

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

SENATE BILL 245

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

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF HUMAN  
17 SERVICES - DIVISION OF YOUTH SERVICES  
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. There is hereby established for the  
26 Department of Human Services - Division of Youth Services for the 2005-2007  
27 biennium, the following maximum number of regular employees whose salaries  
28 shall be governed by the provisions of the Uniform Classification and  
29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and  
30 all laws amendatory thereto. Provided, however, that any position to which a  
31 specific maximum annual salary is set out herein in dollars, shall be exempt  
32 from the provisions of said Uniform Classification and Compensation Act. All  
33 persons occupying positions authorized herein are hereby governed by the  
34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
35 Code §21-5-101), or its successor.  
36



					Maximum Annual	
				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2005-2006	2006-2007
5	(1)	8910	DHS DEPUTY DIRECTOR OF DYS	1	\$98,038	\$100,418
6	(2)	9236	DHS ASST DIR DIV YOUTH SERVICES	1	\$82,792	\$84,915
7	(3)	9757	DHS ASSISTANT DIRECTOR	2	\$81,859	\$83,964
8	(4)	017Z	DHS/DYS ADMIN PROG COMPLIANCE	1	GRADE 26	
9	(5)	187Z	DHS/DCFS ADMR INDIV & FAMILY SVCS	1	GRADE 24	
10	(6)	403Z	YOUTH SERVICES CENTER SUPT	1	GRADE 24	
11	(7)	434Z	DHS INSTITUTION OPERATIONS MANAGER	2	GRADE 24	
12	(8)	897Z	DHS INSTITUTION PROGRAM MANAGER	2	GRADE 23	
13	(9)	923Z	DHS PRGM ADMINISTRATOR	7	GRADE 23	
14	(10)	E051	TRAINING PROJECT MANAGER	1	GRADE 22	
15	(11)	A088	DHS FINANCIAL SECTION MANAGER	1	GRADE 22	
16	(12)	909Z	PROGRAM SUPPORT MANAGER	2	GRADE 22	
17	(13)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21	
18	(14)	697Z	DHS PRGM MANAGER	15	GRADE 21	
19	(15)	A251	SR AUDITOR	1	GRADE 21	
20	(16)	E114	STAFF DEVELOPMENT COORDINATOR	3	GRADE 20	
21	(17)	M088	SOCIAL WORKER II	2	GRADE 20	
22	(18)	R145	DHS PROGRAM COORDINATOR	4	GRADE 20	
23	(19)	R266	MANAGEMENT PROJECT ANALYST II	3	GRADE 20	
24	(20)	R084	DHS STAFF SUPERVISOR	3	GRADE 19	
25	(21)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19	
26	(22)	R168	GRANTS COORDINATOR II	14	GRADE 19	
27	(23)	M138	YOUTH SERVICES COUNSELOR III	7	GRADE 19	
28	(24)	E076	VOCATIONAL INSTRUCTOR III	1	GRADE 19	
29	(25)	D128	P C SUPPORT SPECIALIST	1	GRADE 18	
30	(26)	D129	DP COORDINATOR	1	GRADE 18	
31	(27)	E024	INSTITUTIONAL INSTRUCTOR II	5	GRADE 18	
32	(28)	G028	BLDG PLANT MAINTENANCE SUPV II	1	GRADE 18	
33	(29)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18	
34	(30)	M082	SOCIAL SERVICE WORKER III	2	GRADE 18	
35	(31)	R134	PLANNING SPECIALIST II	1	GRADE 18	
36	(32)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18	

1	(33)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
2	(34)	T049	SECURITY OFFICER SUPERVISOR	2	GRADE 17
3	(35)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
4	(36)	Y061	JOURNEYMAN PLUMBER	1	GRADE 17
5	(37)	R010	ADMINISTRATIVE ASSISTANT II	8	GRADE 17
6	(38)	M148	YOUTH SERVICES WORKER II	36	GRADE 16
7	(39)	M149	YOUTH SERVICES WORKER I	4	GRADE 15
8	(40)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
9	(41)	L115	LPN II/LPTN II	4	GRADE 15
10	(42)	T047	SECURITY OFFICER III	2	GRADE 15
11	(43)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
12	(44)	K153	SECRETARY II	5	GRADE 13
13	(45)	K155	SECRETARY I	1	GRADE 11
14	(46)	H027	COOK II	1	GRADE 10
15	(47)	W023	RECORDS CENTER OPERATOR II	1	GRADE 10
16	(48)	G191	CLOTHING SHOP OPERATOR	<u>1</u>	GRADE 07
17			MAX. NO. OF EMPLOYEES	164	

18

19 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of  
 20 Human Services - Division of Youth Services for the 2005-2007 biennium, the  
 21 following maximum number of part-time or temporary employees, to be known as  
 22 "Extra Help", payable from funds appropriated herein for such purposes:  
 23 thirty-four (34) temporary or part-time employees, when needed, at rates of  
 24 pay not to exceed those provided in the Uniform Classification and  
 25 Compensation Act, or its successor, or this act for the appropriate  
 26 classification.

27

28 SECTION 3. APPROPRIATION - ADMINISTRATIVE SERVICES. There is hereby  
 29 appropriated, to be payable from the funds and fund accounts as set out  
 30 herein, to the Department of Human Services - Division of Youth Services for  
 31 the biennial period ending June 30, 2007, the following:

32 (a) For the DYS-Administration, the sum of \$9,146,099 for the 2005-2006  
 33 fiscal year and \$9,332,791 for the 2006-2007 fiscal year.

34 (1) Program Description. To plan, develop, coordinate and implement all  
 35 administrative support activities for the Division of Youth Services.

36 (2) Appropriation payable from: FISCAL YEARS



1	(C) Other Funds	\$ 1,000,000	\$ 1,000,000
2	(3) Performance Targets:		
3	(A) Average annual cost per juvenile		
4	served through residential		
5	programs for committed		
6	youth-Alexander.	\$15,500	\$16,000
7	(B) Average cost per juvenile served		
8	through residential programs for		
9	committed youth – SOP.	\$26,000	\$26,000
10	(C) Average cost per juvenile served	\$17,000 SGR/	\$17,000 SGR/
11	through residential programs for	\$14,000 Fed	\$14,000 Fed
12	committed youth-Alternative	Medicaid	Medicaid
13	(D) Percentage eligible juveniles		
14	with improved academic		
15	performance of two grades or more		
16	in reading and arithmetic.	50%	55%
17	(E) Percentage of youth who remain		
18	free from recommitment to DYS,		
19	DOC, DCC for one year following		
20	release from DYS custody.	85%	85%

21

22 SECTION 5. APPROPRIATION - COMMUNITY SERVICES PROGRAM. There is hereby  
 23 appropriated, to be payable from the funds and fund accounts as set out  
 24 herein, to the Department of Human Services - Division of Youth Services for  
 25 the biennial period ending June 30, 2007, the following:

26 (a) For the Community Services Program, the sum of \$21,588,809 for the 2005-  
 27 2006 fiscal year and \$21,588,809 for the 2006-2007 fiscal year.

28 (1) Program Description. Federal and state funded community programs.

29	(2) Appropriation payable from:	FISCAL YEARS	
30		<u>2005-2006</u>	<u>2006-2007</u>
31	(A) General Revenue:		
32	Youth Services Fund Account	\$ <u>12,824,809</u>	\$ <u>12,824,809</u>
33	TOTAL General Revenue	\$ 12,824,809	\$ 12,824,809
34	(B) Federal Funds as designated by		
35	the Chief Fiscal Officer of the		
36	State	\$ 8,514,000	\$ 8,514,000

1	(C) Other Funds	\$	250,000	\$	250,000
2	(3) Performance Targets:				
3	(A) Average annual cost per juvenile				
4	served through community based				
5	programs.		1,900		2,000
6	(B) Percent of juveniles released				
7	from physical custody who receive				
8	Aftercare services.		90%		90%
9	(C) Percentage of youth that receive				
10	community intervention and				
11	diversion and remain free from				
12	commitment to DYS, DOC, DCC for				
13	one year following case closure.		90%		90%

14

15 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. YOUTH

17 SERVICES - COMMUNITY-BASED RESIDENTIAL PROGRAMS - RESTRICTIONS. The

18 Department of Human Services shall not contract or pay for community-based

19 residential programs within any municipality to house unrelated persons who

20 have been adjudicated delinquent of an act that would constitute a Class A

21 felony or higher or of a sexual offense or convicted of a Class A felony or

22 higher or sexual offense until the following conditions have been met:

23 1. Residents within one thousand (1,000) feet of the proposed location of the

24 facility shall be notified by mail;

25 2. A public hearing shall be conducted in the community of the proposed

26 location of the facility by the contract provider at least ten (10) days in

27 advance of the contract's effective date. Notice of the hearing shall be

28 made by mail to each of the residents within 1,000 feet of the proposed

29 location of the facility. The notification requirement shall not apply to

30 already existing facilities at already existing locations.

31 Provided further, upon establishment of such facilities within a particular

32 municipality, the contract provider and the Department shall establish and

33 implement a system to receive and respond to complaints and questions from

34 residents of such municipality. In the event the Department and the provider

35 fail to provide satisfactory communication as provided in this section to the

36 residents, such facility may be declared a public nuisance by the

1 municipality.

2 The provisions of this section shall be in effect only from July 1, 2003  
 3 2005 through June 30, ~~2005~~ 2007.

4  
 5 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 7 OF FUNDS FOR THE JUVENILE OMBUDSMAN PROGRAM. The Department of Human  
 8 Services shall provide funding in an amount not to exceed ~~\$230,000~~ \$240,000  
 9 for each fiscal year of the biennial period ending June 30, ~~2005~~ 2007 for the  
 10 Juvenile Ombudsman Program described in ACA 16-87-216. Upon request by the  
 11 Executive Director of the Arkansas Public Defender Commission, the Chief  
 12 Fiscal Officer of the State shall transfer an amount not to exceed ~~\$230,000~~  
 13 \$240,000 for each year of the biennial period ending June 30, ~~2005~~ 2007 from  
 14 an account designated by the Director of the Department of Human Services to  
 15 the State Central Services Fund as a direct revenue to fund the Juvenile  
 16 Ombudsman Program.

17  
 18 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 20 OF FUNDS FOR LOCAL JUVENILE DETENTION FACILITIES. The Chief Fiscal Officer  
 21 of the State shall transfer funds in an amount of \$400,000 for each fiscal  
 22 year of the biennial period ending June 30, ~~2005~~ 2007 from the Department of  
 23 Human Services – Youth Services Fund Account to the Juvenile Detention  
 24 Facilities Operating Fund to fund the appropriation to the Department of  
 25 Finance and Administration – Disbursing Officer for grants for operating  
 26 expenses of local juvenile detention facilities.

27  
 28 The amount of the funds transferred in each fiscal year of the biennial  
 29 period ended June 30, ~~2005~~ 2007 may be adjusted upon request of the Director  
 30 of the Department of Human Services on a pro-rata basis with any reductions  
 31 provided in the Revenue Stabilization Law from the July 1 Official Forecast  
 32 of general revenue funding for the Division of Youth Services.

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 34 SECTION 9. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 35 by this act shall be limited to the appropriation for such agency and funds  
 36 made available by law for the support of such appropriations; and the

1 restrictions of the State Procurement Law, the General Accounting and  
2 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
3 Procedures and Restrictions Act, or their successors, and other fiscal  
4 control laws of this State, where applicable, and regulations promulgated by  
5 the Department of Finance and Administration, as authorized by law, shall be  
6 strictly complied with in disbursement of said funds.

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

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