

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 As Engrossed: H2/16/07 H3/16/07 H3/21/07 H3/26/07 H3/27/07 H3/28/07 H3/29/07

2 86th General Assembly

A Bill

3 Regular Session, 2007

HOUSE BILL 1292

4
5 By: Joint Budget Committee

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 HEALTH AND HUMAN SERVICES -
12 ADMINISTRATION FOR THE BIENNIAL PERIOD ENDING
13 JUNE 30, 2009; AND FOR OTHER PURPOSES.

Subtitle

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:

24
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.*



					<i>Maximum Annual</i>	
				<i>Maximum</i>	<i>Salary Rate</i>	
	<i>Item</i>	<i>Class</i>		<i>No. of</i>	<i>Fiscal Years</i>	
	<i>No.</i>	<i>Code</i>	<i>Title</i>	<i>Employees</i>	<i>2007-2008</i>	<i>2008-2009</i>
6	(1)	9984	DHS DIRECTOR	1	\$136,813	\$139,549
7	(2)	9920	DHS DEPUTY DIRECTOR	1	\$110,832	\$113,048
8	(3)	9233	DHS DEPUTY DIRECTOR	1	\$110,832	\$113,048
9	(4)	9726	DHS CHIEF ATTORNEY	1	\$98,994	\$100,973
10	(5)	9235	DHS COMMUNICATIONS DIRECTOR	1	\$91,689	\$93,522
11	(6)	8936	DHS/DMS ADD PROG & ADMIN SUPPORT	1	\$85,642	\$87,354
12	(7)	9410	DHS ASST DIRECTOR HUMAN RESOURCES	1	\$83,578	\$85,249
13	(8)	9409	DHS DIRECTOR OF PUBLIC RELATIONS	1	\$78,970	\$80,549
14	(9)	8958	DHS AUDIT/FISCAL REVIEW MANAGER	1	\$78,839	\$80,415
15	(10)	8957	DHS ATTORNEY SUPERVISOR	2	\$78,836	\$80,412
16	(11)	9856	DHS RESEARCH ANALYSIS MANAGER	1	\$75,000	\$76,500
17	(12)	8959	DHS PROGRAM MANAGER	1	\$72,791	\$74,246
18	(13)	R038	ATTORNEY SUPERVISOR	3	GRADE 26	
19	(14)	017Z	DHS/DYS ADMIN PROG COMPLIANCE	2	GRADE 26	
20	(15)	R170	ATTORNEY SPECIALIST	57	GRADE 25	
21	(16)	A026	INTERNAL AUDIT ASST ADMIN.	1	GRADE 25	
22	(17)	R036	ATTORNEY	3	GRADE 24	
23	(18)	A033	INTERNAL AUDIT SPECIALIST	4	GRADE 24	
24	(19)	R165	DHS CLIENT ADVOCATE	1	GRADE 23	
25	(20)	897Z	DHS INSTITUTION PROGRAM MANAGER	1	GRADE 23	
26	(21)	A095	DHS AUDIT SUPERVISOR	4	GRADE 22	
27	(22)	A251	SR AUDITOR	24	GRADE 21	
28	(23)	697Z	DHS PRGM MANAGER	1	GRADE 21	
29	(24)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
30	(25)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20	
31	(26)	R150	RESEARCH PROJECT ANALYST	1	GRADE 19	
32	(27)	R424	FAIR HEARING REFEREE	3	GRADE 19	
33	(28)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
34	(29)	M068	DHS PROGRAM ANALYST	2	GRADE 18	
35	(30)	M072	SOCIAL SERVICE INVESTIGATOR II	8	GRADE 18	
36	(31)	R010	ADMINISTRATIVE ASSISTANT II	6	GRADE 17	

1	(32)	X352	HLTH CARE ANALYST II	1	GRADE 17
2	(33)	K048	LEGAL SECRETARY II	36	GRADE 16
3	(34)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15
4	(35)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14
5	(36)	K155	SECRETARY I	<u>1</u>	GRADE 11
6			MAX. NO. OF EMPLOYEES	185	

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

1	(13)	055Z	DP MANAGER	2	GRADE 23
2	(14)	923Z	DHS PRGM ADMINISTRATOR	6	GRADE 23
3	(15)	A127	ASST CONTROLLER	6	GRADE 23
4	(16)	M011	FAMILY SERVICE WORKER PRINCIPAL	1	GRADE 23
5	(17)	M009	FAMILY SERVICE WORKER SUPERVISOR	1	GRADE 22
6	(18)	D066	SYSTEMS COORDINATION ANALYST II	15	GRADE 22
7	(19)	E051	TRAINING PROJECT MANAGER	1	GRADE 22
8	(20)	A088	DHS FINANCIAL SECTION MANAGER	11	GRADE 22
9	(21)	A032	AGENCY FISCAL MANAGER	1	GRADE 22
10	(22)	506Z	REHAB SERVICES PERSONNEL MANAGER	1	GRADE 22
11	(23)	909Z	PROGRAM SUPPORT MANAGER	3	GRADE 22
12	(24)	698Z	DHS/DAS MATERIALS MGMT ADMR	1	GRADE 22
13	(25)	V042	GENERAL SERVICES MANAGER	1	GRADE 22
14	(26)	V080	MGR PURCHASING & PROPERTY MGT	1	GRADE 21
15	(27)	892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21
16	(28)	697Z	DHS PRGM MANAGER	6	GRADE 21
17	(29)	A008	ACCOUNTING SUPERVISOR II	27	GRADE 21
18	(30)	L072	REGISTERED NURSE PRACTITIONER I	1	GRADE 21
19	(31)	R143	DHS RESEARCH & STATISTICS MGR	1	GRADE 21
20	(32)	R488	GRANTS ADMIN SUPV	1	GRADE 21
21	(33)	R266	MANAGEMENT PROJECT ANALYST II	13	GRADE 20
22	(34)	R145	DHS PROGRAM COORDINATOR	6	GRADE 20
23	(35)	M005	FAMILY SERVICE WORKER SPECIALIST	1	GRADE 20
24	(36)	E007	SR REHAB TEACHER F/T BLIND	1	GRADE 20
25	(37)	M128	DHS/DDS PRGM COORDINATOR	1	GRADE 20
26	(38)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
27	(39)	A038	FINANCIAL ANALYST	1	GRADE 20
28	(40)	E114	STAFF DEVELOPMENT COORDINATOR	7	GRADE 20
29	(41)	R406	DHS PERSONNEL PROCESSING SUPV	1	GRADE 20
30	(42)	V022	LEASING SPECIALIST II	1	GRADE 19
31	(43)	A110	ACCOUNTANT II	5	GRADE 19
32	(44)	R150	RESEARCH PROJECT ANALYST	2	GRADE 19
33	(45)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
34	(46)	R048	BUDGET SPECIALIST	3	GRADE 19
35	(47)	R068	EEO/GRIEVANCE OFFICER	2	GRADE 19
36	(48)	R084	DHS STAFF SUPERVISOR	1	GRADE 19

1	(49)	R168	GRANTS COORDINATOR II	32	GRADE 19
2	(50)	M086	SOCIAL WORKER I	1	GRADE 19
3	(51)	R195	PERSONNEL ANALYST	3	GRADE 18
4	(52)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
5	(53)	V020	LEASING SPECIALIST	1	GRADE 18
6	(54)	M068	DHS PROGRAM ANALYST	2	GRADE 18
7	(55)	A111	ACCOUNTANT	17	GRADE 18
8	(56)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
9	(57)	D034	PROGRAMMER ANALYST	2	GRADE 18
10	(58)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18
11	(59)	V040	PURCHASE AGENT II/PURCHASE AGENT	8	GRADE 18
12	(60)	W030	RECORDS MANAGEMENT ANALYST II	4	GRADE 18
13	(61)	Y087	PRINTER SUPERVISOR	1	GRADE 18
14	(62)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
15	(63)	R010	ADMINISTRATIVE ASSISTANT II	13	GRADE 17
16	(64)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
17	(65)	M023	FAMILY SUPPORT SPECIALIST III	1	GRADE 17
18	(66)	R190	PERSONNEL OFFICER II	5	GRADE 17
19	(67)	R162	STATISTICIAN/STATISTICIAN II	5	GRADE 17
20	(68)	A024	COLLECTION OFFICER	3	GRADE 16
21	(69)	Y085	PRINTER II	6	GRADE 16
22	(70)	A108	ACCOUNTING TECHNICIAN II	38	GRADE 15
23	(71)	A063	PAYROLL OFFICER	1	GRADE 15
24	(72)	R342	INTERVIEWER	3	GRADE 15
25	(73)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
26	(74)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
27	(75)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	3	GRADE 15
28	(76)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	7	GRADE 14
29	(77)	K153	SECRETARY II	9	GRADE 13
30	(78)	K181	MAILROOM SUPERVISOR	1	GRADE 12
31	(79)	K089	PERSONNEL ASSISTANT	1	GRADE 12
32	(80)	K039	DOCUMENT EXAMINER II	20	GRADE 12
33	(81)	V043	SHIPPING & RECEIVING CLERK	1	GRADE 11
34	(82)	K103	REPROD EQUIPMENT OPERATOR	2	GRADE 10
35	(83)	G013	WAREHOUSE WORKER	2	GRADE 10
36	(84)	G045	EQUIPMENT OPERATOR	<u>1</u>	GRADE 08

1 MAX. NO. OF EMPLOYEES 357

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

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

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34 SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE - OFFICE OF CHIEF COUNSEL.
 35 There is hereby authorized, for the Department of Health and Human Services -
 36 Director's Office - Office of Chief Counsel for the 2007-2009 biennium, the

1 following maximum number of part-time or temporary employees, to be known as
 2 "Extra Help", payable from funds appropriated herein for such purposes: five
 3 (5) temporary or part-time employees, when needed, at rates of pay not to
 4 exceed those provided in the Uniform Classification and Compensation Act, or
 5 its successor, or this act for the appropriate classification.

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

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

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<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<u><i>2007-2008</i></u>	<u><i>2008-2009</i></u>
26 (01) REGULAR SALARIES	\$ 7,956,832	\$ 8,109,805
27 (02) EXTRA HELP	22,578	22,578
28 (03) PERSONAL SERVICES MATCHING	2,489,061	2,522,810
29 (04) MAINT. & GEN. OPERATION		
30 (A) OPER. EXPENSE	992,112	1,048,112
31 (B) CONF. & TRAVEL	24,472	32,472
32 (C) PROF. FEES	11,000	11,000
33 (D) CAP. OUTLAY	0	0
34 (E) DATA PROC.	0	0
35 (05) DATA PROCESSING SERVICES	<u>12,300</u>	<u>12,300</u>
36 TOTAL AMOUNT APPROPRIATED	<u>\$ 11,508,355</u>	<u>\$ 11,759,077</u>

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2 SECTION 7. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is
3 hereby appropriated, to the Department of Health and Human Services -
4 Division of Administrative Services, to be payable from the paying account as
5 determined by the Chief Fiscal Officer of the State, for personal services
6 and operating expenses of the Department of Health and Human Services -
7 Division of Administrative Services for the biennial period ending June 30,
8 2009, the following:

10	ITEM	FISCAL YEARS	
11	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
12	(01) REGULAR SALARIES	\$ 12,302,551	\$ 12,551,919
13	(02) EXTRA HELP	64,480	64,480
14	(03) PERSONAL SERVICES MATCHING	4,082,466	4,133,528
15	(04) OVERTIME	10,000	10,000
16	(05) MAINT. & GEN. OPERATION		
17	(A) OPER. EXPENSE	2,725,278	2,725,278
18	(B) CONF. & TRAVEL	20,000	20,000
19	(C) PROF. FEES	9,075,792	9,075,792
20	(D) CAP. OUTLAY	0	0
21	(E) DATA PROC.	0	0
22	(06) DATA PROCESSING SERVICES	<u>1,967,600</u>	<u>1,967,600</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 30,248,167</u>	<u>\$ 30,548,597</u>

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

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

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SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING CONSTRUCTION. There is hereby appropriated, to the Department of Health and Human Services - Division of Administrative Services, to be payable from the Department of Human Services Renovation Fund, for construction, renovation, maintenance, equipment and repairs for various buildings operated by the Department of Health and Human Services for the biennial period ending June 30, 2009, the following:

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

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

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

SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of Health and Human Services - Division of Administrative Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for purchase of services of the Department of Health and Human

1 Services - Division of Administrative Services for the biennial period ending
2 June 30, 2009, the following:

3	4 ITEM	5 FISCAL YEARS	
6	NO.	2007-2008	2008-2009
7	(01) PURCHASE OF SERVICES	\$ 259,047	\$ 259,047

8 SECTION 12. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby
9 appropriated, to the Department of Health and Human Services - Division of
10 Volunteerism, to be payable from the paying account as determined by the
11 Chief Fiscal Officer of the State, for personal services and operating
12 expenses of the Department of Health and Human Services - Division of
13 Volunteerism for the biennial period ending June 30, 2009, the following:

15	ITEM	FISCAL YEARS	
16	NO.	2007-2008	2008-2009
17	(01) REGULAR SALARIES	\$ 769,991	\$ 786,497
18	(02) PERSONAL SERVICES MATCHING	254,347	257,724
19	(03) OVERTIME	1,000	1,000
20	(04) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	271,701	272,001
22	(B) CONF. & TRAVEL	25,000	25,000
23	(C) PROF. FEES	28,341	28,341
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	0	0
26	(05) DELTA SERVICE CORPS GRANTS	3,037,311	3,037,311
27	(06) DATA PROCESSING SERVICES	<u>3,000</u>	<u>3,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,390,691</u>	<u>\$ 4,410,874</u>

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

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 4,296	\$ 4,296
(B) CONF. & TRAVEL	2,865	2,865
(C) PROF. FEES	1,432	1,432
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 8,593</u>	<u>\$ 8,593</u>

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11 SECTION 14. APPROPRIATION - DHHS DECOUPLE EXPENSES. There is hereby
 12 appropriated, to the Department of Health and Human Services - Division of
 13 Administrative Services, to be payable from the Department of Human Services
 14 Administration Fund Account, for decoupling and related expenses of the
 15 Division of Health from the Department of Health and Human Services for the
 16 biennial period ending June 30, 2009, the sum of.....\$5,000,000.

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

31 The provisions of this section shall be in effect only from July 1, ~~2005~~
 32 2007 through June 30, ~~2007~~ 2009.

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34 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 36 SALARIES. There is hereby authorized for the Department of Health and Human

1 Services for the ~~2005-2007~~ 2007-2009 biennium the following increases in
2 salaries for certain positions provided in the regular salary schedule of the
3 Department of Health and Human Services and to be in addition to the annual
4 amounts as established by the Uniform Classification and Compensation Act, as
5 amended: for full-time physicians certified by the American Specialty Boards,
6 a rate of pay not to exceed an additional \$4,500 per year; for each full-time
7 physician eligible to be certified by the American Specialty Boards, a rate
8 of pay not to exceed \$2,500 per year. If a physician is certified in Child
9 Psychiatry, an additional \$2,500 per year will be allowed with the total not
10 to exceed \$7,000. If a physician is certified in Forensic Psychiatry, an
11 additional \$2,500 per year will be allowed with the total not to exceed
12 \$7,000. In the event the physician is not a full-time employee, the amount
13 specified herein shall be adjusted proportionately to the amount of time
14 worked for the Department of Health and Human Services by that physician.

15 The provisions of this section shall be in effect only from July 1, ~~2005~~
16 2007 through June 30, ~~2007~~ 2009.

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

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

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

27 (c) The fund shall consist of:

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

30 (2) General revenues transferred from the Division of Youth Services, the
31 Division of Behavioral Health, ~~and~~ the Division of Developmental Disabilities
32 Services, and the Division of Health for the purposes of repairing,
33 renovating, equipping, acquiring and constructing Department of Health and
34 Human Services facilities with an annual maximum of five million dollars
35 (\$5,000,000). The projects for which these transfers are authorized must be
36 projects which were unanticipated during the preceding regular session of the

1 Arkansas General Assembly and must be projects which, if not carried out in
2 the interim period between regular sessions of the Arkansas General Assembly
3 would cause greater harm to the facilities, clients or programs of the
4 Department of Health and Human Services than to wait until the next regular
5 session.

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

9 (d)(1) At the request of the Director of the Department of Health and Human
10 Services, and upon certification of the availability of such funds, the Chief
11 Fiscal Officer of the State shall initiate the necessary transfer documents
12 to reflect the transfer on the books of record of the Treasurer of State, the
13 Auditor of State, the Chief Fiscal Officer of the State, and the Department
14 of Health and Human Services.

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

19 (e) Provided, that any non-general revenue funding that may remain in the
20 fund at the end of any fiscal year shall be carried over into the next fiscal
21 year and all obligated general revenue funding that may remain in the fund at
22 the end of any fiscal year shall be carried over into the next fiscal year to
23 satisfy such legal and contractual obligations that have been entered into
24 prior to the end of the fiscal year.

25 (f) Determining the amount of funds appropriated to a state agency is the
26 prerogative of the General Assembly and is usually accomplished by
27 delineating specific line items and by identifying the appropriation and
28 funding attached to that line item. The General Assembly has determined that
29 the Department of Health and Human Services could be operated more
30 efficiently if some flexibility is given to that agency. That flexibility is
31 being accomplished by providing transfer authority in subsection (d) of this
32 section, and since the General Assembly has granted the agency broad powers
33 under the transfer authority concept, it is both necessary and appropriate
34 that the General Assembly maintain oversight of the utilization of the
35 transfer authority by requiring prior approval of the Legislative Council in
36 the utilization of this transfer authority. Therefore, the requirement of

1 approval by the Legislative Council is not a severable part of this section.
2 If the requirement of approval by the Legislative Council is ruled
3 unconstitutional by a court jurisdiction, this entire section is void.

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

11 *(a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the*
12 *Department of Health and Human Services is authorized to request fund*
13 *transfers according to the provisions established by Arkansas Code Ann. 19-5-*
14 *1020, Department of Human Services Renovation Fund, as amended herein; and*

15 *(b) MATCH TRANSFER. The Director of the Department of Health and Human*
16 *Services, with the approval of the Chief Fiscal Officer of the State, is*
17 *authorized to effect inter-agency and inter-divisional fund transfers for the*
18 *purpose of providing the State's matching share for payments made to that*
19 *Division or Office or its service providers for services eligible for federal*
20 *reimbursement under programs administered by the Department of Health and*
21 *Human Services. The Department of Health and Human Services shall report to*
22 *the Legislative Council or Joint Budget Committee on a quarterly basis all*
23 *fund transfers made in accordance with the authority granted by this section;*
24 *and*

25 *(c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The*
26 *Division of Youth Services (DYS) is authorized to fulfill its responsibility*
27 *to house offenders between the ages of 18 and 21 and to separate juvenile*
28 *offenders by age and seriousness of offense by either employing additional*
29 *state employees and providing the corresponding operating expenses or*
30 *entering into professional services contracts. If the Division of Youth*
31 *Services determines that the Division needs to employ state employees to*
32 *fulfill the housing and separation requirements, they may transfer up to the*
33 *total amount appropriated for the DYS - Residential Services Program*
34 *appropriation to the appropriate DYS appropriation and line items, upon*
35 *approval of the Chief Fiscal Officer of the State, and prior review by the*
36 *Legislative Council; and*

1 (d) REALLOCATION OF RESOURCES: (1) The Department of Health and Human
2 Services (DHHS) provides hundreds of different services to over 1 million
3 Arkansans. The specific mix of service needs and the funding and staffing
4 required to provide them can vary significantly based on many factors,
5 including natural disasters, changing federal mandates and funding sources,
6 demographic shifts, fluctuating court-ordered services, social trends, and
7 job market variations such as nursing shortages. The impact of these factors
8 through the course of a biennium make it very difficult for the Department to
9 accurately predict the exact needs for funding, appropriation and positions
10 in each of its over 100 different appropriations. To ensure that it can
11 respond quickly to changing client needs and make the most effective use of
12 the resources allocated to it, the Department of Health and Human Services
13 shall be authorized to utilize the reallocation of resource authority to make
14 the proper adjustments to the budgets within the Department. Therefore, upon
15 ~~Upon~~ determination by the Director of the Department of Health and Human
16 Services that a reallocation of resources within the department is necessary
17 for the efficient and effective operation of the department, the director,
18 with approval of the Governor, shall have the authority to request, from the
19 Chief Fiscal Officer of the State, a transfer of positions, appropriations,
20 line item appropriations, and funds within or between existing and newly
21 created divisions, offices, sections, or units of the department. Provided,
22 however, that no transfer of funds or appropriation that provides direct
23 support or matching support for the Arkansas Medicaid Program shall be made
24 to any other fund account or appropriation that does not directly support the
25 Arkansas Medicaid Program. Further, no positions, funds, or appropriation
26 authorized during the ~~2005-2007~~ 2007-2009 biennial budget process for the
27 Division of Children and Family Services compliance with initiatives
28 established under the Angela R. consent decree shall be transferred to any
29 other division. Nothing in this provision is intended to prevent the one-
30 time transfers of savings in any other program to the Arkansas Medicaid
31 Program, with the exception of the provisions previously cited for the
32 Division of Children and Family Services – Angela R. consent decree. The
33 Division of Developmental Disabilities – Grants to Community Providers line
34 item of the Developmental Disabilities Services - Grants-in-Aid appropriation
35 may not be decreased. The appropriation, funding, and positions provided for
36 the six Human Development Centers shall remain at a level sufficient to

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

14 The Director of the Department of Health and Human Services shall submit
15 any requests for transfers to and must receive approval of the requests for
16 transfers from the Chief Fiscal Officer of the State, the Governor, and the
17 Arkansas Legislative Council prior to the effective date of the transfers.
18 Provided, however, that the Department of Health and Human Services shall be
19 limited to submitting no more than four requests for reallocation of
20 resources transfers during any fiscal year. In each Departmental request no
21 single division will request reallocation for more than one purpose as listed
22 in this section. Transfer authority for unforeseen purposes shall further be
23 limited to no more than 5% of the total appropriation, funding, and positions
24 authorized for the Department. Reallocation of resources transfers may
25 include multiple items but shall be limited to the following purposes:
26 i). Medicaid Program
27 ii). Facilities and institutions costs, including operational expenses and
28 Construction/Renovation/Equipping expenses
29 iii). Departmental grants and contracts
30 iv). Court ordered settlements and payments
31 v). Payment of administrative expenses, including but not limited to,
32 overtime and other costs of personnel for critical services or functions
33 necessary to carry out the mission of the agency
34 vi). Restructuring efforts as deemed necessary to comply Compliance with new
35 and/or unanticipated federal or state mandates
36 vii). Redirecting internal resources, both direct and/or indirect, to meet

1 client needs and services

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

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

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 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 NURSING/DIRECT CARE EDUCATION STIPEND PROGRAM. Special provision for a
35 Nursing/Direct Care Education Stipend Program for the Department of Health
36 and Human Services is hereby authorized to pay from State and Federal Funds

1 appropriated in each division Act. This program is for eligible nursing
2 students who are attending accredited nursing institutions to become
3 Registered or Licensed Practical Nurses, as well as Certified Nursing
4 Assistants, Life Skills Trainers and Mental Health Workers.

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

15
16 Each division participating in the Education Stipend Program shall determine
17 on an annual basis, the number of student stipends available.

18
19 The provisions of this section shall be in effect only from July 1, 2007
20 through June 30, 2009.

21
22 *SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
23 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS*
24 *DUTY PAY. The Department of Health and Human Services is hereby authorized to*
25 *pay hazardous duty pay to eligible personnel to compensate for the increased*
26 *risk of personal injury. The hazardous duty pay authorized herein shall not*
27 *exceed an amount equal to 5 and one-half percent (5.5%) of the annual salary*
28 *authorized by law to any eligible employee and shall only be made available*
29 *to the personnel occupying high risk positions in special treatment units as*
30 *described in this section.*

31
32 *In cases of documented need, the Director of Health and Human Services shall*
33 *identify the facility and/or unit, location and eligible classifications*
34 *within the facility or unit. Such positions shall be certified by the DHHS*
35 *Director as having been assigned to a work environment that poses an*
36 *increased risk of personal injury and shall be submitted to the Office of*

1 Personnel Management for approval by the Chief Fiscal Officer of the State
2 after review and approval of the Arkansas Legislative Council. Subsequent
3 changes to the facility and/or unit, location and eligible classifications
4 within the facility or unit on file with the OPM must receive prior approval
5 by the Chief Fiscal Officer of the State after review and approval by the
6 Arkansas Legislative Council.

7
8 The amounts received under this provision shall not be considered as
9 exceeding the maximum authorized annual salary rate of the assigned grade.

10
11 It is the intent of this section that such payments shall be optional, at the
12 discretion of the Chief Fiscal Officer of the State and the Director of the
13 Department of Health and Human Services and, dependant upon sufficient
14 revenues, shall not be implemented using funds specifically set aside for
15 other programs within the Department.

16
17 The provisions of this section shall be in effect only from July 1, 2007
18 through June 30, 2009.

19
20 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SELL,
22 LEASE, RENT, CONVEY OR ENCUMBER RAY WINDER FIELD. In no event shall the
23 Department of Health and Human Services, or any of its governing boards,
24 sell, lease, rent, convey or encumber the land and facilities of Ray Winder
25 Field in Little Rock, Arkansas without the prior review and approval of the
26 Arkansas Legislative Council or Joint Budget Committee.

27
28 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NURSING/
30 DIRECT CARE RECRUITMENT/ RETENTION BONUSES. Special provision to provide
31 Nursing/Direct Care Recruitment and Retention Bonuses for the Department of
32 Health and Human Services is hereby authorized to pay from State and Federal
33 funds appropriated for each respective division. Nursing/direct care service
34 recruitment/retention bonuses are in addition to the maximum annual amounts
35 provided in the Regular Salaries Section of the respective Division Act for
36 Registered Nurse, Licensed Practical Nurse, Certified Nursing Assistant, Life

1 Skills Trainer and Mental Health Worker. New hire nurses must be licensed by
2 the Arkansas State Board of Nursing. The total recruitment/retention bonus
3 payment commitment for eligible nurses shall not exceed \$4,000 per Registered
4 Nurse and \$2,000 per Licensed Practical Nurse and \$1,000 per Certified
5 Nursing Assistant, Life Skills Trainer and Mental Health Worker. The lump
6 sum bonus payments and employment commitment to the State will be made in
7 partial payments as follows:

8
9 Registered Nurse Classifications

10 \$1,000 after completing 6 months probationary employment

11 \$1,000 after completing 1 year employment

12 \$1,000 after completing 2nd year employment

13 \$1,000 after completing 3rd year employment

14
15 Licensed Practical Nurse Classifications

16 \$ 500 after completing 6 months probationary employment

17 \$ 500 after completing 1 year employment

18 \$1,000 after completing 2nd year employment

19
20 Certified Nursing Assistant/Life Skills Trainer/Mental Health Worker
21 Classifications

22 \$ 500 after completing 6 month probationary employment

23 \$ 500 after completing 1 year employment

24
25 Any qualified person hired and offered bonus payment described herein will
26 forfeit the balance of the payments if he/she voluntarily resigns or is
27 terminated for cause from employment from the Department of Health and Human
28 Services prior to completing the required employment commitment time periods
29 outlined above.

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

33
34 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
35 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DHHS DECOUPLE
36 APPROPRIATION TRANSFER PROVISION. After receiving approval from the Chief

1 Fiscal Officer of the State and prior review and approval by the PEER
2 Subcommittee of the Arkansas Legislative Council or Joint Budget Committee,
3 the Director of the Department of Health and Human Services is authorized to
4 transfer, if needed, up to five million dollars (\$5,000,000) in appropriation
5 authorized in this Act for decoupling and related expenses from the DHHS
6 Decouple Expenses appropriation to the DOH Operations appropriation for
7 unforeseen costs associated with decoupling the Division of Health from the
8 Department of Health and Human Services.

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

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

27
28 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW HIRE
30 REQUIREMENT. Any new hire for the positions as established for the
31 implementation of the findings of the Arkansas Legislative Task Force on
32 Abused and Neglected Children in the Office of Chief Counsel, implementation
33 of the findings of the Arkansas Legislative Task Force on Abused and
34 Neglected Children in the Division of Children and Family Services, and the
35 Arkansas Options Counseling Care Program in the Division of Aging and Adult
36 Services shall first receive prior approval of the Personnel Subcommittee of

1 the Arkansas Legislative Council or Joint Budget Committee.

2
3 The Arkansas General Assembly has authorized additional positions for the
4 Arkansas Options Counseling for Long-Term Care Program and to implement the
5 findings of the Arkansas Legislative Task Force on Abused and Neglected
6 Children Arkansas Child Safety Centers programs. After receiving prior
7 approval of the new hire positions from the Personnel Subcommittee, the
8 Department of Health and Human Services shall be required, as part of their
9 request to the Personnel Subcommittee, to demonstrate that the new hire
10 positions are allocated to the geographical areas of greatest need.

11
12 The Department of Health and Human Services shall also report quarterly to
13 the House and Senate Public Health, Welfare and Labor Committees on the
14 activities and progress of the Arkansas Options Counseling for Long-Term Care
15 Program and the Arkansas Legislative Task Force on Abused and Neglected
16 Children Arkansas Child Safety Centers programs, including but not limited
17 to, the number of positions filled, where the employees hired have been
18 stationed, and the specific activities of the positions.

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

34
35 If the requirement of approval by the Legislative Council or Joint Budget
36 Committee is ruled unconstitutional by a court of competent jurisdiction,

1 this entire section is void.

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

5
6 SECTION 25. 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 26. 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 27. 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.

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/s/ Joint Budget Committee