Stabilization Law. Further, the General Assembly has
36 determined that the Department of Human Services may operate more efficiently

1 if some flexibility is provided to the Department of Human Services
2 authorizing broad powers under the Reallocation of Resources provisions
3 herein. Therefore, it is both necessary and appropriate that the General
4 Assembly maintain oversight by requiring prior approval of the Legislative
5 Council or Joint Budget Committee as provided by this section. The
6 requirement of approval by the Legislative Council or Joint Budget Committee
7 is not a severable part of this section. If the requirement of approval by
8 the Legislative Council or Joint Budget Committee is ruled unconstitutional by
9 a court jurisdiction, this entire section is void.

10
11 (2) If it is determined that the requested reallocation of resources transfers
12 should be made, the Chief Fiscal Officer of the State shall then initiate the
13 necessary transfer documents to reflect the transfers upon the fiscal records
14 of the Treasurer of State, the Auditor of State, the Chief Fiscal Officer of
15 the State, and the Department of Human Services. In addition, the Chief
16 Fiscal Officer of the State, together with the Co-Chairpersons of the
17 Legislative Council or Joint Budget Committee, may approve, on an emergency
18 basis, requests for utilization of this Section without prior approval of the
19 Arkansas Legislative Council, with any such actions reported at the next
20 meeting of the Arkansas Legislative Council.

21
22 The provisions of this section shall be in effect only from July 1, 2001
23 through June 30, 2003.

24
25 SECTION 20. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
26 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
27 appropriations as provided in this Act, the agency disbursing officer shall
28 monitor the level of fund balances in relation to expenditures on a monthly
29 basis. If any proposed expenditures would cause a fund balance to decline to
30 less than fifty percent (50%) of the balance available on July 1, 2001, the
31 disbursing officer shall immediately notify the executive head of the agency.
32 Prior to any obligations being made under these circumstances, the agency head
33 shall file written documentation with the Chief Fiscal Officer of the State
34 requesting approval of the expenditures. Such documentation shall provide
35 sufficient financial data to justify the expenditures and shall include the
36 following:

- 1 1) a plan that clearly indicates the specific fiscal impact of such
- 2 expenditures on the fund balance.
- 3 2) information clearly indicating and explaining what programs would be cut or
- 4 any other measures to be taken by the agency to restore the fund balance.
- 5 3) the extent to which any of the planned expenditures are for one-time costs
- 6 or one-time purchase of capitalized items.
- 7 4) a statement certifying that the expenditure of fund balances will not
- 8 jeopardize the financial health of the agency, nor result in a permanent
- 9 depletion of the fund balance.
- 10 (B) The Chief Fiscal Officer of the State shall review the request and
- 11 approve or disapprove all or any part of the request , after having sought
- 12 prior review by the Legislative Council.

13

14 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

15 by this act shall be limited to the appropriation for such agency and funds

16 made available by law for the support of such appropriations; and the

17 restrictions of the State Purchasing Law, the General Accounting and Budgetary

18 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures

19 and Restrictions Act, or their successors, and other fiscal control laws of

20 this State, where applicable, and regulations promulgated by the Department of

21 Finance and Administration, as authorized by law, shall be strictly complied

22 with in disbursement of said funds.

23

24 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General Assembly

25 that any funds disbursed under the authority of the appropriations contained

26 in this act shall be in compliance with the stated reasons for which this act

27 was adopted, as evidenced by the Agency Requests, Executive Recommendations

28 and Legislative Recommendations contained in the budget manuals prepared by

29 the Department of Finance and Administration, letters, or summarized oral

30 testimony in the official minutes of the Arkansas Legislative Council or Joint

31 Budget Committee which relate to its passage and adoption.

32

33 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the General

34 Assembly, that the Constitution of the State of Arkansas prohibits the

35 appropriation of funds for more than a two (2) year period; that the

36 effectiveness of this Act on July 1, 2001 is essential to the operation of the

1 agency for which the appropriations in this Act are provided, and that in the
2 event of an extension of the Regular Session, the delay in the effective date
3 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
4 administration and provision of essential governmental programs. Therefore, an
5 emergency is hereby declared to exist and this Act being necessary for the
6 immediate preservation of the public peace, health and safety shall be in full
7 force and effect from and after July 1, 2001, except for Section 14 which
8 shall be in full force and effect from and after the date of passage and
9 approval of this Act.

10
11 */s/ Joint Budget Committee*
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