

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
4

As Engrossed: S2/19/07

A Bill

SENATE BILL 220

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE
11 DEPARTMENT OF HEALTH AND HUMAN SERVICES -
12 DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES
13 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND
14 FOR OTHER PURPOSES.
15

Subtitle

16
17
18 AN ACT FOR THE DEPARTMENT OF HEALTH AND
19 HUMAN SERVICES - DIVISION OF
20 DEVELOPMENTAL DISABILITIES SERVICES
21 APPROPRIATION FOR THE 2007-2009
22 BIENNIUM.
23

24
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
28 the Department of Health and Human Services - Division of Developmental
29 Disabilities Services for the 2007-2009 biennium, the following maximum
30 number of regular employees whose salaries shall be governed by the
31 provisions of the Uniform Classification and Compensation Act (Arkansas Code
32 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
33 Provided, however, that any position to which a specific maximum annual
34 salary is set out herein in dollars, shall be exempt from the provisions of
35 said Uniform Classification and Compensation Act. All persons occupying
36 positions authorized herein are hereby governed by the provisions of the



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

| | | | | Maximum Annual | | |
|----|------|-------|-----------------------------------|----------------|--------------|-----------|
| | | | | Maximum | Salary Rate | |
| 6 | Item | Class | | No. of | Fiscal Years | |
| 7 | No. | Code | Title | Employees | 2007-2008 | 2008-2009 |
| 8 | (1) | 6603 | GENERAL PHYSICIAN | 6 | \$125,046 | \$127,546 |
| 9 | (2) | 6601 | DENTIST | 3 | \$125,046 | \$127,546 |
| 10 | (3) | 9972 | DDS COMMISSIONER | 1 | \$102,714 | \$104,768 |
| 11 | (4) | 8966 | DHS DDS SUPT HDC/CONWAY | 1 | \$94,595 | \$96,486 |
| 12 | (5) | 8949 | DDS DIR EVAL, PLAN & MGMT SYSTEMS | 1 | \$85,643 | \$87,355 |
| 13 | (6) | 8969 | DHS DDS SUPT HDC | 1 | \$84,916 | \$86,614 |
| 14 | (7) | 8970 | DHS DDS SUPT HDC | 1 | \$84,911 | \$86,609 |
| 15 | (8) | 8972 | DHS DDS SUPT HDC | 1 | \$82,888 | \$84,545 |
| 16 | (9) | 8968 | DHS DDS SUPT HDC | 1 | \$82,180 | \$83,823 |
| 17 | (10) | 8967 | DHS DDS DIR CLIENT SERVICES | 1 | \$75,957 | \$77,476 |
| 18 | (11) | 8948 | DDS ASST DIR PROGRAM MANAGEMENT | 1 | \$72,798 | \$74,253 |
| 19 | (12) | 8035 | ASSISTANT DIRECTR CMS | 1 | \$72,772 | \$74,227 |
| 20 | (13) | 8971 | DHS DDS SUPT HDC | 1 | \$71,691 | \$73,124 |
| 21 | (14) | L014 | DIRECTOR OF PHARMACY SERVICES | 2 | GRADE 26 | |
| 22 | (15) | L012 | PHARMACIST II | 1 | GRADE 25 | |
| 23 | (16) | L124 | PSYCHOLOGIST | 2 | GRADE 25 | |
| 24 | (17) | L096 | SR PHARMACIST | 3 | GRADE 24 | |
| 25 | (18) | M178 | DHS/DDS ASST SUPT - CONWAY | 1 | GRADE 23 | |
| 26 | (19) | R184 | NURSING SERVICES UNIT MANAGER | 6 | GRADE 23 | |
| 27 | (20) | R058 | DDS PERSONNEL MANAGER | 1 | GRADE 22 | |
| 28 | (21) | X338 | ENGINEER, PE | 1 | GRADE 22 | |
| 29 | (22) | L078 | NURSE SUPERVISOR | 12 | GRADE 22 | |
| 30 | (23) | A032 | AGENCY FISCAL MANAGER | 1 | GRADE 22 | |
| 31 | (24) | 809Z | DHS PLANNING & POLICY DEV COORD | 1 | GRADE 21 | |
| 32 | (25) | 892Z | DHS INSTITUTION BUSINESS MANAGER | 6 | GRADE 21 | |
| 33 | (26) | 697Z | DHS PRGM MANAGER | 8 | GRADE 21 | |
| 34 | (27) | A008 | ACCOUNTING SUPERVISOR II | 2 | GRADE 21 | |
| 35 | (28) | A251 | SR AUDITOR | 1 | GRADE 21 | |
| 36 | (29) | E023 | DHS/DDS LANGUAGE DEVELOP SUPV | 1 | GRADE 21 | |

| | | | | | |
|----|------|------|-------------------------------------|----|----------|
| 1 | (30) | E104 | DHS/DDS ED & TRNG CONSULTANT | 2 | GRADE 21 |
| 2 | (31) | L082 | NURSING SERVICES SPECIALIST | 3 | GRADE 21 |
| 3 | (32) | L090 | OCCUPATIONAL THERAPY SUPERVISOR | 1 | GRADE 21 |
| 4 | (33) | L122 | PSYCHOLOGICAL EXAMINER II | 17 | GRADE 21 |
| 5 | (34) | L030 | DIETARY SERVICES DIRECTOR | 1 | GRADE 21 |
| 6 | (35) | L019 | NUTRITIONIST CONSULTANT | 1 | GRADE 21 |
| 7 | (36) | M112 | COTTAGE LIFE PROGRAM DIRECTOR | 5 | GRADE 21 |
| 8 | (37) | L142 | SPEECH PATHOLOGIST SUPV | 3 | GRADE 21 |
| 9 | (38) | M046 | DHS/DDS TEAM LEADER-CONWAY | 5 | GRADE 21 |
| 10 | (39) | R326 | QUALITY ASSURANCE COORDINATOR | 5 | GRADE 21 |
| 11 | (40) | R488 | GRANTS ADMIN SUPV | 2 | GRADE 21 |
| 12 | (41) | R266 | MANAGEMENT PROJECT ANALYST II | 4 | GRADE 20 |
| 13 | (42) | R145 | DHS PROGRAM COORDINATOR | 2 | GRADE 20 |
| 14 | (43) | X311 | DHS/DDS PRGM EVALUATOR SUPV | 1 | GRADE 20 |
| 15 | (44) | Y116 | MAINTENANCE SYSTEMS SUPV | 1 | GRADE 20 |
| 16 | (45) | L140 | SPEECH PATHOLOGIST II | 14 | GRADE 20 |
| 17 | (46) | M013 | DEVELOPMENTAL DISABILITIES SPEC II | 43 | GRADE 20 |
| 18 | (47) | M016 | SR CHAPLAIN | 1 | GRADE 20 |
| 19 | (48) | M116 | UTILIZATION REVIEW NURSE | 2 | GRADE 20 |
| 20 | (49) | M128 | DHS/DDS PRGM COORDINATOR | 41 | GRADE 20 |
| 21 | (50) | M140 | DHS/DDS TEAM LEADER | 3 | GRADE 20 |
| 22 | (51) | M088 | SOCIAL WORKER II | 5 | GRADE 20 |
| 23 | (52) | L008 | SR AUDIOLOGIST | 1 | GRADE 20 |
| 24 | (53) | L070 | NURSE II | 30 | GRADE 20 |
| 25 | (54) | L088 | OCCUPATIONAL THERAPIST II | 1 | GRADE 20 |
| 26 | (55) | E114 | STAFF DEVELOPMENT COORDINATOR | 5 | GRADE 20 |
| 27 | (56) | E038 | NURSE INSTRUCTOR | 2 | GRADE 20 |
| 28 | (57) | G120 | PLANT MAINTENANCE COORDINATOR | 1 | GRADE 20 |
| 29 | (58) | E026 | INSTITUTIONAL INSTRUCTOR SUPERVISOR | 2 | GRADE 20 |
| 30 | (59) | B060 | MEDICAL TECHNOLOGIST SUPERVISOR | 1 | GRADE 19 |
| 31 | (60) | L028 | DIETICIAN | 1 | GRADE 19 |
| 32 | (61) | L120 | PSYCHOLOGICAL EXAMINER I | 2 | GRADE 19 |
| 33 | (62) | M086 | SOCIAL WORKER I | 4 | GRADE 19 |
| 34 | (63) | M154 | DHS FIELD REPRESENTATIVE | 2 | GRADE 19 |
| 35 | (64) | M044 | DHS PRGM CONSULTANT | 1 | GRADE 19 |
| 36 | (65) | M057 | DHS/DDS FOSTER GRANDPARENT ADMR | 1 | GRADE 19 |

| | | | | | |
|----|-------|------|-------------------------------------|-----|----------|
| 1 | (66) | R168 | GRANTS COORDINATOR II | 6 | GRADE 19 |
| 2 | (67) | R030 | ASST PERSONNEL MANAGER | 1 | GRADE 19 |
| 3 | (68) | W012 | MEDICAL RECORDS ADMINISTRATOR | 1 | GRADE 19 |
| 4 | (69) | X309 | DHS/DDS PRGM EVALUATOR | 2 | GRADE 19 |
| 5 | (70) | V040 | PURCHASE AGENT II/PURCHASE AGENT | 5 | GRADE 18 |
| 6 | (71) | R264 | MANAGEMENT PROJECT ANALYST I | 3 | GRADE 18 |
| 7 | (72) | M050 | RECREATIONAL ACTIVITY LEADER SUPV | 3 | GRADE 18 |
| 8 | (73) | L138 | SPEECH PATHOLOGIST I | 1 | GRADE 18 |
| 9 | (74) | M082 | SOCIAL SERVICE WORKER III | 19 | GRADE 18 |
| 10 | (75) | M076 | SOCIAL SERVICE REPRESENTATIVE III | 1 | GRADE 18 |
| 11 | (76) | M078 | DHS/DEMS SUPERVISOR | 2 | GRADE 18 |
| 12 | (77) | M099 | COTTAGE LIFE PROGRAM SUPERVISOR | 18 | GRADE 18 |
| 13 | (78) | E037 | LIBRARIAN II | 2 | GRADE 18 |
| 14 | (79) | E024 | INSTITUTIONAL INSTRUCTOR II | 20 | GRADE 18 |
| 15 | (80) | H032 | FOOD PRODUCTION MANAGER | 6 | GRADE 18 |
| 16 | (81) | E050 | STAFF DEVELOPMENT SPECIALIST II | 2 | GRADE 18 |
| 17 | (82) | E072 | TRAINING INSTRUCTOR | 1 | GRADE 18 |
| 18 | (83) | E082 | VOCATIONAL INSTRUCTOR II | 1 | GRADE 18 |
| 19 | (84) | G028 | BLDG PLANT MAINTENANCE SUPV II | 5 | GRADE 18 |
| 20 | (85) | E086 | HABILITATION/REHAB INSTRUCTOR II | 134 | GRADE 17 |
| 21 | (86) | E022 | INSTITUTIONAL INSTRUCTOR I | 1 | GRADE 17 |
| 22 | (87) | B052 | MEDICAL TECHNOLOGIST | 2 | GRADE 17 |
| 23 | (88) | M102 | VOCATIONAL PLAC & EVAL PROG COORD | 1 | GRADE 17 |
| 24 | (89) | M095 | VOLUNTEER PROGRAM DEVELOPER I | 2 | GRADE 17 |
| 25 | (90) | M080 | SOCIAL SERVICE WORKER II/SOC SVC WK | 3 | GRADE 17 |
| 26 | (91) | R010 | ADMINISTRATIVE ASSISTANT II | 17 | GRADE 17 |
| 27 | (92) | R190 | PERSONNEL OFFICER II | 3 | GRADE 17 |
| 28 | (93) | Y107 | WELDER | 1 | GRADE 17 |
| 29 | (94) | X352 | HLTH CARE ANALYST II | 2 | GRADE 17 |
| 30 | (95) | Y053 | JOURNEYMAN CARPENTER | 9 | GRADE 17 |
| 31 | (96) | Y055 | JOURNEYMAN ELECTRICIAN | 6 | GRADE 17 |
| 32 | (97) | Y057 | JOURNEYMAN PAINTER | 6 | GRADE 17 |
| 33 | (98) | Y061 | JOURNEYMAN PLUMBER | 4 | GRADE 17 |
| 34 | (99) | Y065 | JOURNEYMAN LOCKSMITH | 1 | GRADE 17 |
| 35 | (100) | Y003 | AUTO/DIESEL MECHANIC | 3 | GRADE 17 |
| 36 | (101) | Y021 | STATIONARY ENGINEER | 9 | GRADE 17 |

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|----|-------|------|-------------------------------------|-----|----------|
| 1 | (102) | Y039 | HEATING & A/C MECHANIC | 5 | GRADE 17 |
| 2 | (103) | M141 | DHS/DDS TEAM SHIFT COORDINATOR | 18 | GRADE 16 |
| 3 | (104) | L153 | X-RAY TECH SUPV/X-RAY TECH II | 1 | GRADE 16 |
| 4 | (105) | L026 | DENTAL HYGIENIST | 1 | GRADE 16 |
| 5 | (106) | A053 | INSURANCE SPECIALIST II | 1 | GRADE 16 |
| 6 | (107) | A063 | PAYROLL OFFICER | 1 | GRADE 15 |
| 7 | (108) | A108 | ACCOUNTING TECHNICIAN II | 8 | GRADE 15 |
| 8 | (109) | A155 | ICF COORDINATOR | 6 | GRADE 15 |
| 9 | (110) | K011 | ADMINISTRATIVE OFFICE SUPERVISOR | 10 | GRADE 15 |
| 10 | (111) | L115 | LPN II/LPTN II | 130 | GRADE 15 |
| 11 | (112) | L061 | LIFE SKILLS TRAINER SUPERVISOR | 62 | GRADE 15 |
| 12 | (113) | L183 | OCCUPATIONAL THERAPY ASSISTANT | 2 | GRADE 15 |
| 13 | (114) | M048 | RECREATIONAL ACTIVITY LEADER II | 26 | GRADE 15 |
| 14 | (115) | R009 | ADMINISTRATIVE ASSISTANT I | 3 | GRADE 15 |
| 15 | (116) | V051 | STOREROOM SUPV/STORE SUPV | 4 | GRADE 15 |
| 16 | (117) | X350 | HLTH CARE ANALYST I | 1 | GRADE 15 |
| 17 | (118) | V039 | PURCHASE AGENT I/ASST PURCHASE AGEN | 3 | GRADE 15 |
| 18 | (119) | L184 | DIETETIC TECHNICIAN | 1 | GRADE 14 |
| 19 | (120) | M036 | FOSTER GRANDPARENT SUPERVISOR | 1 | GRADE 14 |
| 20 | (121) | K041 | EXECUTIVE SECY/ADMINISTRATIVE SECY | 10 | GRADE 14 |
| 21 | (122) | K117 | MEDICAL OR LEGAL SECRETARY | 21 | GRADE 14 |
| 22 | (123) | G014 | CHDC LAUNDRY OPERATIONS MANAGER | 1 | GRADE 14 |
| 23 | (124) | H023 | COMMISSARY MANAGER | 1 | GRADE 14 |
| 24 | (125) | G139 | WATER FILTER/WASTE DISPOS PLNT OPER | 3 | GRADE 13 |
| 25 | (126) | H049 | SUPERVISOR OF COOKING | 5 | GRADE 13 |
| 26 | (127) | G115 | NURSERY ASST & GROUNDSKEEPER SUPV | 1 | GRADE 13 |
| 27 | (128) | E027 | INSTITUTIONAL TEACHER ASSISTANT | 86 | GRADE 13 |
| 28 | (129) | E017 | INSTITUTION ASSISTANT LIBRARIAN | 1 | GRADE 13 |
| 29 | (130) | K153 | SECRETARY II | 66 | GRADE 13 |
| 30 | (131) | L059 | LIFE SKILLS TRAINER II | 764 | GRADE 13 |
| 31 | (132) | L091 | OCCUPATIONAL THERAPY WORKER | 6 | GRADE 13 |
| 32 | (133) | L093 | ORTHOTIST AIDE | 5 | GRADE 13 |
| 33 | (134) | M067 | SOCIAL SERVICE AIDE II | 2 | GRADE 13 |
| 34 | (135) | M047 | RECREATIONAL ACTIVITY LEADER I | 1 | GRADE 13 |
| 35 | (136) | R125 | PERSONNEL OFFICER | 4 | GRADE 13 |
| 36 | (137) | K089 | PERSONNEL ASSISTANT | 1 | GRADE 12 |

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|----|-------|------|---------------------------------|-----|----------|
| 1 | (138) | K039 | DOCUMENT EXAMINER II | 13 | GRADE 12 |
| 2 | (139) | C013 | SWITCHBOARD OPERATOR SUPERVISOR | 1 | GRADE 12 |
| 3 | (140) | H047 | MEAT CUTTER II/BUTCHER II | 1 | GRADE 11 |
| 4 | (141) | L025 | DENTAL ASSISTANT | 1 | GRADE 11 |
| 5 | (142) | L057 | LIFE SKILLS TRAINER I | 242 | GRADE 11 |
| 6 | (143) | K155 | SECRETARY I | 20 | GRADE 11 |
| 7 | (144) | Y001 | APPRENTICE TRADESMAN | 6 | GRADE 11 |
| 8 | (145) | V029 | INVENTORY CONTROL CLERK | 1 | GRADE 10 |
| 9 | (146) | K023 | CLERICAL ASSISTANT | 3 | GRADE 10 |
| 10 | (147) | K037 | DOCUMENT EXAMINER I | 1 | GRADE 10 |
| 11 | (148) | L097 | PHARMACY ASST | 2 | GRADE 10 |
| 12 | (149) | H027 | COOK II | 33 | GRADE 10 |
| 13 | (150) | H005 | BAKER II | 4 | GRADE 10 |
| 14 | (151) | G013 | WAREHOUSE WORKER | 3 | GRADE 10 |
| 15 | (152) | G006 | MOTOR VEHICLE OPERATOR | 5 | GRADE 10 |
| 16 | (153) | C011 | SWITCHBOARD OPERATOR II | 10 | GRADE 09 |
| 17 | (154) | L105 | PHYSICAL THERAPY AIDE | 5 | GRADE 09 |
| 18 | (155) | L089 | OCCUPATIONAL THERAPY AIDE | 1 | GRADE 09 |
| 19 | (156) | Y045 | INSTITUTIONAL BEAUTICIAN | 3 | GRADE 09 |
| 20 | (157) | L063 | LIFE SKILLS TRAINER TRAINEE | 7 | GRADE 08 |
| 21 | (158) | G010 | LAUNDRY SUPERVISOR | 4 | GRADE 08 |
| 22 | (159) | G039 | CUSTODIAL SUPV II | 4 | GRADE 08 |
| 23 | (160) | G045 | EQUIPMENT OPERATOR | 10 | GRADE 08 |
| 24 | (161) | G109 | BLDG/EQUIP MAINT REPAIRMAN II | 18 | GRADE 08 |
| 25 | (162) | H019 | CANTEEN SUPERVISOR | 2 | GRADE 08 |
| 26 | (163) | H025 | COOK I | 1 | GRADE 08 |
| 27 | (164) | H053 | FOOD SERVICE WORKER III | 10 | GRADE 08 |
| 28 | (165) | G177 | MAINTENANCE WORKER SUPERVISOR | 1 | GRADE 07 |
| 29 | (166) | G191 | CLOTHING SHOP OPERATOR | 1 | GRADE 07 |
| 30 | (167) | C009 | SWITCHBOARD OPERATOR I | 2 | GRADE 07 |
| 31 | (168) | K015 | OFFICE CLERK | 2 | GRADE 07 |
| 32 | (169) | H043 | FOOD SERVICE WORKER II | 31 | GRADE 05 |
| 33 | (170) | G175 | MAINTENANCE WORKER II | 5 | GRADE 05 |
| 34 | (171) | Y095 | SEAMSTRESS II | 1 | GRADE 05 |
| 35 | (172) | V049 | STOCK CLERK II | 4 | GRADE 05 |
| 36 | (173) | G035 | CUSTODIAL WRKR II | 63 | GRADE 04 |

| | | | | | |
|---|-------|------|-----------------------|----------|----------|
| 1 | (174) | G008 | LAUNDRY WORKER | 24 | GRADE 04 |
| 2 | (175) | H039 | FOOD SERVICE WORKER I | 4 | GRADE 03 |
| 3 | (176) | G171 | CUSTODIAL WRKR I | <u>2</u> | GRADE 03 |
| 4 | | | MAX. NO. OF EMPLOYEES | 2,401 | |

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6 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
7 Department of Health and Human Services - Division of Developmental
8 Disabilities Services for the 2007-2009 biennium, the following maximum
9 number of part-time or temporary employees, to be known as "Extra Help",
10 payable from funds appropriated herein for such purposes: two hundred
11 eighty-nine (289) temporary or part-time employees, when needed, at rates of
12 pay not to exceed those provided in the Uniform Classification and
13 Compensation Act, or its successor, or this act for the appropriate
14 classification.

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16 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
18 HELP - DEVELOPMENTAL DISABILITIES SERVICES. It is hereby authorized for the
19 Department of Health and Human Services - Division of Developmental
20 Disabilities Services for the ~~2005-2007~~ 2007-2009 biennium, that of the extra
21 help positions authorized herein for the Department of Health and Human
22 Services - Division of Developmental Disabilities Services, 89 of those
23 positions, when utilized in a manner which is reimbursable under Title XIX or
24 other federal funds, are specifically exempt from limitation of hours, either
25 by Act or Regulation.

26 The provisions of this section shall be in effect only from July 1, ~~2005~~
27 2007 through June 30, ~~2007~~ 2009.

28

29 SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
30 the Department of Health and Human Services - Division of Developmental
31 Disabilities Services, to be payable from the paying account as determined by
32 the Chief Fiscal Officer of the State, for personal services and operating
33 expenses of the Department of Health and Human Services - Division of
34 Developmental Disabilities Services for the biennial period ending June 30,
35 2009, the following:

36

| ITEM NO. | FISCAL YEARS | |
|---------------------------------------|-----------------------|-----------------------|
| | 2007-2008 | 2008-2009 |
| (01) REGULAR SALARIES | \$ 64,517,440 | \$ 65,807,811 |
| (02) EXTRA HELP | 4,178,972 | 4,178,972 |
| (03) PERSONAL SERVICES MATCHING | 23,643,143 | 23,908,484 |
| (04) OVERTIME | 202,360 | 202,360 |
| (05) EXTRA SALARIES | 9,000 | 9,000 |
| (06) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | 17,072,559 | 17,072,559 |
| (B) CONF. & TRAVEL | 80,000 | 80,000 |
| (C) PROF. FEES | 298,698 | 298,698 |
| (D) CAP. OUTLAY | 0 | 0 |
| (E) DATA PROC. | 0 | 0 |
| (07) GRANTS/PATIENT SERVICES | 7,695,643 | 7,695,643 |
| (08) FOSTER GRANDPARENTS STIPENDS | 169,851 | 169,851 |
| (09) DATA PROCESSING SERVICES | 850,159 | 850,159 |
| (10) VOCATIONAL TRAINEES | 177,368 | 177,368 |
| (11) CHILDREN AND ADOLESCENT SERVICES | 67,529 | 67,529 |
| (12) PURCHASE OF SERVICES | <u>5,979,255</u> | <u>5,979,255</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 124,941,977</u> | <u>\$ 126,497,689</u> |

SECTION 5. APPROPRIATION - SPECIAL OLYMPICS. There is hereby appropriated, to the Department of Health and Human Services - Division of Developmental Disabilities Services, to be payable from the Developmental Disabilities Services Fund Account, for grants to the Arkansas Special Olympics for the biennial period ending June 30, 2009, the following:

| ITEM NO. | FISCAL YEARS | |
|------------------------------|------------------|------------------|
| | 2007-2008 | 2008-2009 |
| (01) GRANTS-SPECIAL OLYMPICS | <u>\$ 94,459</u> | <u>\$ 94,459</u> |

SECTION 6. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby appropriated, to the Department of Health and Human Services - Division of Developmental Disabilities Services, to be payable from the Developmental Disabilities Services-Dog Track Special Revenue Fund, for expenses of the private non-profit community based programs licensed by the Department of

1 Health and Human Services - Division of Developmental Disabilities Services
 2 for the biennial period ending June 30, 2009, the following:

3

| 4 ITEM | 5 FISCAL YEARS | |
|-------------------------|----------------|-----------|
| | 6 NO. | 7 |
| | 2007-2008 | 2008-2009 |
| (01) COMMUNITY PROGRAMS | \$ 50,000 | \$ 50,000 |

8 SECTION 7. APPROPRIATION - GRANTS-IN-AID. There is hereby appropriated, to
 9 the Department of Health and Human Services - Division of Developmental
 10 Disabilities Services, to be payable from the Developmental Disabilities
 11 Services Fund Account, for grants-in-aid to the community providers of
 12 services to the developmentally disabled of the Department of Health and
 13 Human Services - Division of Developmental Disabilities Services for the
 14 biennial period ending June 30, 2009, the following:

15

| 16 ITEM | 17 FISCAL YEARS | |
|------------------------------------|-----------------|---------------|
| | 18 NO. | 19 |
| | 2007-2008 | 2008-2009 |
| (01) GRANTS TO COMMUNITY PROVIDERS | \$ 16,484,063 | \$ 17,122,460 |

20 SECTION 8. APPROPRIATION - INTER-DIVISIONAL PROGRAMS. There is hereby
 21 appropriated, to the Department of Health and Human Services - Division of
 22 Developmental Disabilities Services, to be payable from the Developmental
 23 Disabilities Services Fund Account, for integrated services and programs
 24 developed by the various divisions, for services and programs developed in
 25 conjunction with other state agencies and for the development and
 26 implementation of an integrated case management system for the Department of
 27 Health and Human Services for the biennial period ending June 30, 2009, the
 28 following:

29

| 30 ITEM | 31 FISCAL YEARS | |
|--------------------------------|-----------------|------------|
| | 32 NO. | 33 |
| | 2007-2008 | 2008-2009 |
| (01) INTER-DIVISIONAL PROGRAMS | \$ 441,469 | \$ 441,469 |

34 SECTION 9. APPROPRIATION - GRANTS - STATE. There is hereby appropriated,
 35 to the Department of Health and Human Services - Division of Developmental
 36 Disabilities Services, to be payable from the Department of Human Services

1 Grants Fund Account, for grant payments of the Department of Health and Human
2 Services - Division of Developmental Disabilities Services for the biennial
3 period ending June 30, 2009, the following:

| ITEM | FISCAL YEARS | |
|----------------------------------|---------------------|---------------------|
| <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| (01) CHILDREN'S MEDICAL SERVICES | <u>\$ 1,729,279</u> | <u>\$ 1,729,279</u> |

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9 SECTION 10. APPROPRIATION - GRANTS - FEDERAL. There is hereby
10 appropriated, to the Department of Health and Human Services - Division of
11 Developmental Disabilities Services, to be payable from the federal funds as
12 designated by the Chief Fiscal Officer of the State, for federally funded
13 grants of the Department of Health and Human Services - Division of
14 Developmental Disabilities Services for the biennial period ending June 30,
15 2009, the following:

| ITEM | FISCAL YEARS | |
|--|---------------------|---------------------|
| <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| (01) CHILDREN'S MEDICAL SERVICES-FEDERAL | <u>\$ 1,377,338</u> | <u>\$ 1,377,338</u> |

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21 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
23 DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds
24 allocated under the appropriation for community-based services, for Grants to
25 Community Providers, in the Developmental Disabilities Services - Grants-in-
26 Aid appropriation in this act shall be used only to provide services through
27 private community based services licensed or certified by the Arkansas
28 Division of Developmental Disabilities Services (DDS). Non-profit community-
29 based programs licensed by the Division of Developmental Disabilities
30 Services are quasi-governmental instrumentalities of the state which provide
31 supports and services to individuals who have a developmental disability or
32 delay, who would otherwise require supports and services through state-
33 operated programs and facilities owned by the State of Arkansas. When DDS
34 licensed providers are involved in delivering services which are Medicaid
35 reimbursable, they must enroll as a provider with the Arkansas Medicaid
36 Program and must bill the Arkansas Medicaid Program for all covered services

1 for eligible individuals.

2 Services which are covered by the Arkansas State Medicaid Program or under
3 the Alternative Community Services Waiver Program (ACS) will be utilized to
4 the maximum extent possible for any individual who is eligible for Medicaid
5 coverage. It is the intent of this section that DDS, as a general policy,
6 maximize the use of Medicaid funding available for appropriate services.

7 The State shall require each provider funded from this Appropriation for
8 community based services, including funding from the Grants/Patient Services
9 Line, in the Developmental Disabilities Services - Operations appropriation,
10 or from the Grants to Community Providers Line, in the Developmental
11 Disabilities Services - Grants-in-Aid appropriation, to screen each
12 individual to whom services are provided for a determination of eligibility
13 or ineligibility for Medicaid coverage within thirty days of the first date
14 that services are provided. It is the intent of this section to insure that
15 wherever possible and appropriate, Medicaid funds are utilized for covered or
16 waived services to individuals who are eligible for coverage under the
17 Arkansas Medicaid Program or the ACS Waiver.

18 Nothing in this Act shall prevent the Division or any provider from
19 extending emergency services when appropriate measures have been taken in a
20 timely manner to secure Medicaid eligibility.

21 ~~In the event that components of community based services now funded~~
22 ~~from state and/or federal funds are extended to unserved or underserved areas~~
23 ~~of the state, or in the event that new services categories/codes are made~~
24 ~~available, to be funded from state and/or federal funds all non-profit~~
25 ~~community programs licensed by the Division of Developmental Disabilities~~
26 ~~Services shall be granted an opportunity to make application to expand their~~
27 ~~service base to unserved or underserved areas or shall be granted an~~
28 ~~opportunity to make application to offer new services that the State intends~~
29 ~~to offer. When the Division of Developmental Disabilities Services~~
30 ~~determines that state and/or federal funding for new or expanded services are~~
31 ~~to be available, it shall provide written notice by certified mail of its~~
32 ~~intent to existing licensed providers who are already providing services. If~~
33 ~~no existing licensed providers respond in writing to Division of~~
34 ~~Developmental Disabilities Services within thirty days that they will provide~~
35 ~~the new or expanded services, Division of Developmental Disabilities Services~~
36 ~~shall provide notice to the general public that a new entity will be allowed~~

1 ~~to develop services and obtain licensure to provide the new or expanded~~
2 ~~services. Nothing in this Act shall restrict the Division's discretion to~~
3 ~~award new or expanded services to the existing community based service~~
4 ~~licensed providers making application for the same pursuant to this section.~~
5 ~~The intent of this section is to avoid unnecessary duplication of~~
6 ~~administrative costs and services in the extension or expansion of services.~~

7 The provisions of this section shall be in effect only from July 1, 2005
8 2007 through June 30, ~~2007~~ 2009.

9
10 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
12 DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of
13 Developmental Disabilities Services of the Department of Health and Human
14 Services is hereby authorized for the ~~2005-2007~~ 2007-2009 biennium to provide
15 employment opportunities for people with developmental disabilities residing
16 at the Human Development Centers who work less than a competitive employment
17 level.

18 The provisions of this section shall be in effect only from July 1, 2005
19 2007 through June 30, ~~2007~~ 2009.

20
21 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
23 DEVELOPMENTAL DISABILITIES - CARRY FORWARD. The unexpended balances in
24 appropriations made from federal funds, for Developmental Disabilities, as
25 provided for in this Act on June 30, ~~2006~~ 2008 shall be carried forward and
26 made available for expenditures for the same purpose for the fiscal year
27 ending June 30, ~~2007~~ 2009.

28
29 Any carry forward of unexpended balance of appropriation and/or funding as
30 authorized herein, may be carried forward under the following conditions:

31
32 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
33 its reason(s) for the need to carry forward said appropriation and/or funding
34 to the Department of Finance and Administration Office of Budget;

35
36 (2) The Department of Finance and Administration Office of Budget shall

1 report to the Arkansas Legislative Council all amounts carried forward from
2 the first fiscal year of the biennium to the second fiscal year of the
3 biennium by the September Arkansas Legislative Council or Joint Budget
4 Committee meeting in the second fiscal year of the biennial period which
5 report shall include the name of the Agency, Board, Commission or Institution
6 and the amount of the appropriation and/or funding carried forward from the
7 first fiscal year to the second fiscal year, the program name or line item,
8 the funding source of that appropriation and a copy of the written request
9 set forth in (1) above;

10
11 (3) Each Agency, Board, Commission or Institution shall provide a written
12 report to the Arkansas Legislative Council or Joint Budget Committee
13 containing all information set forth in item (2) above, along with a written
14 statement as to the current status of the project, contract, purpose etc. for
15 which the carry forward was originally requested no later than thirty (30)
16 days prior to the time the Agency, Board, Commission or Institution presents
17 its budget request to the Arkansas Legislative Council/Joint Budget
18 Committee; and

19
20 (4) Thereupon, the Department of Finance and Administration shall include
21 all information obtained in item (3) above in the biennial budget manuals
22 and/or a statement of non-compliance by the Agency, Board, Commission or
23 Institution.

24 The provisions of this section shall be in effect only from July 1, 2005
25 2007 through June 30, ~~2007~~ 2009.

26
27 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS IN
29 AID-CONDITIONS FOR RECEIVING FUNDS. Private nonprofit community based
30 programs licensed by the Department of Health and Human Services,
31 Developmental Disabilities Services, are eligible to receive funds
32 appropriated for Grants to Community Providers in the Developmental
33 Disabilities Services - Grants-in-Aid appropriation of this Act, and as a
34 condition of receiving such funds they shall:

35 1. Meet minimum standards of performance in the delivery of services to
36 people with disabilities as defined by the Department of Health and Human

1 Services, Developmental Disabilities Services.

2 2. Supply statistical and financial data to the Department of Health and
3 Human Services, Developmental Disabilities Services.

4 3. Establish and maintain a sound financial management system in
5 accordance with guidelines as set forth by the Department of Health and Human
6 Services.

7 4. Establish and maintain community support programs designed to provide
8 coordinated care and treatment to ensure ongoing involvement and
9 individualized services for persons with disabilities. Every community
10 support program shall provide services for persons with disabilities who
11 reside within the respective area of the program.

12 The provisions of this section shall be in effect only from July 1, 2005
13 2007 through June 30, ~~2007~~ 2009.

14
15 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

17 DEVELOPMENTAL DISABILITIES – ~~TIMBER AND LAND SALES PROCEEDS - CAPITAL~~
18 IMPROVEMENTS AND EQUIPMENT. The Division of Developmental Disabilities
19 Services is authorized to use the administrative operating ~~have cash fund~~
20 accounts for capital improvements to physical plants and for the purchase of
21 capital equipment., ~~and for the operation of the six human development~~
22 ~~centers operated by the Department of Human Services, Division of~~
23 ~~Developmental Disabilities Services.~~ The ~~cash~~ funds shall be held by the
24 Department of Health and Human Services, Division of Developmental
25 Disabilities Services from the proceeds of ~~the sale of land and~~ the sale of
26 timber that may be harvested from land owned by the Division of Developmental
27 Disabilities Services. All funds deposited and all expenses shall be tracked
28 separately. ~~The sale of land and the harvesting of timber is specifically~~
29 authorized to provide funds to finance capital improvements to the physical
30 plants, for the purchase of major capital equipment., ~~and for the operation~~
31 ~~of any of the six human development centers from which the land or timber is~~
32 ~~sold.~~

33 The Division of Developmental Disabilities Services shall report all income
34 derived from ~~the sale of land and~~ timber management to the Chief Fiscal
35 Officer of the State and the Arkansas Legislative Council. Any contracts
36 initiated for ~~the sale of land or~~ the harvesting of timber shall be submitted

1 to the Review Subcommittee of the Arkansas Legislative Council for prior
2 review. All expenditures of funds derived from ~~the sale of land and the sale~~
3 of timber will be expended in accordance with relevant state purchasing laws.

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 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
9 DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

10 (A) The Developmental Disabilities Services Board or the Department of
11 Health and Human Services shall not close any of the state administered Human
12 Development Centers that provide therapy and residential services.

13 (B) The Department of Health and Human Services shall continue to accept
14 clients for whom it has determined that therapy and residential services are
15 needed at state administered Human Development Centers and Community Programs
16 licensed by DDS shall continue to accept clients for whom it has been
17 determined in accordance with federal law that are in need of services in the
18 community.

19 (C) Except for use as federal matching funds, no funds for community based
20 services licensed by DDS shall be transferred from Grants to Community
21 Providers line item of the Developmental Disabilities Services - Grants-in-
22 Aid appropriation unless the transfer(s) directly benefits community based
23 services for persons with developmental disabilities or from the
24 appropriation for the Human Development Centers unless the transfer(s)
25 directly benefits the Human Development Centers.

26 (D) Nor shall any general revenue funding as of March 1, ~~2005~~ 2007 from the
27 Grants to Community Providers line item of the Developmental Disabilities
28 Services - Grants-in-Aid appropriation for persons with developmental
29 disabilities or from any other general revenues as of March 1, ~~2005~~ 2007,
30 applied as federal matching funds for community based services licensed by
31 DDS on March 1, ~~2005~~ 2007 be reduced below the approved funding level on
32 March 1, ~~2005~~ 2007; nor shall the general revenues applied as federal
33 matching funds for the Human Development Centers be reduced below the
34 approved funding level on March 1, ~~2005~~ 2007.

35
36 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
2 PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR PERSONNEL AT HUMAN
3 DEVELOPMENT CENTERS. SHIFT DIFFERENTIAL. Personnel employed in areas
4 providing critical support and care to Patient Units at the state operated
5 human development centers during evening and night shifts shall be eligible
6 to receive up to twenty percent (20%) of the hourly rate paid as a shift
7 differential. Personnel required to provide critical and support care to
8 client units during weekend hours shall be eligible to receive up to twenty
9 percent (20%) of the hourly rate paid as weekend differential. When
10 facilities use shifts other than traditional eight-hour shifts, shift
11 differential may be paid for those shifts exceeding the normal day shift of
12 the facility. When shift and weekend differentials are provided to employees
13 as herein described, the total compensation may exceed the maximum annual
14 rate for the assigned pay grade for those positions included in this Act.

15
16 The Agency shall identify the shift(s) and job classifications applicable for
17 the differential and the shift differential percentage for which each
18 classification is eligible within each shift. The shift schedule, job
19 classification listing and the percentage of shift differential for which the
20 job titles will be eligible shall be submitted to the Office of Personnel
21 Management for approval by the Chief Fiscal Officer of the State. Subsequent
22 changes to the shift schedule, job classifications and shift differential
23 percentages on file with OPM must receive prior approval by the Chief Fiscal
24 Officer of the State.

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

28
29 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
31 DEVELOPMENTAL DISABILITIES SERVICES.

32 (a) The Arkansas General Assembly has recognized the value of non-profit
33 community-based programs in the delivery of services to provide treatment,
34 care and support for developmental disabled services as an alternative to
35 more restrictive settings. The state has designated the community-based
36 developmental disabilities services and their contracted non-profit provider

1 network as quasi-governmental instrumentalities of the state and utilized
 2 them to provide an array of treatment, care and support services to the
 3 developmentally disabled in a community environment.

4
 5 (b) Due to the ongoing Classification Study commissioned by the 85th General
 6 Assembly, it was determined by an Executive Policy Statement by the Governor,
 7 for preparation of 2007-2009 Biennial Budget Requests, that no pay plan
 8 increases for state employees be included in agency requests. Therefore, an
 9 eighty-five percent (85%) of two percent (2%) Base Level funding increase
 10 authorized in this subsection is deemed necessary due to the non-
 11 establishment of a pay plan policy for state employees for the 2007-2009
 12 Biennium. The eighty-five percent (85%) of two percent (2%) Base Level
 13 funding increase shall be applied over and above the 2007 fiscal year
 14 budgeted amounts in the Grants to Community Providers community-based service
 15 provider appropriation line item authorized in this act, for the portions of
 16 these appropriations designated for the DDTCS Adult Development and Preschool
 17 programs and DDTCS Transportation. The two percent (2%) used in the
 18 calculation of the Base Level funding increase is derived from the percentage
 19 increase utilized by the state to compute Base Level Regular Salaries each
 20 fiscal year of the 2005-2007 biennium for state employees earning between
 21 twenty thousand dollars (\$20,000) to fifty thousand dollars (\$50,000).

22
 23 (c) There is hereby established for the following line item in this act, as
 24 set out herein, the appropriation which includes the base level amounts for
 25 eligible services to be made available by the Department of Health and Human
 26 Services, there to be used as provided by law for the biennial period ending
 27 June 30, 2009, the following:

| | | <u>Base Level</u> | |
|--------------|--------------------------------------|---------------------|---------------------|
| | | <u>Fiscal Years</u> | |
| <u>Item</u> | | <u>2007-08</u> | <u>2008-09</u> |
| <u>No.</u> | <u>Line Item</u> | | |
| (01) | <u>Grants to Community Providers</u> | \$16,484,063 | \$17,122,460 |
| <u>Total</u> | | <u>\$16,484,063</u> | <u>\$17,122,460</u> |

34
 35 (d) The annual Base Level funding increases in the community-based service
 36 line items listed in subsections (b) and (c) of this section is to provide

1 annual base level adjustments for services in community-based programs. It is
2 the legislative intent that the Department of Health and Human Services seek
3 federal approval for Medicaid rate increases for DDTCS services referenced in
4 subsection (b) that utilize the funding increases provided in that
5 subsection, and that if such funding is available and cannot be used as
6 Medicaid match funds in the DDTCS program, such funds shall be utilized in
7 accordance with the law as non-Medicaid payments for the benefit of persons
8 receiving the DDTCS services referenced in subsection (b). It is also the
9 legislative intent that the general revenue funding provided by the Arkansas
10 General Assembly beyond what is used for non-Medicaid reimbursable services
11 shall be utilized at the match rate determined by the current federal medical
12 assistance percentages and in accordance with payment rates approved by the
13 Centers for Medicare and Medicaid Services. Nothing in this section shall be
14 construed to require that the funds appropriated be used exclusively as
15 Medicaid matching funds.

16
17 (e) Upon a determination by the Department of Health and Human Services that
18 the amount of available funding in the Developmental Disabilities Services
19 Fund Account or the paying account as determined by the State Chief Fiscal
20 Officer is insufficient to provide for the projected expenditures from the
21 fund account or paying account during the fiscal year, the Department shall
22 identify proposed spending reductions and appropriation and funds transfers
23 necessary to eliminate the projected shortfall while minimizing the loss of
24 federal matching funds; and shall simultaneously notify affected providers
25 and the State Chief Fiscal Officer of any proposed remedial action. Nothing
26 in this section shall be construed to alter or eliminate any review or
27 approval process required by law or to prevent the Department from taking
28 steps that are necessary to avoid violation of §19-2-104, Title 19, Chapter
29 4, or the State Treasury Management Law.

30
31 (f) Notwithstanding any law pertaining to the Reallocation of Resources or
32 Transfer Authority for the Department of Health and Human Services or any law
33 to the contrary, no funds appropriated for non-profit community-based
34 services licensed by the Division of Developmental Disabilities Services
35 shall be transferred from the line items listed in subsections (b) and (c) of
36 this section except to remedy, in whole or in part, a projected shortfall of

1 appropriation, funding, or both.

2
3 The provisions of this section shall be in effect only from July 1, 2007
4 through June 30, 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. CARRY-
8 FORWARD - COMMUNITY BASED PROVIDERS. Any unexpended balance of appropriation
9 authorized for Grants to Community Providers remaining on June 30, 2008 shall
10 be carried forward and made available during the fiscal year ending June 30,
11 2009, there to be used for the same purposes.

12
13 Any carry forward of unexpended balance of appropriation and/or funding as
14 authorized herein, may be carried forward under the following conditions:

15
16 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
17 its reason(s) for the need to carry forward said appropriation and/or funding
18 to the Department of Finance and Administration Office of Budget;

19
20 (2) The Department of Finance and Administration Office of Budget shall
21 report to the Arkansas Legislative Council all amounts carried forward from
22 the first fiscal year of the biennium to the second fiscal year of the
23 biennium by the September Arkansas Legislative Council or Joint Budget
24 Committee meeting in the second fiscal year of the biennial period which
25 report shall include the name of the Agency, Board, Commission or Institution
26 and the amount of the appropriation and/or funding carried forward from the
27 first fiscal year to the second fiscal year, the program name or line item,
28 the funding source of that appropriation and a copy of the written request
29 set forth in (1) above;

30
31 (3) Each Agency, Board, Commission or Institution shall provide a written
32 report to the Arkansas Legislative Council or Joint Budget Committee
33 containing all information set forth in item (2) above, along with a written
34 statement as to the current status of the project, contract, purpose etc. for
35 which the carry forward was originally requested no later than thirty (30)
36 days prior to the time the Agency, Board, Commission or Institution presents

1 its budget request to the Arkansas Legislative Council/Joint Budget
2 Committee; and

3
4 (4) Thereupon, the Department of Finance and Administration shall include all
5 information obtained in item (3) above in the biennial budget manuals and/or
6 a statement of non-compliance by the Agency, Board, Commission or
7 Institution.

8
9 The provisions of this section shall be in effect only from July 1, 2007
10 through June 30, 2009.

11
12 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDS
14 CARRY-FORWARD PROVISION. Notwithstanding any law pertaining to the transfer
15 of year-end fund balances or any law to the contrary, any obligated general
16 revenue funds which remain in the Developmental Disabilities Services Fund
17 Account or the paying account as determined by the Chief Fiscal Officer of
18 the State, or both, allocated for the Grants to Community Providers line item
19 program at the end of a fiscal year shall remain in the Developmental
20 Disabilities Services Fund Account or the paying account as determined by the
21 Chief Fiscal Officer of the State, or both, and made available in the
22 following fiscal year for the same purposes to satisfy such legal and
23 contractual obligations that have been entered into prior to the end of the
24 fiscal year.

25
26 Any carry forward of unexpended balance of appropriation and/or funding as
27 authorized herein, may be carried forward under the following conditions:

28
29 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
30 its reason(s) for the need to carry forward said appropriation and/or funding
31 to the Department of Finance and Administration Office of Budget;

32
33 (2) The Department of Finance and Administration Office of Budget shall
34 report to the Arkansas Legislative Council all amounts carried forward from
35 the first fiscal year of the biennium to the second fiscal year of the
36 biennium by the September Arkansas Legislative Council or Joint Budget

1 Committee meeting in the second fiscal year of the biennial period which
2 report shall include the name of the Agency, Board, Commission or Institution
3 and the amount of the appropriation and/or funding carried forward from the
4 first fiscal year to the second fiscal year, the program name or line item,
5 the funding source of that appropriation and a copy of the written request
6 set forth in (1) above;

7
8 (3) Each Agency, Board, Commission or Institution shall provide a written
9 report to the Arkansas Legislative Council or Joint Budget Committee
10 containing all information set forth in item (2) above, along with a written
11 statement as to the current status of the project, contract, purpose etc. for
12 which the carry forward was originally requested no later than thirty (30)
13 days prior to the time the Agency, Board, Commission or Institution presents
14 its budget request to the Arkansas Legislative Council/Joint Budget
15 Committee; and

16
17 (4) Thereupon, the Department of Finance and Administration shall include
18 all information obtained in item (3) above in the biennial budget manuals
19 and/or a statement of non-compliance by the Agency, Board, Commission or
20 Institution.

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

24
25 SECTION 21. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
26 by this act shall be limited to the appropriation for such agency and funds
27 made available by law for the support of such appropriations; and the
28 restrictions of the State Procurement Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.

34
35 SECTION 22. LEGISLATIVE INTENT. It is the intent of the General Assembly
36 that any funds disbursed under the authority of the appropriations contained

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

7
8 SECTION 23. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a two (2) year period; that the
11 effectiveness of this Act on July 1, 2007 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the Regular Session, the delay in the effective
14 date of this Act beyond July 1, 2007 could work irreparable harm upon the
15 proper administration and provision of essential governmental programs.
16 Therefore, an emergency is hereby declared to exist and this Act being
17 necessary for the immediate preservation of the public peace, health and
18 safety shall be in full force and effect from and after July 1, 2007.

19
20 /s/ Joint Budget Committee
21
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