

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1292

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HEALTH AND HUMAN SERVICES -
12 ADMINISTRATION FOR THE BIENNIAL PERIOD ENDING
13 JUNE 30, 2009; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HEALTH AND
17 HUMAN SERVICES - ADMINISTRATION
18 APPROPRIATION FOR THE 2007-2009
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 - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.
26 There is hereby established for the Department of Health and Human Services -
27 Director's Office - Office of Chief Counsel for the 2007-2009 biennium, the
28 following maximum number of regular employees whose salaries shall be
29 governed by the provisions of the Uniform Classification and Compensation Act
30 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
31 thereto. Provided, however, that any position to which a specific maximum
32 annual salary is set out herein in dollars, shall be exempt from the
33 provisions of said Uniform Classification and Compensation Act. All persons
34 occupying positions authorized herein are hereby governed by the provisions
35 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
36 101), or its successor.



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			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	2007-2008	2008-2009
(1)	9984	DHS DIRECTOR	1	\$136,813	\$139,549
(2)	9920	DHS DEPUTY DIRECTOR	1	\$110,832	\$113,048
(3)	9233	DHS DEPUTY DIRECTOR	1	\$110,832	\$113,048
(4)	9726	DHS CHIEF ATTORNEY	1	\$98,994	\$100,973
(5)	9235	DHS COMMUNICATIONS DIRECTOR	1	\$91,689	\$93,522
(6)	8936	DHS/DMS ADD PROG & ADMIN SUPPORT	1	\$85,642	\$87,354
(7)	9410	DHS ASST DIRECTOR HUMAN RESOURCES	1	\$83,578	\$85,249
(8)	9409	DHS DIRECTOR OF PUBLIC RELATIONS	1	\$78,970	\$80,549
(9)	8958	DHS AUDIT/FISCAL REVIEW MANAGER	1	\$78,839	\$80,415
(10)	8957	DHS ATTORNEY SUPERVISOR	2	\$78,836	\$80,412
(11)	8959	DHS PROGRAM MANAGER	1	\$72,791	\$74,246
(12)	004Z	HLTH POLICY ADMINISTRATOR	1	GRADE 26	
(13)	R038	ATTORNEY SUPERVISOR	6	GRADE 26	
(14)	R170	ATTORNEY SPECIALIST	51	GRADE 25	
(15)	R036	ATTORNEY	3	GRADE 24	
(16)	R165	DHS CLIENT ADVOCATE	1	GRADE 23	
(17)	897Z	DHS INSTITUTION PROGRAM MANAGER	1	GRADE 23	
(18)	A095	DHS AUDIT SUPERVISOR	4	GRADE 22	
(19)	A251	SR AUDITOR	24	GRADE 21	
(20)	697Z	DHS PRGM MANAGER	1	GRADE 21	
(21)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
(22)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20	
(23)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19	
(24)	R424	FAIR HEARING REFEREE	6	GRADE 19	
(25)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
(26)	M068	DHS PROGRAM ANALYST	2	GRADE 18	
(27)	M072	SOCIAL SERVICE INVESTIGATOR II	8	GRADE 18	
(28)	R010	ADMINISTRATIVE ASSISTANT II	6	GRADE 17	
(29)	X352	HLTH CARE ANALYST II	1	GRADE 17	
(30)	K048	LEGAL SECRETARY II	40	GRADE 16	
(31)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15	

1	(32)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14
2	(33)	K155	SECRETARY I	<u>1</u>	GRADE 11
3			MAX. NO. OF EMPLOYEES	182	

SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby established for the Department of Health and Human Services - Division of Administrative Services for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	Fiscal Years
				2007-2008	2008-2009
22	(1) 9724	DHS DEP DIR ADMINISTRATIVE SVCS	1	\$102,712	\$104,766
23	(2) 9234	CHIEF ADMINISTRATIVE OFFICER	1	\$102,712	\$104,766
24	(3) 9757	DHS ASSISTANT DIRECTOR	1	\$85,643	\$87,355
25	(4) 8945	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	\$85,643	\$87,355
26	(5) 8946	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	\$78,626	\$80,198
27	(6) 9406	DHS ASST TO CHIEF FINANCIAL OFFICER	1	\$69,027	\$70,407
28	(7) 397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1	GRADE 25	
29	(8) A046	AGENCY CONTROLLER - LARGE/COMPLEX A	6	GRADE 25	
30	(9) A084	AGENCY CONTROLLER - MEDIUM AGENCY	1	GRADE 24	
31	(10) 187Z	DHS/DCFS ADMR INDIV & FAMILY SVCS	1	GRADE 24	
32	(11) 297Z	GENERAL BUSINESS MANAGER	1	GRADE 24	
33	(12) 385Z	DHHS HUMAN RESOURCES MANAGER	1	GRADE 24	
34	(13) 055Z	DP MANAGER	2	GRADE 23	
35	(14) 923Z	DHS PRGM ADMINISTRATOR	6	GRADE 23	
36	(15) A127	ASST CONTROLLER	6	GRADE 23	

1	(16)	M011	FAMILY SERVICE WORKER PRINCIPAL	1	GRADE 23
2	(17)	M009	FAMILY SERVICE WORKER SUPERVISOR	1	GRADE 22
3	(18)	D066	SYSTEMS COORDINATION ANALYST II	15	GRADE 22
4	(19)	E051	TRAINING PROJECT MANAGER	1	GRADE 22
5	(20)	A088	DHS FINANCIAL SECTION MANAGER	11	GRADE 22
6	(21)	A032	AGENCY FISCAL MANAGER	1	GRADE 22
7	(22)	506Z	REHAB SERVICES PERSONNEL MANAGER	1	GRADE 22
8	(23)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
9	(24)	698Z	DHS/DAS MATERIALS MGMT ADMR	1	GRADE 22
10	(25)	V042	GENERAL SERVICES MANAGER	1	GRADE 22
11	(26)	V080	MGR PURCHASING & PROPERTY MGT	1	GRADE 21
12	(27)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
13	(28)	697Z	DHS PRGM MANAGER	6	GRADE 21
14	(29)	A008	ACCOUNTING SUPERVISOR II	27	GRADE 21
15	(30)	L072	REGISTERED NURSE PRACTITIONER I	1	GRADE 21
16	(31)	R143	DHS RESEARCH & STATISTICS MGR	1	GRADE 21
17	(32)	R488	GRANTS ADMIN SUPV	1	GRADE 21
18	(33)	R266	MANAGEMENT PROJECT ANALYST II	13	GRADE 20
19	(34)	R145	DHS PROGRAM COORDINATOR	6	GRADE 20
20	(35)	M005	FAMILY SERVICE WORKER SPECIALIST	1	GRADE 20
21	(36)	E007	SR REHAB TEACHER F/T BLIND	1	GRADE 20
22	(37)	M128	DHS/DDS PRGM COORDINATOR	1	GRADE 20
23	(38)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
24	(39)	A038	FINANCIAL ANALYST	1	GRADE 20
25	(40)	E114	STAFF DEVELOPMENT COORDINATOR	7	GRADE 20
26	(41)	R406	DHS PERSONNEL PROCESSING SUPV	1	GRADE 20
27	(42)	V022	LEASING SPECIALIST II	1	GRADE 19
28	(43)	A110	ACCOUNTANT II	5	GRADE 19
29	(44)	R150	RESEARCH PROJECT ANALYST	2	GRADE 19
30	(45)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
31	(46)	R048	BUDGET SPECIALIST	3	GRADE 19
32	(47)	R068	EEO/GRIEVANCE OFFICER	2	GRADE 19
33	(48)	R084	DHS STAFF SUPERVISOR	1	GRADE 19
34	(49)	R168	GRANTS COORDINATOR II	32	GRADE 19
35	(50)	R195	PERSONNEL ANALYST	3	GRADE 18
36	(51)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18

1	(52)	V020	LEASING SPECIALIST	1	GRADE 18
2	(53)	M068	DHS PROGRAM ANALYST	2	GRADE 18
3	(54)	A111	ACCOUNTANT	17	GRADE 18
4	(55)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
5	(56)	D034	PROGRAMMER ANALYST	2	GRADE 18
6	(57)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18
7	(58)	V040	PURCHASE AGENT II/PURCHASE AGENT	8	GRADE 18
8	(59)	W030	RECORDS MANAGEMENT ANALYST II	4	GRADE 18
9	(60)	Y087	PRINTER SUPERVISOR	1	GRADE 18
10	(61)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
11	(62)	R010	ADMINISTRATIVE ASSISTANT II	13	GRADE 17
12	(63)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
13	(64)	M023	FAMILY SUPPORT SPECIALIST III	1	GRADE 17
14	(65)	R190	PERSONNEL OFFICER II	5	GRADE 17
15	(66)	R162	STATISTICIAN/STATISTICIAN II	5	GRADE 17
16	(67)	A024	COLLECTION OFFICER	3	GRADE 16
17	(68)	Y085	PRINTER II	6	GRADE 16
18	(69)	A108	ACCOUNTING TECHNICIAN II	38	GRADE 15
19	(70)	A063	PAYROLL OFFICER	1	GRADE 15
20	(71)	R342	INTERVIEWER	3	GRADE 15
21	(72)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
22	(73)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
23	(74)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	3	GRADE 15
24	(75)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	7	GRADE 14
25	(76)	K153	SECRETARY II	9	GRADE 13
26	(77)	K181	MAILROOM SUPERVISOR	1	GRADE 12
27	(78)	K089	PERSONNEL ASSISTANT	1	GRADE 12
28	(79)	K039	DOCUMENT EXAMINER II	20	GRADE 12
29	(80)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
30	(81)	K103	REPROD EQUIPMENT OPERATOR	2	GRADE 10
31	(82)	G013	WAREHOUSE WORKER	2	GRADE 10
32	(83)	G045	EQUIPMENT OPERATOR	<u>1</u>	GRADE 08
33			MAX. NO. OF EMPLOYEES	356	

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35 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby established
 36 for the Department of Health and Human Services - Division of Volunteerism

1 for the 2007-2009 biennium, the following maximum number of regular employees
 2 whose salaries shall be governed by the provisions of the Uniform
 3 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or
 4 its successor, and all laws amendatory thereto. Provided, however, that any
 5 position to which a specific maximum annual salary is set out herein in
 6 dollars, shall be exempt from the provisions of said Uniform Classification
 7 and Compensation Act. All persons occupying positions authorized herein are
 8 hereby governed by the provisions of the Regular Salaries Procedures and
 9 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2007-2008	2008-2009
15	(1) 7406	COMMUNITY SERVICE SPECIALIST	1	\$79,207	\$80,791
16	(2) 7354	DHS DEP DIR OFFICE OF VOL SVCS	1	\$72,404	\$73,852
17	(3) 7404	NATIONAL & COMM. SVC, EXEC DIR	1	\$69,664	\$71,057
18	(4) 8973	DOV ASST DEP DIR	1	\$48,686	\$49,659
19	(5) 923Z	DHS PRGM ADMINISTRATOR	1	GRADE 23	
20	(6) M113	VOLUNTEER PROGRAM MANAGER	1	GRADE 21	
21	(7) R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
22	(8) E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE 20	
23	(9) M097	VOLUNTEER PROGRAM DEVELOPER II	8	GRADE 19	
24	(10) A111	ACCOUNTANT	1	GRADE 18	
25	(11) R440	BUSINESS CONTROLLER II	1	GRADE 16	
26	(12) V039	PURCHASE AGENT I/ASST PURCHASE AGEN	1	GRADE 15	
27	(13) K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
28	(14) K153	SECRETARY II	<u>2</u>	GRADE 13	
29		MAX. NO. OF EMPLOYEES	23		

31 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.
 32 There is hereby authorized, for the Department of Health and Human Services -
 33 Director's Office - Office of Chief Counsel for the 2007-2009 biennium, the
 34 following maximum number of part-time or temporary employees, to be known as
 35 "Extra Help", payable from funds appropriated herein for such purposes: five
 36 (5) temporary or part-time employees, when needed, at rates of pay not to

1 exceed those provided in the Uniform Classification and Compensation Act, or
 2 its successor, or this act for the appropriate classification.

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 4 SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby
 5 authorized, for the Department of Health and Human Services - Division of
 6 Administrative Services for the 2007-2009 biennium, the following maximum
 7 number of part-time or temporary employees, to be known as "Extra Help",
 8 payable from funds appropriated herein for such purposes: twenty (20)
 9 temporary or part-time employees, when needed, at rates of pay not to exceed
 10 those provided in the Uniform Classification and Compensation Act, or its
 11 successor, or this act for the appropriate classification.

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 13 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL
 14 OPERATIONS. There is hereby appropriated, to the Department of Health and
 15 Human Services - Director's Office - Office of Chief Counsel, to be payable
 16 from the paying account as determined by the Chief Fiscal Officer of the
 17 State, for personal services and operating expenses of the Department of
 18 Health and Human Services - Director's Office - Office of Chief Counsel for
 19 the biennial period ending June 30, 2009, the following:

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 21 ITEM

	FISCAL YEARS	
NO.	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 6,777,482	\$ 6,913,000
(02) EXTRA HELP	22,578	22,578
(03) PERSONAL SERVICES MATCHING	2,148,774	2,176,961
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	992,112	992,112
(B) CONF. & TRAVEL	24,472	24,472
(C) PROF. FEES	11,000	11,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(05) DATA PROCESSING SERVICES	<u>12,300</u>	<u>12,300</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 9,988,718</u>	<u>\$ 10,152,423</u>

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 35 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is
 36 hereby appropriated, to the Department of Health and Human Services -

1 Division of Administrative Services, to be payable from the paying account as
 2 determined by the Chief Fiscal Officer of the State, for personal services
 3 and operating expenses of the Department of Health and Human Services -
 4 Division of Administrative Services for the biennial period ending June 30,
 5 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 11,751,065	\$ 11,986,086
(02) EXTRA HELP	64,480	64,480
(03) PERSONAL SERVICES MATCHING	3,906,630	3,954,757
(04) OVERTIME	10,000	10,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	2,725,278	2,725,278
(B) CONF. & TRAVEL	20,000	20,000
(C) PROF. FEES	9,075,792	9,075,792
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(06) DATA PROCESSING SERVICES	<u>1,967,600</u>	<u>1,967,600</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 29,520,845</u>	<u>\$ 29,803,993</u>

22 SECTION 8. APPROPRIATIONS - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC
 23 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department
 24 of Health and Human Services - Division of Administrative Services, to be
 25 payable from cash funds as defined by Arkansas Code 19-4-801 of the
 26 Department of Health and Human Services - Division of Administrative
 27 Services, for purchase of services of the Department of Health and Human
 28 Services - Division of Administrative Services for the biennial period ending
 29 June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) PURCHASE OF SERVICES	<u>\$ 120,000</u>	<u>\$ 120,000</u>

35 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING
 36 CONSTRUCTION. There is hereby appropriated, to the Department of Health and

1 Human 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 Health and Human Services for the biennial period ending June
 5 30, 2009, the following:

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7 ITEM	FISCAL YEARS	
8 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
9 (01) CONSTRUCTION	<u>\$ 9,821,826</u>	<u>\$ 9,821,826</u>

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11 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST.
 12 There is hereby appropriated, to the Department of Health and Human Services
 13 - Division of Administrative Services, to be payable from the DHS
 14 Consolidated Cost Revolving Fund, for operating expenses of the Department of
 15 Health and Human Services - Division of Administrative Services -
 16 Consolidated Cost for the biennial period ending June 30, 2009, the
 17 following:

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19 ITEM	FISCAL YEARS	
20 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
21 (01) MAINT. & GEN. OPERATION		
22 (A) OPER. EXPENSE	\$ 671,500	\$ 671,500
23 (B) CONF. & TRAVEL	0	0
24 (C) PROF. FEES	0	0
25 (D) CAP. OUTLAY	0	0
26 (E) DATA PROC.	<u>0</u>	<u>0</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 671,500</u>	<u>\$ 671,500</u>

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29 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES
 30 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of
 31 Health and Human Services - Division of Administrative Services, to be
 32 payable from the federal funds as designated by the Chief Fiscal Officer of
 33 the State, for purchase of services of the Department of Health and Human
 34 Services - Division of Administrative Services for the biennial period ending
 35 June 30, 2009, the following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) PURCHASE OF SERVICES	\$ 259,047	\$ 259,047

SECTION 12. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby appropriated, to the Department of Health and 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 Health and Human Services - Division of Volunteerism for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 769,991	\$ 786,497
(02) PERSONAL SERVICES MATCHING	254,347	257,724
(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	3,037,311	3,037,311
(06) DATA PROCESSING SERVICES	<u>3,000</u>	<u>3,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 4,355,484</u>	<u>\$ 4,375,367</u>

SECTION 13. APPROPRIATION - VOLUNTEERISM - CASH. There is hereby appropriated, to the Department of Health and Human Services - Division of Volunteerism, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Health and Human Services - Division of Volunteerism for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		

1	(A) OPER. EXPENSE	\$	4,296	\$	4,296
2	(B) CONF. & TRAVEL		2,865		2,865
3	(C) PROF. FEES		1,432		1,432
4	(D) CAP. OUTLAY		0		0
5	(E) DATA PROC.		0		0
6	TOTAL AMOUNT APPROPRIATED	\$	<u>8,593</u>	\$	<u>8,593</u>

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8 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 10 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 11 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
 12 Department of Health and Human Services may transfer an amount up to but not
 13 to exceed \$12,000 for the ~~2005-2007~~ 2007-2009 biennial period and deposit
 14 same in a bank account for the purpose of purchasing evidence in the course
 15 of investigating the illegal use of food stamps/Electronic Benefit Transfer
 16 (EBT) cards. The funds so transferred shall be subject to accounting in a
 17 manner substantially similar to that employed by the Arkansas State Police
 18 for such transactions; provided however, that information tending to identify
 19 participants in such transactions shall be exempt from the Arkansas Freedom
 20 of Information Act.

21 The provisions of this section shall be in effect only from July 1, ~~2005~~
 22 2007 through June 30, ~~2007~~ 2009.

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24 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. EXTRA
 26 SALARY ADJUSTMENTS:

27 (a) Due to the competitive nature of the employment market in attorneys
 28 skilled in certain subspecialties including public employment law, federal
 29 health care laws and funding, federal long-term care regulation, and
 30 litigation in connection with these subspecialties, the Department of Health
 31 and Human Services shall be authorized to employ skilled new candidates at
 32 rates of pay not to exceed Pay Level IIIM and to retain current employees
 33 having at least five years of subspecialty experience at rates of pay not to
 34 exceed Pay Level IV for the following classifications and job titles:

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36 Attorney

1 Attorney Specialist

2 Attorney Supervisor

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4 (b) Due to the competitive nature of the employment market in attorneys
5 skilled in subspecialties including federal adoption and safe families and
6 related laws and regulations, the Department of Health and Human Services
7 shall be authorized to employ new candidates at rates of pay not to exceed
8 Pay Level IIM and to retain current employees having at least five years
9 subspecialty experience at rates of pay not to exceed Pay Level III for the
10 following classifications and job titles:

11
12 Attorney

13 Attorney Specialist

14 Attorney Supervisor

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16 (c) All salaries shall be subject to the provisions of the Regular
17 Salaries Procedures and Restrictions Act (Arkansas Code 21-5-101), or its
18 successor.

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20 This special provision shall be in full force and effect for the biennium
21 beginning July 1, 2007 and ending June 30, 2009.

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23 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
25 SALARIES. There is hereby authorized for the Department of Health and Human
26 Services for the ~~2005-2007~~ 2007-2009 biennium the following increases in
27 salaries for certain positions provided in the regular salary schedule of the
28 Department of Health and Human Services and to be in addition to the annual
29 amounts as established by the Uniform Classification and Compensation Act, as
30 amended: for full-time physicians certified by the American Specialty Boards,
31 a rate of pay not to exceed an additional \$4,500 per year; for each full-time
32 physician eligible to be certified by the American Specialty Boards, a rate
33 of pay not to exceed \$2,500 per year. If a physician is certified in Child
34 Psychiatry, an additional \$2,500 per year will be allowed with the total not
35 to exceed \$7,000. If a physician is certified in Forensic Psychiatry, an
36 additional \$2,500 per year will be allowed with the total not to exceed

1 \$7,000. In the event the physician is not a full-time employee, the amount
 2 specified herein shall be adjusted proportionately to the amount of time
 3 worked for the Department of Health and Human Services by that physician.

4 The provisions of this section shall be in effect only from July 1, ~~2005~~
 5 2007 through June 30, ~~2007~~ 2009.

6
 7 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
 9 SERVICES RENOVATION FUND. Department of Human Services Renovation Fund.

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

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

16 (c) The fund shall consist of:

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

19 (2) General revenues transferred from the Division of Youth Services, the
 20 Division of Behavioral Health, ~~and~~ the Division of Developmental Disabilities
 21 Services, and the Division of Health for the purposes of repairing,

22 renovating, equipping, acquiring and constructing Department of Health and
 23 Human Services facilities with an annual maximum of five million dollars

24 (\$5,000,000). The projects for which these transfers are authorized must be
 25 projects which were unanticipated during the preceding regular session of the
 26 Arkansas General Assembly and must be projects which, if not carried out in
 27 the interim period between regular sessions of the Arkansas General Assembly
 28 would cause greater harm to the facilities, clients or programs of the
 29 Department of Health and Human Services than to wait until the next regular
 30 session.

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

34 (d)(1) At the request of the Director of the Department of Health and Human
 35 Services, and upon certification of the availability of such funds, the Chief
 36 Fiscal Officer of the State shall initiate the necessary transfer documents

1 to reflect the transfer on the books of record of the Treasurer of State, the
 2 Auditor of State, the Chief Fiscal Officer of the State, and the Department
 3 of Health and Human Services.

4 (2) The Director of the Department of Health and Human Services shall submit
 5 any transfer plan to and must receive approval of the plan from the Chief
 6 Fiscal Officer of the State, the Governor and the Arkansas Legislative
 7 Council prior to the effective date of the transfer.

8 (e) Provided, that any non-general revenue funding that may remain in the
 9 fund at the end of any fiscal year shall be carried over into the next fiscal
 10 year and all obligated general revenue funding that may remain in the fund at
 11 the end of any fiscal year shall be carried over into the next fiscal year to
 12 satisfy such legal and contractual obligations that have been entered into
 13 prior to the end of the fiscal year.

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

29 The provisions of this section shall be in effect only from July 1, ~~2005~~
 30 2007 through June 30, ~~2007~~ 2009.

31
 32 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 34 AUTHORITY. The Director of the Department of Health and Human Services shall
 35 have transfer authority provided by the following:

36 (a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the

1 Department of Health and Human Services is authorized to request fund
 2 transfers according to the provisions established by Arkansas Code Ann. 19-5-
 3 1020, Department of Human Services Renovation Fund, as amended herein; and
 4 (b) MATCH TRANSFER. The Director of the Department of Health and Human
 5 Services, with the approval of the Chief Fiscal Officer of the State, is
 6 authorized to effect inter-agency and inter-divisional fund transfers for the
 7 purpose of providing the State's matching share for payments made to that
 8 Division or Office or its service providers for services eligible for federal
 9 reimbursement under programs administered by the Department of Health and
 10 Human Services. The Department of Health and Human Services shall report to
 11 the Legislative Council or Joint Budget Committee on a quarterly basis all
 12 fund transfers made in accordance with the authority granted by this section;
 13 and

14 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The
 15 Division of Youth Services (DYS) is authorized to fulfill its responsibility
 16 to house offenders between the ages of 18 and 21 and to separate juvenile
 17 offenders by age and seriousness of offense by either employing additional
 18 state employees and providing the corresponding operating expenses or
 19 entering into professional services contracts. If the Division of Youth
 20 Services determines that the Division needs to employ state employees to
 21 fulfill the housing and separation requirements, they may transfer up to the
 22 total amount appropriated for the DYS - Residential Services Program
 23 appropriation to the appropriate DYS appropriation and line items, upon
 24 approval of the Chief Fiscal Officer of the State, and prior review by the
 25 Legislative Council.

26 (d) REALLOCATION OF RESOURCES: (1) Upon determination by the Director of the
 27 Department of Health and Human Services that a reallocation of resources
 28 within the department is necessary for the efficient and effective operation
 29 of the department, the director, with approval of the Governor, shall have
 30 the authority to request, from the Chief Fiscal Officer of the State, a
 31 transfer of positions, appropriations, line item appropriations, and funds
 32 within or between existing and newly created divisions, offices, sections, or
 33 units of the department. Provided, however, that no transfer of funds or
 34 appropriation that provides direct support or matching support for the
 35 Arkansas Medicaid Program shall be made to any other fund account or
 36 appropriation that does not directly support the Arkansas Medicaid Program.

1 Further, no positions, funds, or appropriation authorized during the ~~2005-~~
 2 ~~2007~~ 2007-2009 biennial budget process for the Division of Children and
 3 Family Services compliance with initiatives established under the Angela R.
 4 consent decree shall be transferred to any other division. Nothing in this
 5 provision is intended to prevent the one-time transfers of savings in any
 6 other program to the Arkansas Medicaid Program, with the exception of the
 7 provisions previously cited for the Division of Children and Family Services
 8 – Angela R. consent decree. The Division of Developmental Disabilities –
 9 Grants to Community Providers line item of the Developmental Disabilities
 10 Services - Grants-in-Aid appropriation may not be decreased. The
 11 appropriation, funding, and positions provided for the six Human Development
 12 Centers shall remain at a level sufficient to ensure quality care for the
 13 Centers' residents. ~~If requested by the Division of Child Care and Early~~
 14 ~~Childhood Education (DCCECE), the Division of County Operations shall~~
 15 ~~transfer sufficient general revenue to allow the State to access the full~~
 16 ~~allocation of Federal Funds available through the Matching Category of the~~
 17 ~~Child Care Development Fund. General Revenue Dollars transferred to DCCECE~~
 18 ~~must be used as matching funds to support the Transitional Employment~~
 19 ~~Assistance (TEA) Program and must be eligible to be counted toward the~~
 20 ~~State's Maintenance of Effort requirement for the Temporary Assistance for~~
 21 ~~Needy Families (TANF) Block Grant.~~ The exemptions provided in this
 22 subsection whereby certain ~~DHS~~ DHHS Programs and Divisions are protected from
 23 appropriation, fund, or position transfers are applicable only to the
 24 reallocation or transfer authority granted herein, and not by any reductions
 25 which are applicable to all state programs.

26 The Director of the Department of Health and Human Services shall submit any
 27 requests for transfers to and must receive approval of the requests for
 28 transfers from the Chief Fiscal Officer of the State, the Governor, and the
 29 Arkansas Legislative Council prior to the effective date of the transfers.
 30 Provided, however, that the Department of Health and Human Services shall be
 31 limited to submitting no more than four individual transaction transfer
 32 requests for reallocation of resources transfers during any fiscal year.
 33 Transfer authority ~~for unforeseen purposes~~ shall further be limited to no
 34 more than 5% of the total General and Special Revenue appropriation, funding,
 35 and positions authorized for the Department. Reallocation of resources
 36 transfers may include multiple items but shall be limited to the following

1 purposes:

2 i). Medicaid Program

3 ii). Facilities and institutions costs, including operational expenses and
4 Construction/Renovation/Equipping expenses

5 iii). Departmental grants and contracts

6 iv). Court ordered settlements and payments

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

10 vi). Restructuring efforts as deemed necessary to comply with federal or
11 state mandates

12 Determining the maximum number of employees and the maximum amount of
13 appropriation and general revenue funding for a state agency each fiscal year
14 is the prerogative of the General Assembly. This is usually accomplished by
15 delineating such maximums in the appropriation act(s) for a state agency and
16 the general revenue allocations authorized for each fund and fund account by
17 amendment to the Revenue Stabilization law. Further, the General Assembly
18 has determined that the Department of Health and Human Services may operate
19 more efficiently if some flexibility is provided to the Department of Health
20 and Human Services authorizing broad powers under the Reallocation of
21 Resources provisions herein. Therefore, it is both necessary and appropriate
22 that the General Assembly maintain oversight by requiring prior approval of
23 the Legislative Council or Joint Budget Committee as provided by this
24 section. The requirement of approval by the Legislative Council or Joint
25 Budget Committee is not a severable part of this section. If the requirement
26 of approval by the Legislative Council or Joint Budget Committee is ruled
27 unconstitutional by a court of competent jurisdiction, this entire section is
28 void.

29 (2) If it is determined that the requested reallocation of resources
30 transfers should be made, the Chief Fiscal Officer of the State shall then
31 initiate the necessary transfer documents to reflect the transfers upon the
32 fiscal records of the Treasurer of State, the Auditor of State, the Chief
33 Fiscal Officer of the State, and the Department of Health and Human Services.
34 In addition, the Chief Fiscal Officer of the State, together with the Co-
35 Chairpersons of the Legislative Council or Joint Budget Committee, may
36 approve, on an emergency basis, requests for utilization of this Section

1 without prior approval of the Arkansas Legislative Council, with any such
2 actions reported at the next meeting of the Arkansas Legislative Council.

3 The provisions of this section shall be in effect only from July 1, 2005
4 2007 through June 30, ~~2007~~ 2009.

5
6 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NURSING/
8 DIRECT CARE RECRUITMENT/ RETENTION BONUSES. Special provision to provide
9 Nursing/Direct Care Recruitment and Retention Bonuses for the Department of
10 Health and Human Services is hereby authorized to pay from State and Federal
11 funds appropriated for each respective division. Nursing/direct care service
12 recruitment/retention bonuses are in addition to the maximum annual amounts
13 provided in the Regular Salaries Section of the respective Division Act for
14 Registered Nurse, Licensed Practical Nurse, Certified Nursing Assistant, Life
15 Skills Trainer and Mental Health Worker. New hire nurses must be licensed by
16 the Arkansas State Board of Nursing. The total recruitment/retention bonus
17 payment commitment for eligible nurses shall not exceed \$4,000 per Registered
18 Nurse and \$2,000 per Licensed Practical Nurse and \$1,000 per Certified
19 Nursing Assistant, Life Skills Trainer and Mental Health Worker. The lump
20 sum bonus payments and employment commitment to the State will be made in
21 partial payments as follows:

22
23 Registered Nurse Classifications

24 \$1,000 after completing 6 months probationary employment

25 \$1,000 after completing 1 year employment

26 \$1,000 after completing 2nd year employment

27 \$1,000 after completing 3rd year employment

28
29 Licensed Practical Nurse Classifications

30 \$ 500 after completing 6 months probationary employment

31 \$ 500 after completing 1 year employment

32 \$1,000 after completing 2nd year employment

33
34 Certified Nursing Assistant/Life Skills Trainer/Mental Health Worker

35 \$ 500 after completing 6 month probationary employment

36 \$ 500 after completing 1 year employment

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Any qualified person hired and offered bonus payment described herein will forfeit the balance of the payments if he/she voluntarily resigns or is terminated for cause from employment from the Department of Health and Human Services prior to completing the required employment commitment time periods outlined above.

The provisions of this section shall in effect only from July 1, 2007 through June 30, 2009.

SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a Nursing/Direct Care Education Stipend Program for the Department of Health and Human Services is hereby authorized to pay from State and Federal Funds appropriated in each division Act. This program is for eligible nursing students who are attending accredited nursing institutions to become Registered or Licensed Practical Nurses, as well as Certified Nursing Assistants, Life Skills Trainers and Mental Health Workers.

The stipend is \$5,000 per person per year. Any student who is awarded and accepts a stipend is under employment commitment to the respective DHHS Division and is required to work for that division, in a full-time employee status effective immediately upon graduation. The student employment commitment is equal to the number of years the stipend was awarded and accepted. In the event of Employee/Student default of the employment commitment, the Employee/Student will be considered in breach of contract and repayment of the stipend will be required as specified in the Stipend Contract.

Each division participating in the Education Stipend Program shall determine on an annual basis, the number of student stipends available.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.

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SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW HIRE NURSING/DIRECT CARE SERVICE REFERRAL FEE. Special provision is hereby authorized to encourage state employees in the Department of Health and Human Services to recommend and refer qualified applicant nurses/direct care services by providing a one-time new hire referral fee of \$500 lump sum payment. Nurse applicants include Registered Nurse, Licensed Practical Nurse. Also included are Certified Nursing Assistant, Life Skills Trainer and Mental Health Worker. For a current employee to receive the referral fee, the applicant must be qualified, employed at DHHS and remain employed for at least one year.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS DUTY PAY. The Department of Health and Human Services is hereby authorized to pay hazardous duty pay to provide special compensation to eligible personnel to compensate for the increased risk of personal injury. The hazardous duty pay authorized herein shall not exceed an amount equal to five and one-half percent (5.5%) of the annual salary authorized by law to any eligible employee and shall only be made available to the personnel occupying the following positions:

<u>Class Code</u>	<u>Grade</u>	<u>Title</u>
<u>L078</u>	<u>22</u>	<u>NURSE SUPERVISOR</u>
<u>L082</u>	<u>21</u>	<u>NURSING SERVICES SPECIALIST</u>
<u>L070</u>	<u>20</u>	<u>NURSE II</u>
<u>T055</u>	<u>19</u>	<u>UNIFORM COMMANDER</u>
<u>M050</u>	<u>18</u>	<u>RECREATION ACTIVITY LEADER SUPV</u>
<u>L117</u>	<u>17</u>	<u>LPN SUPERVISOR</u>
<u>T037</u>	<u>16</u>	<u>PUBLIC SAFETY OFFICER II</u>
<u>L116</u>	<u>16</u>	<u>LPN III</u>
<u>M048</u>	<u>15</u>	<u>RECREATION ACTIVITY LEADER II</u>

1	<u>T047</u>	<u>15</u>	<u>SECURITY OFFICER III</u>
2	<u>L115</u>	<u>15</u>	<u>LPN II</u>
3	<u>L113</u>	<u>14</u>	<u>LPN I</u>
4	<u>L020</u>	<u>12</u>	<u>CERTIFIED NURSING ASSISTANT II</u>
5	<u>L018</u>	<u>11</u>	<u>CERTIFIED NURSING ASSISTANT I</u>
6	<u>L181</u>	<u>11</u>	<u>BEHAVIOR HEALTH AIDE</u>

7
8 Employees assigned to these classifications may be eligible for hazardous
9 duty pay if the Director of the Department of Health and Human Services
10 certifies to the Chief Fiscal Officer of the State that employees in these
11 positions have been assigned direct supervision of clients, which requires
12 these positions to be exposed to increased risk of personal injury.

13
14 Employees in the above classifications who are assigned to Behavioral Health
15 facilities and Human Development Centers are authorized to receive the
16 hazardous duty pay allowance at an additional amount of incentive pay up to
17 five and one-half percent (5.5%) of the annual salary authorized by law.
18 This pay will only be paid while the employee continues to work in these
19 areas and pay will be discontinued should the employee terminate work in
20 these areas.

21
22 The amounts received under the provisions of this section shall not be
23 considered as exceeding the maximum authorized annual salary allowance for
24 employees in receipt of such amounts. Such amounts shall be considered as
25 Regular Salary and the Department of Finance and Administration shall adopt
26 the necessary rules and regulations for the administration of this provision.

27
28 Employees covered by the provisions of this Section shall be eligible for
29 special compensation for hazardous duty and additional compensation for
30 Behavioral Health facilities and or Human Development Center assignment only
31 upon a determination by the Chief Fiscal Officer of the State that sufficient
32 general revenues are available to sustain payment of the additional
33 compensation levels authorized herein. It is the intent of this section
34 that such payments shall be optional, at the discretion of the Chief Fiscal
35 Officer of the State and the Director of the Department of Health and Human
36 Services, dependent upon sufficient revenues and shall not be implemented

1 using funds specifically set aside for other programs within the Department.

2
 3 The provisions of this section shall be in effect only from July 1, 2007
 4 through June 30, 2009.

5
 6 SECTION 23. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 7 by this act shall be limited to the appropriation for such agency and funds
 8 made available by law for the support of such appropriations; and the
 9 restrictions of the State Procurement Law, the General Accounting and
 10 Budgetary Procedures Law, the Revenue Stabilization 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
 16 SECTION 24. LEGISLATIVE INTENT. It is the intent of the General Assembly
 17 that any funds disbursed under the authority of the appropriations contained
 18 in this act shall be in compliance with the stated reasons for which this act
 19 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 20 and Legislative Recommendations contained in the budget manuals prepared by
 21 the Department of Finance and Administration, letters, or summarized oral
 22 testimony in the official minutes of the Arkansas Legislative Council or
 23 Joint Budget Committee which relate to its passage and adoption.

24
 25 SECTION 25. EMERGENCY CLAUSE. It is found and determined by the General
 26 Assembly, that the Constitution of the State of Arkansas prohibits the
 27 appropriation of funds for more than a two (2) year period; that the
 28 effectiveness of this Act on July 1, 2007 is essential to the operation of
 29 the agency for which the appropriations in this Act are provided, and that in
 30 the event of an extension of the Regular Session, the delay in the effective
 31 date of this Act beyond July 1, 2007 could work irreparable harm upon the
 32 proper administration and provision of essential governmental programs.
 33 Therefore, an emergency is hereby declared to exist and this Act being
 34 necessary for the immediate preservation of the public peace, health and
 35 safety shall be in full force and effect from and after July 1, 2007.