

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 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 1324

4  
5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE  
11 DEPARTMENT OF HUMAN SERVICES - DIVISION OF COUNTY  
12 OPERATIONS FOR THE BIENNIAL PERIOD ENDING JUNE  
13 30, 2007; AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF HUMAN  
17 SERVICES - DIVISION OF COUNTY OPERATIONS  
18 APPROPRIATION FOR THE 2005-2007  
19 BIENNIUM.  
20  
21

22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for  
26 the Department of Human Services - Division of County Operations for the  
27 2005-2007 biennium, the following maximum number of regular employees whose  
28 salaries shall be governed by the provisions of the Uniform Classification  
29 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,  
30 and all laws amendatory thereto. Provided, however, that any position to  
31 which a specific maximum annual salary is set out herein in dollars, shall be  
32 exempt from the provisions of said Uniform Classification and Compensation  
33 Act. All persons occupying positions authorized herein are hereby governed  
34 by the provisions of the Regular Salaries Procedures and Restrictions Act  
35 (Arkansas Code §21-5-101), or its successor.  
36



Item	Class		Maximum	Maximum Annual	
No.	Code	Title	No. of	Salary Rate	
			Employees	2005-2006	2006-2007
5	(1) 6603	GENERAL PHYSICIAN	5	\$119,887	\$122,595
6	(2) 9719	DHS DEP DIR COUNTY OPS	1	\$98,315	\$100,699
7	(3) 9235	DHS COMMUNICATIONS DIRECTOR	1	\$87,677	\$89,892
8	(4) 8943	DHS/DCO ASST DEP DIR COUNTY OPS	1	\$81,859	\$83,964
9	(5) 8937	DHS/DCO ASST DEP DIR COUNTY OPS	1	\$81,859	\$83,964
10	(6) 8935	DHS/DCO ASST DEP DIR PGM & ADMN SPT	1	\$81,859	\$83,964
11	(7) 8039	DHS/DCO ASSISTANT DIRECTOR	1	\$81,859	\$83,964
12	(8) 8939	DHS/DCO ASST DEP DIR COUNTY OPS	1	\$80,103	\$82,174
13	(9) 9412	DHS/DCO AREA DIRECTOR	6	\$71,996	\$73,913
14	(10) M042	DHS/DCO COUNTY ADMINISTRATOR IV	2	GRADE	24
15	(11) 923Z	DHS PRGM ADMINISTRATOR	2	GRADE	23
16	(12) M040	DHS/DCO COUNTY ADMINISTRATOR III	11	GRADE	23
17	(13) 975Z	DHS WEATHERIZATION PROGRAM ADMIN	1	GRADE	22
18	(14) 909Z	PROGRAM SUPPORT MANAGER	1	GRADE	22
19	(15) 699Z	DHS/DCO FIELD MANAGER	6	GRADE	22
20	(16) D066	SYSTEMS COORDINATION ANALYST II	2	GRADE	22
21	(17) D124	LEAD PROGRAMMER/ANALYST	1	GRADE	22
22	(18) M032	DHS/DCO COUNTY SUPV IV	2	GRADE	22
23	(19) M038	DHS/DCO COUNTY ADMINISTRATOR II	30	GRADE	22
24	(20) M029	DHS/DCO COUNTY SUPV III	14	GRADE	21
25	(21) M022	DHS/DCO COUNTY ADMINISTRATOR I	34	GRADE	21
26	(22) V014	DHS/DCO COMMODITY SERVICES MANAGER	1	GRADE	21
27	(23) D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE	21
28	(24) 697Z	DHS PRGM MANAGER	5	GRADE	21
29	(25) R488	GRANTS ADMIN SUPV	2	GRADE	21
30	(26) D121	USER SUPPORT ANALYST	3	GRADE	20
31	(27) E112	WEATHERIZATION TRAINING COORD	1	GRADE	20
32	(28) E114	STAFF DEVELOPMENT COORDINATOR	2	GRADE	20
33	(29) R145	DHS PROGRAM COORDINATOR	11	GRADE	20
34	(30) R266	MANAGEMENT PROJECT ANALYST II	7	GRADE	20
35	(31) M027	DHS/DCO COUNTY SUPV II	29	GRADE	20
36	(32) M088	SOCIAL WORKER II	1	GRADE	20

1	(33)	M025	DHS/DCO COUNTY SUPV I	34	GRADE 19
2	(34)	R332	DHS POLICY DEVELOPMENT COORD	6	GRADE 19
3	(35)	R168	GRANTS COORDINATOR II	9	GRADE 19
4	(36)	M154	DHS FIELD REPRESENTATIVE	16	GRADE 19
5	(37)	M164	QUALITY CONTROL REVIEW SUPV	7	GRADE 19
6	(38)	R084	DHS STAFF SUPERVISOR	5	GRADE 19
7	(39)	E074	TRAINING REPRESENTATIVE	5	GRADE 19
8	(40)	W012	MEDICAL RECORDS ADMINISTRATOR	1	GRADE 19
9	(41)	M170	QUALITY CONTROL REVIEWER	33	GRADE 18
10	(42)	M024	FAMILY SUPPORT SPECIALIST SUPV	97	GRADE 18
11	(43)	M075	SOCIAL SERVICE REPRESENTATIVE II	6	GRADE 18
12	(44)	M078	DHS/DEMS SUPERVISOR	2	GRADE 18
13	(45)	M068	DHS PROGRAM ANALYST	11	GRADE 18
14	(46)	M072	SOCIAL SERVICE INVESTIGATOR II	20	GRADE 18
15	(47)	M023	FAMILY SUPPORT SPECIALIST III	864	GRADE 17
16	(48)	R010	ADMINISTRATIVE ASSISTANT II	14	GRADE 17
17	(49)	R110	MEDICAL PROGRAM REPRESENTATIVE	1	GRADE 17
18	(50)	M125	WORK PROGRAM ADVISOR	35	GRADE 17
19	(51)	X352	HLTH CARE ANALYST II	2	GRADE 17
20	(52)	M148	YOUTH SERVICES WORKER II	2	GRADE 16
21	(53)	M110	VOLUNTEER SERVICES COORDINATOR	3	GRADE 16
22	(54)	M021	FAMILY SUPPORT SPECIALIST II	2	GRADE 16
23	(55)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	33	GRADE 15
24	(56)	D005	COMPUTER OPERATOR II	1	GRADE 15
25	(57)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15
26	(58)	M073	SOCIAL SERVICE REPRESENTATIVE I	3	GRADE 15
27	(59)	V021	COMMODITY DIST REP	3	GRADE 15
28	(60)	V051	STOREROOM SUPV/STORE SUPV	1	GRADE 15
29	(61)	K117	MEDICAL OR LEGAL SECRETARY	1	GRADE 14
30	(62)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	25	GRADE 14
31	(63)	K153	SECRETARY II	64	GRADE 13
32	(64)	M067	SOCIAL SERVICE AIDE II	20	GRADE 13
33	(65)	K039	DOCUMENT EXAMINER II	355	GRADE 12
34	(66)	K115	STATISTICIAN ASST II/STATISTICIAN I	1	GRADE 12
35	(67)	T045	SECURITY OFFICER II	1	GRADE 12
36	(68)	K037	DOCUMENT EXAMINER I	10	GRADE 10

1	(69)	C011	SWITCHBOARD OPERATOR II	3	GRADE 09
2	(70)	V055	SURPLUS PROPERTY ASSISTANT	<u>1</u>	GRADE 09
3			MAX. NO. OF EMPLOYEES	1,885	

4

5 SECTION 2. REGULAR SALARIES - MEDICAID EXPANSION. There is hereby  
6 established for the Department of Human Services - Division of County  
7 Operations for the 2005-2007 biennium, the following maximum number of  
8 regular employees whose salaries shall be governed by the provisions of the  
9 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
10 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
11 that any position to which a specific maximum annual salary is set out herein  
12 in dollars, shall be exempt from the provisions of said Uniform  
13 Classification and Compensation Act. All persons occupying positions  
14 authorized herein are hereby governed by the provisions of the Regular  
15 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
16 successor.

17						
18			Maximum Annual			
19			Maximum	Salary Rate		
20	Item	Class	No. of	Fiscal Years		
21	<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>Employees</u>	<u>2005-2006</u>	<u>2006-2007</u>
22	(1)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE 22	
23	(2)	M024	FAMILY SUPPORT SPECIALIST SUPV	7	GRADE 18	
24	(3)	M023	FAMILY SUPPORT SPECIALIST III	44	GRADE 17	
25	(4)	K039	DOCUMENT EXAMINER II	<u>11</u>	GRADE 12	
26			MAX. NO. OF EMPLOYEES	63		

27

28 SECTION 3. EXTRA HELP. There is hereby authorized, for the Department of  
29 Human Services - Division of County Operations for the 2005-2007 biennium,  
30 the following maximum number of part-time or temporary employees, to be known  
31 as "Extra Help", payable from funds appropriated herein for such purposes:  
32 thirty-seven (37) temporary or part-time employees, when needed, at rates of  
33 pay not to exceed those provided in the Uniform Classification and  
34 Compensation Act, or its successor, or this act for the appropriate  
35 classification.

36

SECTION 4. APPROPRIATION - ADMINISTRATION PROGRAM. There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the Department of Human Services – Division of County Operations for the biennial period ending June 30, 2007, the following:

(a) For the Administration Program, the sum of \$34,948,261 for the 2005-2006 fiscal year and \$35,256,511 for the 2006-2007 fiscal year.

(1) Program Description. Central Office Operations-Establishes the division’s goals, objectives and priorities in accordance with state and federal requirements and within available resources, provides traditional management support functions, provides technical assistance and guidance on policy and IT issues, and oversees the quality and timeliness of service delivery. This includes the activities of the following Central Office staff:

- 1) Office of the Director (DO)
- 2) Office of Administrative Support (OAS)
- 3) Office of Program Planning and Development (OPPD)
- 4) Office of Field Operations (OFO)
- 5) Office of Program Support (OPS)
- 6) Office of Community Services (OCS)

(2) Appropriation payable from:

FISCAL YEARS

2005-2006                      2006-2007

(A) General Revenue:

County Operations Fund Account	\$	<u>10,948,937</u>	\$	<u>11,145,614</u>
TOTAL General Revenue	\$	10,948,937	\$	11,145,614

(B) Federal Funds as designated by the Chief Fiscal Officer of the State

\$	19,440,062	\$	19,526,472
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(C) Special Revenue

\$	557	\$	557
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(D) Other Funds

\$	887,917	\$	887,917
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(3) Performance Targets:

(A) Number of Prior Year Audit

Findings Repeated in Subsequent Audit without Improvement

3	3
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(B) Percent of Agency Budget in the Administrative Program Compared to Total Agency Budget

15%	15%
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1 (C) Percent of Agency Key  
 2 Performance Measures Met 90% 90%

3  
 4 SECTION 5. APPROPRIATION - COMMUNITY SERVICES PROGRAM. There is hereby  
 5 appropriated, to be payable from the funds and fund accounts as set out  
 6 herein, to the Department of Human Services - Division of County Operations  
 7 for the biennial period ending June 30, 2007, the following:

8 (a) For the Community Services Program, the sum of \$35,057,913 for the 2005-  
 9 2006 fiscal year and \$35,557,913 for the 2006-2007 fiscal year.

10 (1) Program Description. To provide basic funding for the provision of  
 11 services and activities designed to supplement feeding programs, address  
 12 hunger in times or crisis, reduce the need for Food Stamp assistance, reduce  
 13 poverty, revitalize low-income communities, and the empowerment of families  
 14 and individuals to become fully self-sufficient. Services include: 1)  
 15 Commodity Distribution; 2) Emergency Food; 3) Food Stamp Employment and  
 16 Training; 4) Community Services Block Grant; 5) Shelter Plus Care; 6) Aid to  
 17 the Aged, Blind and Disabled; 7) Weatherization; 8) Low-Income Energy  
 18 Assistance; 9) Homeless Assistance and 10) Refugee Resettlement Program

19 (2) Appropriation payable from:

	FISCAL YEARS	
	<u>2005-2006</u>	<u>2006-2007</u>
20		
21 (A) General Revenue:		
22 Department of Human Services		
23 Grants Fund Account	\$ <u>157,439</u>	\$ <u>157,439</u>
24 TOTAL General Revenue	\$ 157,439	\$ 157,439
25 (B) Federal Funds as designated by		
26 the Chief Fiscal Officer of the		
27 State	\$ 34,496,294	\$ 34,996,294
28 (C) Other Funds	\$ 354,180	\$ 354,180

29 (3) Performance Targets:

30 (A) E&T Participation Rate	+5%	+5%
31 (B) Increase CSBG Program		
32 Participation Within Available		
33 Funding	+2%	+2%
34 (C) LIHEAP Applications – Reduce		
35 Number of Days Pending	-5%	-5%

36

SECTION 6. APPROPRIATION - ECONOMIC AND MEDICAL ENROLLMENT PROGRAM. There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the Department of Human Services - Division of County Operations for the biennial period ending June 30, 2007, the following:

(a) For the Economic and Medical Enrollment Program , the sum of \$77,743,086 for the 2005-2006 fiscal year and \$80,843,098 for the 2006-2007 fiscal year.

(1) Program Description. All costs associated with providing case management and referral services and determining client eligibility for the Food Stamp, Medicaid, Tobacco Settlement and Transitional Employment Assistance (TEA) programs.

(2) Appropriation payable from:	FISCAL YEARS	
	<u>2005-2006</u>	<u>2006-2007</u>
(A) General Revenue:		
County Operations Fund Account	\$ <u>29,602,682</u>	\$ <u>30,134,439</u>
TOTAL General Revenue	\$ 29,602,682	\$ 30,134,439
(B) Federal Funds as designated by the Chief Fiscal Officer of the State	\$ 43,209,009	\$ 44,356,837
(C) Other Funds	\$ 1,559,763	\$ 1,559,763

(3) Performance Targets:

(A) Food Stamp Application		
Processing Timeliness Rate	96%	96%
(B) Food Stamp Eligibility		
Determination Accuracy Rate - Active Cases	93%	93%
(C) Increase Enrollment Rates for Tobacco Settlement Categories	+5%	+5%
(D) Increase Medicaid Enrollment Rates	+2%	+2%
(E) TEA Program Timeliness Rate	93%	94%

SECTION 7. APPROPRIATION - TRANSITIONAL EMPLOYMENT ASSISTANCE PROGRAM. There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the Department of Human Services - Division of County Operations for the biennial period ending June 30, 2007, the following:

(a) For the Transitional Employment Assistance Program, the sum of

1 \$76,209,232 for the 2005-2006 fiscal year and \$76,209,232 for the 2006-2007  
2 fiscal year.

3 (1) Program Description. Title IV-A of the Social Security Act provides  
4 federal grants to states for Temporary Assistance to Needy Families (TANF).

5 (2) Appropriation payable from: FISCAL YEARS  
6 2005-2006 2006-2007

7 (A) General Revenue:  
8 Department of Human Services  
9 Grants Fund Account \$ 3,640,650 \$ 3,640,650  
10 TOTAL General Revenue \$ 3,640,650 \$ 3,640,650

11 (B) Federal Funds as designated by  
12 the Chief Fiscal Officer of the  
13 State \$ 72,568,582 \$ 72,568,582

14 (3) Performance Targets:  
15 (A) TEA Work Participation Rate 25% 28%

16

17 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
19 OPERATIONS - CARRY FORWARD. The unexpended balances in appropriations made  
20 from federal funds, for County Operations, as provided for in this Act on  
21 June 30, ~~2004~~ 2006 shall be carried forward and made available for  
22 expenditures for the same purpose for the fiscal year ending June 30, ~~2005~~  
23 2007.

24 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005  
25 through June 30, ~~2005~~ 2007.

26

27 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
29 OF TANF BLOCK GRANT FUNDS TO THE CHILD CARE DEVELOPMENT FUND. Not  
30 withstanding any federal regulations or mandates for the biennium that  
31 prohibits the use of funds for this purpose, the Department of Human  
32 Services, Division of County Operations shall transfer a total of \$12 million  
33 or 11 percent; whichever amount is less, of the state's federal Temporary  
34 Assistance to Needy Families (TANF) block grant to the Child Care Development  
35 Fund. The funds, to be administered by the Division of Child Care and Early  
36 Childhood Education, shall be used to provide subsidized child care for TEA,



1 transitional child care, or other low-income families. These funds shall be  
 2 used to develop, support, enhance and subsidize early care and education  
 3 programs.

4 The amount of transfer is subject to continuation of base level funding for  
 5 the Division of County Operations.

6 The provisions of this section shall be in effect from July 1, ~~2003~~ 2005  
 7 through June 30, ~~2005~~ 2007.

8

9 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID  
 11 EXPANSION PROGRAM – ECONOMIC AND MEDICAL ENROLLMENT PROGRAM – TOBACCO PROGRAM  
 12 OBJECTIVE - CARRY FORWARD. Such appropriation as is authorized in this Act  
 13 for the ~~Arkansas Tobacco Settlement – Medicaid Expansion Program~~ Economic and  
 14 Medical Enrollment Program – Tobacco Program Objective which remains at the  
 15 end of the first fiscal year of the biennium may be carried forward into the  
 16 second fiscal year of the biennium there to be used for the same purposes.

17 The provisions of this section shall be in effect only from July 1, ~~2003~~  
 18 2005 through June 30, ~~2005~~ 2007.

19

20 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAID  
 22 EXPANSION PROGRAM – ECONOMIC AND MEDICAL ENROLLMENT PROGRAM – TOBACCO PROGRAM  
 23 OBJECTIVE - PAYING ACCOUNTS. The Medicaid Expansion Program as established  
 24 by Initiated Act 1 of 2000 shall be a separate and distinct component  
 25 embracing (1) expanded Medicaid coverage and benefits to pregnant women; (2)  
 26 expanded inpatient and outpatient hospital reimbursements and benefits to  
 27 adults aged nineteen (19) to sixty-four (64); (3) expanded non-institutional  
 28 coverage and benefits to adults aged 65 and over; and (4) creation and  
 29 provision of a limited benefit package to adults aged nineteen (19) to sixty-  
 30 four (64), to be administered by the Department of Human Services. Separate  
 31 Paying Accounts shall be established for the Medicaid Expansion Program as  
 32 designated by the Chief Fiscal Officer of the State, to be used exclusively  
 33 for the purpose of drawing down federal funds associated with the federal  
 34 share of expenditures and for the state share of expenditures transferred  
 35 from the Medicaid Expansion Program Account or for any other appropriate  
 36 state match funds.

1 The provisions of this section shall be in effect only from July 1, 2003  
 2 2005 through June 30, ~~2005~~ 2007.

3  
 4 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ECONOMIC  
 6 AND MEDICAL ENROLLMENT PROGRAM – TOBACCO PROGRAM OBJECTIVE - ACCOUNTS. Such  
 7 appropriations and fund accounts as may be necessary to administer the  
 8 provisions of ~~this act~~ the Tobacco Settlement Medicaid Expansion Program  
 9 shall be established on the books of the Chief Fiscal Officer of the State,  
 10 State Treasurer, and the Auditor of the State.

11 The provisions of this section shall be in effect only from July 1, 2003  
 12 2005 through June 30, ~~2005~~ 2007.

13  
 14 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 16 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the  
 17 State of Arkansas or any of its agencies or institutions to continue funding  
 18 any position paid from the proceeds of the Tobacco Settlement in the event  
 19 that Tobacco Settlement funds are not sufficient to finance the position.  
 20 (b) State funds will not be used to replace Tobacco Settlement funds when  
 21 such funds expire, unless appropriated by the General Assembly and authorized  
 22 by the Governor.  
 23 (c) A disclosure of the language contained in (a) and (b) of this Section  
 24 shall be made available to all new hire and current positions paid from the  
 25 proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.  
 26 (d) Whenever applicable the information contained in (a) and (b) of this  
 27 Section shall be included in the employee handbook and or Professional  
 28 Services Contract paid from the proceeds of the Tobacco Settlement.

29  
 30 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 32 RESTRICTIONS. The appropriations provided in ~~this act~~ the Economic and  
 33 Medical Enrollment Program – Tobacco Program Objective shall not be  
 34 transferred under the provisions of Arkansas Code 19-4-522 or the provisions  
 35 of Arkansas code 6-62-104, but only as provided by this act.

36

1 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS  
 3 OF APPROPRIATIONS. In the event the amount of any of the budget  
 4 classifications of maintenance and general operation ~~in this act~~ the Economic  
 5 and Medical Enrollment Program – Tobacco Program Objective are found by the  
 6 administrative head of the agency to be inadequate, then the agency head may  
 7 request, upon forms provided for such purpose by the Chief Fiscal Officer of  
 8 the State, a modification of the amounts of the budget classification. In  
 9 that event, he shall set out on the forms the particular classifications for  
 10 which he is requesting an increase or decrease, the amounts thereof, and his  
 11 reasons therefor. In no event shall the total amount of the budget exceed  
 12 either the amount of the appropriation or the amount of the funds available,  
 13 nor shall any transfer be made from the capital outlay or data processing  
 14 subclassifications unless specific authority for such transfers is provided  
 15 by law, except for transfers from capital outlay to data processing when  
 16 determined by the Department of Information Systems that data processing  
 17 services for a state agency can be performed on a more cost-efficient basis  
 18 by the Department of Information Systems than through the purchase of data  
 19 processing equipment by that state agency. In considering the proposed  
 20 modification as prepared and submitted by each state agency, the Chief Fiscal  
 21 Officer of the State shall make such studies as he deems necessary. The Chief  
 22 Fiscal Officer of the State shall, after obtaining the approval of the  
 23 Legislative Council, approve the requested transfer if in his opinion it is  
 24 in the best interest of the state.

25 The General Assembly has determined that the agency in this act could be  
 26 operated more efficiently if some flexibility is given to that agency and  
 27 that flexibility is being accomplished by providing authority to transfer  
 28 between certain items of appropriation for the Economic and Medical  
 29 Enrollment Program – Tobacco Program Objective ~~made by this act~~. Since the  
 30 General Assembly has granted the agency broad powers under the transfer of  
 31 appropriations, it is both necessary and appropriate that the General  
 32 Assembly maintain oversight of the utilization of the transfers by requiring  
 33 prior approval of the Legislative Council in the utilization of the transfer  
 34 authority. Therefore, the requirement of approval by the Legislative Council  
 35 is not a severable part of this section. If the requirement of approval by  
 36 the Legislative Council is ruled unconstitutional by a court jurisdiction,

1 this entire section is void.

2

3 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ECONOMIC  
 5 AND MEDICAL ENROLLMENT PROGRAM – TOBACCO PROGRAM OBJECTIVE - COMPLIANCE WITH  
 6 OTHER LAWS . Disbursement of funds authorized ~~by this act~~ for the Economic  
 7 and Medical Enrollment Program – Tobacco Program Objective shall be limited  
 8 to the appropriation for such agency and funds made available by law for the  
 9 support of such appropriations; and the restrictions of the State Purchasing  
 10 Law, the General Accounting and Budgetary Procedures Law, the Regular Salary  
 11 Procedures and Restrictions Act, or their successors, and other fiscal  
 12 control laws of this State, where applicable, and regulations promulgated by  
 13 the Department of Finance and Administration, as authorized by law, shall be  
 14 strictly complied with in disbursement of said funds.

15 The provisions of this section shall be in effect only from July 1, ~~2003~~  
 16 2005 through June 30, ~~2005~~ 2007.

17

18 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ECONOMIC  
 20 AND MEDICAL ENROLLMENT PROGRAM – TOBACCO PROGRAM OBJECTIVE - LEGISLATIVE  
 21 INTENT. It is the intent of the General Assembly that any funds disbursed  
 22 under the authority of the appropriations contained in ~~this act~~ the Economic  
 23 and Medical Enrollment Program – Tobacco Program Objective shall be in  
 24 compliance with the stated reasons for which ~~this act~~ the Economic and  
 25 Medical Enrollment Program – Tobacco Program Objective was adopted, as  
 26 evidenced by Initiated Act 1 of 2000, the Agency Requests, Executive  
 27 Recommendations and Legislative Recommendations contained in the budget  
 28 manuals prepared by the Department of Finance and Administration, letters, or  
 29 summarized oral testimony in the official minutes of the Arkansas Legislative  
 30 Council or Joint Budget Committee which relate to its passage and adoption.

31

32 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 33 by this act shall be limited to the appropriation for such agency and funds  
 34 made available by law for the support of such appropriations; and the  
 35 restrictions of the State Procurement Law, the General Accounting and  
 36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

1 Procedures and Restrictions Act, or their successors, and other fiscal  
2 control laws of this State, where applicable, and regulations promulgated by  
3 the Department of Finance and Administration, as authorized by law, shall be  
4 strictly complied with in disbursement of said funds.

5  
6 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General Assembly  
7 that any funds disbursed under the authority of the appropriations contained  
8 in this act shall be in compliance with the stated reasons for which this act  
9 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
10 and Legislative Recommendations contained in the budget manuals prepared by  
11 the Department of Finance and Administration, letters, or summarized oral  
12 testimony in the official minutes of the Arkansas Legislative Council or  
13 Joint Budget Committee which relate to its passage and adoption.

14  
15 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General  
16 Assembly, that the Constitution of the State of Arkansas prohibits the  
17 appropriation of funds for more than a two (2) year period; that the  
18 effectiveness of this Act on July 1, 2005 is essential to the operation of  
19 the agency for which the appropriations in this Act are provided, and that in  
20 the event of an extension of the Regular Session, the delay in the effective  
21 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
22 proper administration and provision of essential governmental programs.  
23 Therefore, an emergency is hereby declared to exist and this Act being  
24 necessary for the immediate preservation of the public peace, health and  
25 safety shall be in full force and effect from and after July 1, 2005.