

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  
4

*As Engrossed: H2/21/05 H4/1/05*

# A Bill

HOUSE BILL 1343

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 AGING  
12 AND ADULT SERVICES FOR THE BIENNIAL PERIOD ENDING  
13 JUNE 30, 2007; AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF HUMAN  
17 SERVICES - DIVISION OF AGING AND ADULT  
18 SERVICES APPROPRIATION FOR THE 2005-2007  
19 BIENNIUM.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. REGULAR SALARIES. There is hereby established for the  
26 Department of Human Services - Division of Aging and Adult Services 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.  
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				Maximum Annual		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
Item	Class			Employees	2005-2006	2006-2007
No.	Code	Title				
5	(1)	8868	DHS DEPUTY DIRECTOR ADULT SERVICES	1	\$96,708	\$99,068
6	(2)	8960	AGING & ADULT SVCS ASST DEP DIR	1	\$65,358	\$67,149
7	(3)	8930	AGING & ADULT SVCS ASST DEP DIR	1	\$63,284	\$65,036
8	(4)	923Z	DHS PRGM ADMINISTRATOR	7	GRADE	23
9	(5)	L019	NUTRITIONIST CONSULTANT	1	GRADE	21
10	(6)	L082	NURSING SERVICES SPECIALIST	3	GRADE	21
11	(7)	697Z	DHS PRGM MANAGER	2	GRADE	21
12	(8)	R115	OFFICE ON AGING PROGRAM SUPERVISOR	8	GRADE	21
13	(9)	M127	SR REHABILITATION COUNSELOR	4	GRADE	20
14	(10)	M005	FAMILY SERVICE WORKER SPECIALIST	21	GRADE	20
15	(11)	L070	NURSE II	43	GRADE	20
16	(12)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE	20
17	(13)	M086	SOCIAL WORKER I	2	GRADE	19
18	(14)	R134	PLANNING SPECIALIST II	1	GRADE	18
19	(15)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE	18
20	(16)	D034	PROGRAMMER ANALYST	1	GRADE	18
21	(17)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE	17
22	(18)	M079	SOCIAL SERVICE WORKER I	1	GRADE	15
23	(19)	K153	SECRETARY II	<u>5</u>	GRADE	13
24			MAX. NO. OF EMPLOYEES	117		

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26 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of  
 27 Human Services - Division of Aging and Adult Services for the 2005-2007  
 28 biennium, the following maximum number of part-time or temporary employees,  
 29 to be known as "Extra Help", payable from funds appropriated herein for such  
 30 purposes: eighteen (18) temporary or part-time employees, when needed, at  
 31 rates of pay not to exceed those provided in the Uniform Classification and  
 32 Compensation Act, or its successor, or this act for the appropriate  
 33 classification.

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35 SECTION 3. APPROPRIATION - MEALS ON WHEELS. There is hereby appropriated,  
 36 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, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) TRANSPORTATION SERVICES	\$ 3,500,000	\$ 3,500,000

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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, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 4,781,222	\$ 4,922,485
(02) EXTRA HELP	140,868	140,868
(03) PERSONAL SERVICES MATCHING	1,403,580	1,431,387
(04) OVERTIME	1,200	1,200
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	1,282,613	1,282,613
(B) CONF. & TRAVEL	55,000	55,000
(C) PROF. FEES	1,651,795	1,651,795
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(06) PROJECT GRANTS	14,473,645	14,473,645
(07) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000	75,000
(08) NURSING HOME CARE ALTERNATIVES	12,121,709	12,121,709
(09) COMMUNITY BASED CARE	121,970	121,970
(10) OLDER WORKER PROGRAM	1,132,006	1,132,006
(11) NUTRITION PROGRAMS	9,508,750	9,508,750
(12) PURCHASE DATA PROCESSING	30,000	30,000
(13) SENIOR CITIZEN CENTERS	<u>5,000,000</u>	<u>5,000,000</u>

1 TOTAL AMOUNT APPROPRIATED \$ 51,779,358 \$ 51,948,428

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3 SECTION 5. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby
4 appropriated, to the Department of Human Services - Division of Aging and
5 Adult Services, to be payable from the Aging and Adult Services Fund Account,
6 for matching funds for the Arkansas Senior Olympics of the Department of
7 Human Services - Division of Aging and Adult Services for the biennial period
8 ending June 30, 2007, the following:

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Table with 3 columns: ITEM NO., FISCAL YEARS 2005-2006, FISCAL YEARS 2006-2007. Row 1: (01) STATE MATCH \$ 70,000 \$ 70,000

13

14 SECTION 6. APPROPRIATION - BLUE AND YOU GRANT. There is hereby
15 appropriated, to the Department of Human Services - Division of Aging and
16 Adult Services, to be payable from the cash fund deposited in the State
17 Treasury as determined by the Chief Fiscal Officer of the State, for grants
18 and aid by the Blue and You Foundation of the Department of Human Services -
19 Division of Aging and Adult Services for the biennial period ending June 30,
20 2007, the following:

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Table with 3 columns: ITEM NO., FISCAL YEARS 2005-2006, FISCAL YEARS 2006-2007. Row 1: (01) BLUE & YOU GRANT \$ 300,000 \$ 300,000

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26 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
28 ADULT SERVICES - CARRY FORWARD. Any unexpended balance of funds and
29 appropriation authorized in Section 3 for elderly transportation including
30 the Meals on Wheels Program which remains at the close of the fiscal year
31 ending June 30, 2003 2005 or June 30, 2004 2006 or both, shall be carried
32 forward into the next fiscal year, there to be used for the same purpose.

33 The provisions of this section shall be in effect only from July 1, 2003
34 2005 through June 30, 2005 2007.

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36 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
2 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for  
3 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-  
4 one state/local matching basis. The Senior Arkansas Sports Organization must  
5 certify its portion of the match to the Division of Aging and Adult Services  
6 before any funds appropriated for state match for the Arkansas Senior  
7 Olympics Program in this Act are disbursed.

8 The provisions of this section shall be in effect only from July 1, ~~2003~~  
9 2005 through June 30, ~~2005~~ 2007.

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

18 The provisions of this section shall be in effect only from July 1, ~~2003~~  
19 2005 through June 30, ~~2005~~ 2007.

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21 SECTION 10. 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 - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations  
24 for state and federal funding contained herein for the Division of Aging and  
25 Adult Services and that are distributed under grant or contract methodologies  
26 may be disbursed by the Department of Human Services in the same manner as  
27 authorized under federal regulations for the disbursement of Title III Older  
28 Americans Act funds. Otherwise, all disbursements shall comply with the  
29 provisions of this Act.

30 The provisions of this section shall be in effect only from July 1, ~~2003~~  
31 2005 through June 30, ~~2005~~ 2007.

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33 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND  
35 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home  
36 Care Alternatives", as it appears in the Aging and Adult Services -

1 Operations appropriation may be used for home delivered meals, adult day  
2 care, homemaker/chore, respite care, personal care, health promotion, and  
3 other community based activities. These funds may also be used to match  
4 Medicaid community based programs.

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

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8 *SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
9 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SENIOR*  
10 *CITIZEN CENTERS. The five million dollars (\$5,000,000) appropriated each*  
11 *fiscal year in this act for Senior Citizen Centers shall be distributed in*  
12 *the same manner as the funding formula requirements set out in the federal*  
13 *Older Americans Act funding law. The additional funding provided by this*  
14 *provision shall supplement and not supplant any monies currently funding*  
15 *services for Senior Citizen Centers.*

16 *The requirements in this section shall only be implemented in accordance*  
17 *with any necessary approval by the Centers for Medicare and Medicaid*  
18 *Services, and in the event that additional general revenue funding is*  
19 *provided by the General Assembly for these purposes. Should additional*  
20 *funding provided for these purposes be insufficient to provide for the*  
21 *increases in full, the increases shall be provided to the extent that funding*  
22 *is made available.*

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

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26 *SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized*  
27 *by this act shall be limited to the appropriation for such agency and funds*  
28 *made available by law for the support of such appropriations; and the*  
29 *restrictions of the State Procurement Law, the General Accounting and*  
30 *Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary*  
31 *Procedures and Restrictions Act, or their successors, and other fiscal*  
32 *control laws of this State, where applicable, and regulations promulgated by*  
33 *the Department of Finance and Administration, as authorized by law, shall be*  
34 *strictly complied with in disbursement of said funds.*

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36 *SECTION 14. LEGISLATIVE INTENT. It is the intent of the General Assembly*

1 that any funds disbursed under the authority of the appropriations contained  
2 in this act shall be in compliance with the stated reasons for which this act  
3 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
4 and Legislative Recommendations contained in the budget manuals prepared by  
5 the Department of Finance and Administration, letters, or summarized oral  
6 testimony in the official minutes of the Arkansas Legislative Council or  
7 Joint Budget Committee which relate to its passage and adoption.

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

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21 */s/ Joint Budget Committee*  
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