

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: H3/25/05 H4/7/05*

# A Bill

HOUSE BILL 1440

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 - ADMINISTRATION FOR  
12 THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

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

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

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

Maximum Annual



				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2005-2006	2006-2007
4	(1)	9984	DHS DIRECTOR	1	\$131,253	\$134,131
5	(2)	9920	DHS DEPUTY DIRECTOR	1	\$106,157	\$108,659
6	(3)	9726	DHS CHIEF ATTORNEY	1	\$94,723	\$97,053
7	(4)	9410	DHS ASST DIRECTOR HUMAN RESOURCES	1	\$79,873	\$81,940
8	(5)	9409	DHS DIRECTOR OF PUBLIC RELATIONS	1	\$75,439	\$77,422
9	(6)	8958	DHS AUDIT/FISCAL REVIEW MANAGER	1	\$75,314	\$77,294
10	(7)	8957	DHS ATTORNEY SUPERVISOR	2	\$75,311	\$77,291
11	(8)	8959	DHS PROGRAM MANAGER	1	\$69,494	\$71,364
12	(9)	R038	ATTORNEY SUPERVISOR	3	GRADE 26	
13	(10)	R170	ATTORNEY SPECIALIST	47	GRADE 25	
14	(11)	R165	DHS CLIENT ADVOCATE	1	GRADE 23	
15	(12)	897Z	DHS INSTITUTION PROGRAM MANAGER	1	GRADE 23	
16	(13)	A095	DHS AUDIT SUPERVISOR	4	GRADE 22	
17	(14)	A251	SR AUDITOR	27	GRADE 21	
18	(15)	697Z	DHS PRGM MANAGER	1	GRADE 21	
19	(16)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
20	(17)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20	
21	(18)	R424	FAIR HEARING REFEREE	7	GRADE 19	
22	(19)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
23	(20)	M068	DHS PROGRAM ANALYST	2	GRADE 18	
24	(21)	M072	SOCIAL SERVICE INVESTIGATOR II	10	GRADE 18	
25	(22)	R010	ADMINISTRATIVE ASSISTANT II	5	GRADE 17	
26	(23)	K048	LEGAL SECRETARY II	36	GRADE 16	
27	(24)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15	
28	(25)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
29	(26)	K155	SECRETARY I	<u>1</u>	GRADE 11	
30			MAX. NO. OF EMPLOYEES	167		

31

32 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby  
33 established for the Department of Human Services - Division of Administrative  
34 Services for the 2005-2007 biennium, the following maximum number of regular  
35 employees whose salaries shall be governed by the provisions of the Uniform  
36 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or

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

				Maximum Annual		
				Maximum	Salary Rate	
Item	Class			No. of	Fiscal Years	
No.	Code	Title		Employees	2005-2006	2006-2007
12	(1) 9724	DHS DEP DIR ADMINISTRATIVE SVCS		1	\$98,315	\$100,699
13	(2) 9234	CHIEF ADMINISTRATIVE OFFICER		1	\$98,315	\$100,699
14	(3) 8945	DHS ASST DEP DIR FOR MGR ACCOUNTING		1	\$81,859	\$83,964
15	(4) 8946	DHS ASST DEP DIR FIN SUPPORT SYSTEM		1	\$75,108	\$77,085
16	(5) 8947	DHS ASST DEP DIR GENERAL ACCOUNTING		1	\$71,869	\$73,784
17	(6) 9406	DHS ASST TO CHIEF FINANCIAL OFFICER		1	\$65,873	\$67,674
18	(7) A046	AGENCY CONTROLLER – LARGE/COMPLEX A		1	GRADE	25
19	(8) 397Z	DHS/DCFS ADMIN COMMUNITY SVCS		1	GRADE	25
20	(9) 297Z	GENERAL BUSINESS MANAGER		1	GRADE	24
21	(10) 055Z	DP MANAGER		2	GRADE	23
22	(11) 923Z	DHS PRGM ADMINISTRATOR		5	GRADE	23
23	(12) M011	FAMILY SERVICE WORKER PRINCIPAL		1	GRADE	23
24	(13) A032	AGENCY FISCAL MANAGER		1	GRADE	22
25	(14) M009	FAMILY SERVICE WORKER SUPERVISOR		1	GRADE	22
26	(15) 698Z	DHS/DAS MATERIALS MGMT ADMR		1	GRADE	22
27	(16) 506Z	REHAB SERVICES PERSONNEL MANAGER		1	GRADE	22
28	(17) 909Z	PROGRAM SUPPORT MANAGER		3	GRADE	22
29	(18) A088	DHS FINANCIAL SECTION MANAGER		12	GRADE	22
30	(19) D066	SYSTEMS COORDINATION ANALYST II		16	GRADE	22
31	(20) E051	TRAINING PROJECT MANAGER		1	GRADE	22
32	(21) V042	GENERAL SERVICES MANAGER		1	GRADE	22
33	(22) V080	MGR PURCHASING & PROPERTY MGT		1	GRADE	21
34	(23) R488	GRANTS ADMIN SUPV		1	GRADE	21
35	(24) 697Z	DHS PRGM MANAGER		6	GRADE	21
36	(25) 892Z	DHS INSTITUTION BUSINESS MANAGER		1	GRADE	21

1	(26)	A008	ACCOUNTING SUPERVISOR II	28	GRADE 21
2	(27)	L072	REGISTERED NURSE PRACTITIONER I	1	GRADE 21
3	(28)	R143	DHS RESEARCH & STATISTICS MGR	1	GRADE 21
4	(29)	R145	DHS PROGRAM COORDINATOR	6	GRADE 20
5	(30)	M128	DHS/DDS PRGM COORDINATOR	1	GRADE 20
6	(31)	M005	FAMILY SERVICE WORKER SPECIALIST	1	GRADE 20
7	(32)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
8	(33)	E114	STAFF DEVELOPMENT COORDINATOR	8	GRADE 20
9	(34)	E007	SR REHAB TEACHER F/T BLIND	1	GRADE 20
10	(35)	A038	FINANCIAL ANALYST	1	GRADE 20
11	(36)	R266	MANAGEMENT PROJECT ANALYST II	13	GRADE 20
12	(37)	R406	DHS PERSONNEL PROCESSING SUPV	1	GRADE 20
13	(38)	R424	FAIR HEARING REFEREE	1	GRADE 19
14	(39)	V022	LEASING SPECIALIST II	1	GRADE 19
15	(40)	A110	ACCOUNTANT II	5	GRADE 19
16	(41)	A087	BUDGET OFFICER	2	GRADE 19
17	(42)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
18	(43)	R048	BUDGET SPECIALIST	4	GRADE 19
19	(44)	R068	EEO/GRIEVANCE OFFICER	2	GRADE 19
20	(45)	R084	DHS STAFF SUPERVISOR	2	GRADE 19
21	(46)	R150	RESEARCH PROJECT ANALYST	3	GRADE 19
22	(47)	R168	GRANTS COORDINATOR II	32	GRADE 19
23	(48)	R195	PERSONNEL ANALYST	3	GRADE 18
24	(49)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
25	(50)	M068	DHS PROGRAM ANALYST	2	GRADE 18
26	(51)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
27	(52)	A111	ACCOUNTANT	18	GRADE 18
28	(53)	D034	PROGRAMMER ANALYST	2	GRADE 18
29	(54)	W030	RECORDS MANAGEMENT ANALYST II	4	GRADE 18
30	(55)	V020	LEASING SPECIALIST	1	GRADE 18
31	(56)	Y087	PRINTER SUPERVISOR	1	GRADE 18
32	(57)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18
33	(58)	V040	PURCHASE AGENT II/PURCHASE AGENT	8	GRADE 18
34	(59)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
35	(60)	R010	ADMINISTRATIVE ASSISTANT II	15	GRADE 17
36	(61)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17

1	(62)	R190	PERSONNEL OFFICER II	7	GRADE 17
2	(63)	R162	STATISTICIAN/STATISTICIAN II	5	GRADE 17
3	(64)	M023	FAMILY SUPPORT SPECIALIST III	1	GRADE 17
4	(65)	A024	COLLECTION OFFICER	4	GRADE 16
5	(66)	Y085	PRINTER II	6	GRADE 16
6	(67)	T047	SECURITY OFFICER III	1	GRADE 15
7	(68)	R342	INTERVIEWER	3	GRADE 15
8	(69)	A108	ACCOUNTING TECHNICIAN II	45	GRADE 15
9	(70)	A063	PAYROLL OFFICER	2	GRADE 15
10	(71)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15
11	(72)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
12	(73)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
13	(74)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	15	GRADE 14
14	(75)	K117	MEDICAL OR LEGAL SECRETARY	3	GRADE 14
15	(76)	K153	SECRETARY II	11	GRADE 13
16	(77)	K181	MAILROOM SUPERVISOR	1	GRADE 12
17	(78)	K039	DOCUMENT EXAMINER II	28	GRADE 12
18	(79)	K115	STATISTICIAN ASST II/STATISTICIAN I	1	GRADE 12
19	(80)	K089	PERSONNEL ASSISTANT	1	GRADE 12
20	(81)	V043	SHIPPING & RECEIVING CLERK	2	GRADE 11
21	(82)	K103	REPROD EQUIPMENT OPERATOR	2	GRADE 10
22	(83)	G013	WAREHOUSE WORKER	2	GRADE 10
23	(84)	K065	MAIL OFFICER	2	GRADE 09
24	(85)	V015	CENTRAL SUPPLY TECHNICIAN	1	GRADE 09
25	(86)	G045	EQUIPMENT OPERATOR	<u>3</u>	GRADE 08
26			MAX. NO. OF EMPLOYEES	395	

27

28 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby established  
 29 for the Department of Human Services - Division of Volunteerism for the 2005-  
 30 2007 biennium, the following maximum number of regular employees whose  
 31 salaries shall be governed by the provisions of the Uniform Classification  
 32 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,  
 33 and all laws amendatory thereto. Provided, however, that any position to  
 34 which a specific maximum annual salary is set out herein in dollars, shall be  
 35 exempt from the provisions of said Uniform Classification and Compensation  
 36 Act. All persons occupying positions authorized herein are hereby governed

1 by the provisions of the Regular Salaries Procedures and Restrictions Act  
 2 (Arkansas Code §21-5-101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
			No. of	Fiscal Years	
Item	Class	Title	Employees	2005-2006	2006-2007
8	(1) 7406	COMMUNITY SERVICE SPECIALIST	1	\$75,667	\$77,654
9	(2) 7354	DHS DEP DIR OFFICE OF VOL SVCS	1	\$69,122	\$70,985
10	(3) 7404	NATIONAL & COMM. SVC, EXEC DIR	1	\$66,486	\$68,299
11	(4) 8973	DOV ASST DEP DIR	1	\$46,342	\$47,732
12	(5) 923Z	DHS PRGM ADMINISTRATOR	1	GRADE 23	
13	(6) M113	VOLUNTEER PROGRAM MANAGER	1	GRADE 21	
14	(7) R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
15	(8) M097	VOLUNTEER PROGRAM DEVELOPER II	8	GRADE 19	
16	(9) A111	ACCOUNTANT	1	GRADE 18	
17	(10) R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
18	(11) R440	BUSINESS CONTROLLER II	1	GRADE 16	
19	(12) V039	PURCHASE AGENT I/ASST PURCHASE AGEN	1	GRADE 15	
20	(13) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
21	(14) K153	SECRETARY II	<u>2</u>	GRADE 13	
22	MAX. NO. OF EMPLOYEES		23		

24 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE. There is hereby authorized,  
 25 for the Department of Human Services - Director's Office for the 2005-2007  
 26 biennium, the following maximum number of part-time or temporary employees,  
 27 to be known as "Extra Help", payable from funds appropriated herein for such  
 28 purposes: five (5) temporary or part-time employees, when needed, at rates  
 29 of pay not to exceed those provided in the Uniform Classification and  
 30 Compensation Act, or its successor, or this act for the appropriate  
 31 classification.

33 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby  
 34 authorized, for the Department of Human Services - Division of Administrative  
 35 Services for the 2005-2007 biennium, the following maximum number of part-  
 36 time or temporary employees, to be known as "Extra Help", payable from funds

1 appropriated herein for such purposes: twenty (20) temporary or part-time  
 2 employees, when needed, at rates of pay not to exceed those provided in the  
 3 Uniform Classification and Compensation Act, or its successor, or this act  
 4 for the appropriate classification.

5

6 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OPERATIONS. There is hereby  
 7 appropriated, to the Department of Human Services - Director's Office, to be  
 8 payable from the paying account as determined by the Chief Fiscal Officer of  
 9 the State, for personal services and operating expenses of the Department of  
 10 Human Services - Director's Office for the biennial period ending June 30,  
 11 2007, the following:

12

13	ITEM	FISCAL YEARS	
14	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
15	(01) REGULAR SALARIES	\$ 6,561,846	\$ 6,753,452
16	(02) EXTRA HELP	22,578	22,578
17	(03) PERSONAL SERVICES MATCHING	1,931,951	1,969,555
18	(04) MAINT. & GEN. OPERATION		
19	(A) OPER. EXPENSE	992,112	992,112
20	(B) CONF. & TRAVEL	24,472	24,472
21	(C) PROF. FEES	11,000	11,000
22	(D) CAP. OUTLAY	0	0
23	(E) DATA PROC.	0	0
24	(05) DATA PROCESSING SERVICES	<u>12,300</u>	<u>12,300</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 9,556,259</u>	<u>\$ 9,785,469</u>

26

27 SECTION 7. APPROPRIATIONS - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC  
 28 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department  
 29 of Human Services - Division of Administrative Services, to be payable from  
 30 cash funds as defined by Arkansas Code 19-4-801 of the Department of Human  
 31 Services - Division of Administrative Services, for purchase of services of  
 32 the Department of Human Services - Division of Administrative Services for  
 33 the biennial period ending June 30, 2007, the following:

34

35	ITEM	FISCAL YEARS	
36	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>

1 (01) PURCHASE OF SERVICES \$ 120,000 \$ 120,000

2

3 SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING  
 4 CONSTRUCTION. There is hereby appropriated, to the Department of Human  
 5 Services - Division of Administrative Services, to be payable from the  
 6 Department of Human Services Renovation Fund, for construction, renovation,  
 7 maintenance, equipment and repairs for various buildings operated by the  
 8 Department of Human Services for the biennial period ending June 30, 2007,  
 9 the following:

10

11 ITEM	12 FISCAL YEARS	
13 NO.	2005-2006	2006-2007
14 (01) CONSTRUCTION	\$ <u>10,006,850</u>	\$ <u>10,006,850</u>

15 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST.  
 16 There is hereby appropriated, to the Department of Human Services - Division  
 17 of Administrative Services, to be payable from the DHS Consolidated Cost  
 18 Revolving Fund, for operating expenses of the Department of Human Services -  
 19 Division of Administrative Services - Consolidated Cost for the biennial  
 20 period ending June 30, 2007, the following:

21

22 ITEM	23 FISCAL YEARS	
24 NO.	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
25 (A) OPER. EXPENSE	\$ 671,500	\$ 671,500
26 (B) CONF. & TRAVEL	0	0
27 (C) PROF. FEES	0	0
28 (D) CAP. OUTLAY	0	0
29 (E) DATA PROC.	<u>0</u>	<u>0</u>
30 TOTAL AMOUNT APPROPRIATED	\$ <u>671,500</u>	\$ <u>671,500</u>

31

32 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is  
 33 hereby appropriated, to the Department of Human Services - Division of  
 34 Administrative Services, to be payable from the paying account as determined  
 35 by the Chief Fiscal Officer of the State, for personal services and operating  
 36 expenses of the Department of Human Services - Division of Administrative



1 Services for the biennial period ending June 30, 2007, the following:

2		FISCAL YEARS	
3	ITEM		
4	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
5	(01) REGULAR SALARIES	\$ 12,616,754	\$ 12,994,427
6	(02) EXTRA HELP	64,480	64,480
7	(03) PERSONAL SERVICES MATCHING	4,013,757	4,088,123
8	(04) OVERTIME	10,000	10,000
9	(05) MAINT. & GEN. OPERATION		
10	(A) OPER. EXPENSE	2,725,278	2,725,278
11	(B) CONF. & TRAVEL	20,000	20,000
12	(C) PROF. FEES	9,075,792	9,075,792
13	(D) CAP. OUTLAY	0	0
14	(E) DATA PROC.	0	0
15	(06) DATA PROCESSING SERVICES	<u>1,967,600</u>	<u>1,967,600</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 30,493,661</u>	<u>\$ 30,945,700</u>

17

18 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES  
 19 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of  
 20 Human Services - Division of Administrative Services, to be payable from the  
 21 federal funds as designated by the Chief Fiscal Officer of the State, for  
 22 purchase of services of the Department of Human Services - Division of  
 23 Administrative Services for the biennial period ending June 30, 2007, the  
 24 following:

25

26	ITEM	FISCAL YEARS	
27	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
28	(01) PURCHASE OF SERVICES	<u>\$ 684,438</u>	<u>\$ 684,438</u>

29

30 SECTION 12. APPROPRIATION - VOLUNTEERISM - CASH. There is hereby  
 31 appropriated, to the Department of Human Services - Division of Volunteerism,  
 32 to be payable from the cash fund deposited in the State Treasury as  
 33 determined by the Chief Fiscal Officer of the State, for operating expenses  
 34 of the Department of Human Services - Division of Volunteerism for the  
 35 biennial period ending June 30, 2007, the following:

36

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 7,500	\$ 7,500
(B) CONF. & TRAVEL	5,000	5,000
(C) PROF. FEES	2,500	2,500
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 15,000</u>	<u>\$ 15,000</u>

10

SECTION 13. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Volunteerism, 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 Volunteerism for the biennial period ending June 30, 2007, the following:

17

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 796,302	\$ 819,520
(02) PERSONAL SERVICES MATCHING	245,467	250,047
(03) OVERTIME	1,000	1,000
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	236,494	236,494
(B) CONF. & TRAVEL	25,000	25,000
(C) PROF. FEES	28,341	28,341
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(05) DELTA SERVICE CORPS GRANTS	2,599,474	2,599,474
(06) DATA PROCESSING SERVICES	<u>5,238</u>	<u>5,238</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 3,937,316</u>	<u>\$ 3,965,114</u>

32

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon approval by the Chief Fiscal Officer of the State, the Chief Counsel for the

1 Department of Human Services may transfer an amount up to but not to exceed  
2 \$12,000 for the ~~2003-2005~~ 2005-2007 biennial period and deposit same in a  
3 bank account for the purpose of purchasing evidence in the course of  
4 investigating the illegal use of food stamps/Electronic Benefit Transfer  
5 (EBT) cards. The funds so transferred shall be subject to accounting in a  
6 manner substantially similar to that employed by the Arkansas State Police  
7 for such transactions; provided however, that information tending to identify  
8 participants in such transactions shall be exempt from the Arkansas Freedom  
9 of Information Act.

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

12  
13 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
15 SALARIES. There is hereby authorized for the Department of Human Services  
16 for the ~~2003-2005~~ 2005-2007 biennium the following increases in salaries for  
17 certain positions provided in the regular salary schedule of the Department  
18 of Human Services and to be in addition to the annual amounts as established  
19 by the Uniform Classification and Compensation Act, as amended: for full-time  
20 physicians certified by the American Specialty Boards, a rate of pay not to  
21 exceed an additional \$4,500 per year; for each full-time physician eligible  
22 to be certified by the American Specialty Boards, a rate of pay not to exceed  
23 \$2,500 per year. If a physician is certified in Child Psychiatry, an  
24 additional \$2,500 per year will be allowed with the total not to exceed  
25 \$7,000. If a physician is certified in Forensic Psychiatry, an additional  
26 \$2,500 per year will be allowed with the total not to exceed \$7,000. In the  
27 event the physician is not a full-time employee, the amount specified herein  
28 shall be adjusted proportionately to the amount of time worked for the  
29 Department of Human Services by that physician.

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

32  
33 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN  
35 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.  
36 (a) There is established on the books of the Treasurer of State, Auditor of

1 State, and the Chief Fiscal Officer of the State a fund to be known as the  
2 Department of Human Services Renovation Fund.

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

6 (c) The fund shall consist of:

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

9 (2) General revenues transferred from the Division of Youth Services, the  
10 Division of ~~Mental Behavioral Health Services~~, and the Division of  
11 Developmental Disabilities Services for the purposes of repairing,  
12 renovating, equipping, acquiring and constructing Department of Human  
13 Services facilities with an annual maximum of five million dollars

14 (\$5,000,000). The projects for which these transfers are authorized must be  
15 projects which were unanticipated during the preceding regular session of the  
16 Arkansas General Assembly and must be projects which, if not carried out in  
17 the interim period between regular sessions of the Arkansas General Assembly  
18 would cause greater harm to the facilities, clients or programs of the  
19 Department of Human Services than to wait until the next regular session.

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

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

31 (e) Provided, that any non-general revenue funding that may remain in the  
32 fund at the end of any fiscal year shall be carried over into the next fiscal  
33 year and all obligated general revenue funding that may remain in the fund at  
34 the end of any fiscal year shall be carried over into the next fiscal year to  
35 satisfy such legal and contractual obligations that have been entered into  
36 prior to the end of the fiscal year.

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

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

18

19 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
21 AUTHORITY. The Director of the Department of Human Services shall have  
22 transfer authority provided by the following:

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

27 (b) MATCH TRANSFER. The Director of the Department of Human Services, with  
28 the approval of the Chief Fiscal Officer of the State, is authorized to  
29 effect inter-agency and inter-divisional fund transfers for the purpose of  
30 providing the State's matching share for payments made to that Division or  
31 Office or its service providers for services eligible for federal  
32 reimbursement under programs administered by the Department of Human  
33 Services. The Department of Human Services shall report to the Legislative  
34 Council or Joint Budget Committee on a quarterly basis all fund transfers  
35 made in accordance with the authority granted by this section; and

36 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The

1 Division of Youth Services (DYS) is authorized to fulfill its responsibility  
2 to house offenders between the ages of 18 and 21 and to separate juvenile  
3 offenders by age and seriousness of offense by either employing additional  
4 state employees and providing the corresponding operating expenses or  
5 entering into professional services contracts. If the Division of Youth  
6 Services determines that the Division needs to employ state employees to  
7 fulfill the housing and separation requirements, they may transfer up to the  
8 *total amount appropriated for the DYS - Residential Services Program*  
9 *appropriation to the appropriate DYS appropriation and line items, upon*  
10 *approval of the Chief Fiscal Officer of the State, and prior review by the*  
11 *Legislative Council.*

12 (d) REALLOCATION OF RESOURCES: (1) Upon determination by the Director of the  
13 Department of Human Services that a reallocation of resources within the  
14 department is necessary for the efficient and effective operation of the  
15 department, the director, with approval of the Governor, shall have the  
16 authority to request, from the Chief Fiscal Officer of the State, a transfer  
17 of positions, appropriations, line item appropriations, and funds within or  
18 between existing and newly created divisions, offices, sections, or units of  
19 the department. Provided, however, that no transfer of funds or appropriation  
20 that provides direct support or matching support for the Arkansas Medicaid  
21 Program shall be made to any other fund account or appropriation that does  
22 not directly support the Arkansas Medicaid Program. Further, no positions,  
23 funds, or appropriation authorized during the ~~2003-2005~~ 2005-2007 biennial  
24 budget process for the Division of Children and Family Services compliance  
25 with initiatives established under the Angela R. consent decree shall be  
26 transferred to any other division. Nothing in this provision is intended to  
27 prevent the one-time transfers of savings in any other program to the  
28 Arkansas Medicaid Program, with the exception of the provisions previously  
29 cited for the Division of Children and Family Services – Angela R. consent  
30 decree. The Division of Developmental Disabilities – Grants to Community  
31 Providers line item of the Developmental Disabilities Services - Grants-in-  
32 Aid appropriation may not be decreased. The appropriation, funding, and  
33 positions provided for the six Human Development Centers shall remain at a  
34 level sufficient to ensure quality care for the Centers' residents. If  
35 requested by the Division of Child Care and Early Childhood Education  
36 (DCCECE), the Division of County Operations shall transfer sufficient general

1 revenue to allow the State to access the full allocation of Federal Funds  
2 available through the Matching Category of the Child Care Development Fund.  
3 General Revenue Dollars transferred to DCCECE must be used as matching funds  
4 to support the Transitional Employment Assistance (TEA) Program and must be  
5 eligible to be counted toward the State's Maintenance-of-Effort requirement  
6 for the Temporary Assistance for Needy Families (TANF) Block Grant. The  
7 exemptions provided in this subsection whereby certain DHS Programs and  
8 Divisions are protected from appropriation, fund, or position transfers are  
9 applicable only to the reallocation or transfer authority granted herein, and  
10 not by any reductions which are applicable to all state programs.

11 The Director of the Department of Human Services shall submit any requests  
12 for transfers to and must receive approval of the requests for transfers from  
13 the Chief Fiscal Officer of the State, the Governor, and the Arkansas  
14 Legislative Council prior to the effective date of the transfers. Provided,  
15 however, that the Department of Human Services shall be limited to submitting  
16 no more than four requests for reallocation of resources transfers during any  
17 fiscal year. Transfer authority for unforeseen purposes shall further be  
18 limited to no more than 5% of the total appropriation, funding, and positions  
19 authorized for the Department. Reallocation of resources transfers may  
20 include multiple items but shall be limited to the following purposes:

- 21 i). Medicaid Program
- 22 ii). Facilities and institutions costs, including operational expenses and  
23 Construction/Renovation/Equipping expenses
- 24 iii). Departmental grants and contracts
- 25 iv). Court ordered settlements and payments
- 26 v). Payment of administrative expenses, including but not limited to,  
27 overtime and other costs of personnel for critical services or functions  
28 necessary to carry out the mission of the agency
- 29 vi). Restructuring efforts as deemed necessary to comply with federal or  
30 state mandates

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

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

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

22 The provisions of this section shall be in effect only from July 1, ~~2003~~  
23 2005 through June 30, ~~2005~~ 2007.

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25 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
26 by this act shall be limited to the appropriation for such agency and funds  
27 made available by law for the support of such appropriations; and the  
28 restrictions of the State Procurement Law, the General Accounting and  
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
30 Procedures and Restrictions Act, or their successors, and other fiscal  
31 control laws of this State, where applicable, and regulations promulgated by  
32 the Department of Finance and Administration, as authorized by law, shall be  
33 strictly complied with in disbursement of said funds.

34

35 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General Assembly  
36 that any funds disbursed under the authority of the appropriations contained



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

7  
8 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General  
9 Assembly, that the Constitution of the State of Arkansas prohibits the  
10 appropriation of funds for more than a two (2) year period; that the  
11 effectiveness of this Act on July 1, 2005 is essential to the operation of  
12 the agency for which the appropriations in this Act are provided, and that in  
13 the event of an extension of the Regular Session, the delay in the effective  
14 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
15 proper administration and provision of essential governmental programs.  
16 Therefore, an emergency is hereby declared to exist and this Act being  
17 necessary for the immediate preservation of the public peace, health and  
18 safety shall be in full force and effect from and after July 1, 2005.

19  
20 /s/ Joint Budget Committee  
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