

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: S3/19/07 S3/26/07 S3/28/07

A Bill

SENATE BILL 449

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 VETERANS' AFFAIRS FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF VETERANS'
17 AFFAIRS APPROPRIATION FOR THE 2007-2009
18 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the
25 Department of Veterans' Affairs for the 2007-2009 biennium, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
35
36

Maximum Annual



| 1 | | | | Maximum | Salary Rate | |
|----|------|-------|-------------------------------------|-----------|--------------|-----------|
| 2 | Item | Class | | No. of | Fiscal Years | |
| 3 | No. | Code | Title | Employees | 2007-2008 | 2008-2009 |
| 4 | (1) | 9989 | VETERANS DIR DEPT OF VETERAN AFFAIR | 1 | \$84,620 | \$86,312 |
| 5 | (2) | 751Z | VETERANS AFFAIRS ASSISTANT DIR | 1 | GRADE | 24 |
| 6 | (3) | 752Z | VETERANS HOME SUPERVISOR | 3 | GRADE | 24 |
| 7 | (4) | A032 | AGENCY FISCAL MANAGER | 1 | GRADE | 22 |
| 8 | (5) | L078 | NURSE SUPERVISOR | 2 | GRADE | 22 |
| 9 | (6) | R438 | VETERANS HOME ASSISTANT SUPERVISOR | 2 | GRADE | 22 |
| 10 | (7) | L082 | NURSING SERVICES SPECIALIST | 1 | GRADE | 21 |
| 11 | (8) | A008 | ACCOUNTING SUPERVISOR II | 1 | GRADE | 21 |
| 12 | (9) | M088 | SOCIAL WORKER II | 4 | GRADE | 20 |
| 13 | (10) | L070 | NURSE II | 14 | GRADE | 20 |
| 14 | (11) | R266 | MANAGEMENT PROJECT ANALYST II | 3 | GRADE | 20 |
| 15 | (12) | M056 | REHAB COUNSELOR III | 1 | GRADE | 19 |
| 16 | (13) | R097 | CHIEF CLAIMS & APPEALS SECTION | 1 | GRADE | 19 |
| 17 | (14) | A110 | ACCOUNTANT II | 1 | GRADE | 19 |
| 18 | (15) | A111 | ACCOUNTANT | 1 | GRADE | 18 |
| 19 | (16) | G028 | BLDG PLANT MAINTENANCE SUPV II | 2 | GRADE | 18 |
| 20 | (17) | M098 | VETERANS CLAIMS SPECIALIST | 8 | GRADE | 18 |
| 21 | (18) | H032 | FOOD PRODUCTION MANAGER | 1 | GRADE | 18 |
| 22 | (19) | R264 | MANAGEMENT PROJECT ANALYST I | 1 | GRADE | 18 |
| 23 | (20) | R010 | ADMINISTRATIVE ASSISTANT II | 2 | GRADE | 17 |
| 24 | (21) | R190 | PERSONNEL OFFICER II | 2 | GRADE | 17 |
| 25 | (22) | M095 | VOLUNTEER PROGRAM DEVELOPER I | 1 | GRADE | 17 |
| 26 | (23) | G161 | GENERAL MAINTENANCE REPAIRMAN | 3 | GRADE | 17 |
| 27 | (24) | A108 | ACCOUNTING TECHNICIAN II | 2 | GRADE | 15 |
| 28 | (25) | G043 | EQUIPMENT MECHANIC | 1 | GRADE | 15 |
| 29 | (26) | L115 | LPN II/LPTN II | 23 | GRADE | 15 |
| 30 | (27) | M048 | RECREATIONAL ACTIVITY LEADER II | 2 | GRADE | 15 |
| 31 | (28) | T047 | SECURITY OFFICER III | 11 | GRADE | 15 |
| 32 | (29) | K041 | EXECUTIVE SECY/ADMINISTRATIVE SECY | 4 | GRADE | 14 |
| 33 | (30) | K153 | SECRETARY II | 4 | GRADE | 13 |
| 34 | (31) | T045 | SECURITY OFFICER II | 2 | GRADE | 12 |
| 35 | (32) | K155 | SECRETARY I | 1 | GRADE | 11 |
| 36 | (33) | G151 | CUSTODIAL SERVICE SHIFT SUPV | 1 | GRADE | 11 |

| | | | | | |
|---|------|------|-------------------------|----------|----------|
| 1 | (34) | L081 | NURSING ASST II | 84 | GRADE 11 |
| 2 | (35) | G165 | WORK MAINTENANCE LEADER | 3 | GRADE 10 |
| 3 | (36) | H005 | BAKER II | 1 | GRADE 10 |
| 4 | (37) | H027 | COOK II | 7 | GRADE 10 |
| 5 | (38) | G169 | CUSTODIAL SUPV I | 1 | GRADE 06 |
| 6 | (39) | H043 | FOOD SERVICE WORKER II | 4 | GRADE 05 |
| 7 | (40) | G075 | HOUSEKEEPER | 1 | GRADE 04 |
| 8 | (41) | G035 | CUSTODIAL WRKR II | <u>7</u> | GRADE 04 |
| 9 | | | MAX. NO. OF EMPLOYEES | 216 | |

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11 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 12 to the Department of Veterans' Affairs, to be payable from the Miscellaneous
 13 Agencies Fund Account, for personal services and operating expenses of the
 14 Department of Veterans' Affairs - State Operations for the biennial period
 15 ending June 30, 2009, the following:

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| 17 | ITEM | FISCAL YEARS | |
|----|--------------------------------------|---------------------|---------------------|
| 18 | <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| 19 | (01) REGULAR SALARIES | \$ 672,495 | \$ 685,934 |
| 20 | (02) PERSONAL SERVICES MATCHING | 234,193 | 236,942 |
| 21 | (03) MAINT. & GEN. OPERATION | | |
| 22 | (A) OPER. EXPENSE | 57,144 | 54,944 |
| 23 | (B) CONF. & TRAVEL | 2,630 | 2,630 |
| 24 | (C) PROF. FEES | 0 | 0 |
| 25 | (D) CAP. OUTLAY | 0 | 0 |
| 26 | (E) DATA PROC. | 0 | 0 |
| 27 | (04) AID TO COUNTY VETERANS' SERVICE | | |
| 28 | OFFICES | <u>283,500</u> | <u>283,500</u> |
| 29 | TOTAL AMOUNT APPROPRIATED | <u>\$ 1,249,962</u> | <u>\$ 1,263,950</u> |

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31 SECTION 3. EXTRA HELP - VETERANS' HOME DIVISION - STATE. There is hereby
 32 authorized, for the Department of Veterans' Affairs - Veterans' Home - State
 33 for the 2007-2009 biennium, the following maximum number of part-time or
 34 temporary employees, to be known as "Extra Help", payable from funds
 35 appropriated herein for such purposes: seven (7) temporary or part-time
 36 employees, when needed, at rates of pay not to exceed those provided in the

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

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 4 SECTION 4. APPROPRIATION - VETERANS' HOME DIVISION - STATE. There is
 5 hereby appropriated, to the Department of Veterans' Affairs, to be payable
 6 from the Miscellaneous Agencies Fund Account, for personal services and
 7 operating expenses of the Department of Veterans' Affairs - Veterans' Home
 8 Division - State for the biennial period ending June 30, 2009, the following:

| 10 ITEM | FISCAL YEARS | |
|------------------------------------|---------------------|---------------------|
| 11 NO. | 2007-2008 | 2008-2009 |
| 12 (01) REGULAR SALARIES | \$ 2,092,449 | \$ 2,134,242 |
| 13 (02) EXTRA HELP | 31,000 | 31,000 |
| 14 (03) PERSONAL SERVICES MATCHING | 786,925 | 795,477 |
| 15 (04) OVERTIME | 18,000 | 18,000 |
| 16 (05) MAINT. & GEN. OPERATION | | |
| 17 (A) OPER. EXPENSE | 578,120 | 578,120 |
| 18 (B) CONF. & TRAVEL | 5,000 | 5,000 |
| 19 (C) PROF. FEES | 64,275 | 64,275 |
| 20 (D) CAP. OUTLAY | 0 | 0 |
| 21 (E) DATA PROC. | 0 | 0 |
| 22 (06) REFUNDS/REIMBURSEMENTS | <u>245,000</u> | <u>270,000</u> |
| 23 TOTAL AMOUNT APPROPRIATED | <u>\$ 3,820,769</u> | <u>\$ 3,896,114</u> |

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 25 SECTION 5. EXTRA HELP - VETERANS' HOME - FAYETTEVELLE - STATE. There is
 26 hereby authorized, for the Department of Veterans' Affairs - Veterans' Home -
 27 Fayetteville - State for the 2007-2009 biennium, the following maximum number
 28 of part-time or temporary employees, to be known as "Extra Help", payable
 29 from funds appropriated herein for such purposes: seven (7) temporary or
 30 part-time employees, when needed, at rates of pay not to exceed those
 31 provided in the Uniform Classification and Compensation Act, or its
 32 successor, or this act for the appropriate classification.

33
 34 SECTION 6. APPROPRIATION - VETERANS' HOME - FAYETTEVILLE. There is hereby
 35 appropriated, to the Department of Veterans' Affairs, to be payable from the
 36 *such federal and cash funds as designated by the Chief Fiscal Officer of the*

1 State, for personal services and operating expenses of the Department of
 2 Veterans' Affairs - Veterans' Home - Fayetteville for the biennial period
 3 ending June 30, 2009, the following:

| 4 | 5 ITEM | 6 FISCAL YEARS | |
|----|---------------------------------|---------------------|---------------------|
| 7 | NO. | 2007-2008 | 2008-2009 |
| 8 | (01) REGULAR SALARIES | \$ 2,190,590 | \$ 2,234,353 |
| 9 | (02) EXTRA HELP | 40,000 | 40,000 |
| 10 | (03) PERSONAL SERVICES MATCHING | 892,206 | 901,161 |
| 11 | (04) OVERTIME | 40,000 | 40,000 |
| 12 | (05) MAINT. & GEN. OPERATION | | |
| 13 | (A) OPER. EXPENSE | 2,107,027 | 2,107,027 |
| 14 | (B) CONF. & TRAVEL | 5,250 | 5,250 |
| 15 | (C) PROF. FEES | 200,000 | 200,000 |
| 16 | (D) CAP. OUTLAY | 125,000 | 100,000 |
| 17 | (E) DATA PROC. | 0 | 0 |
| 18 | (06) REFUNDS/REIMBURSEMENTS | <u>435,000</u> | <u>475,000</u> |
| 19 | TOTAL AMOUNT APPROPRIATED | <u>\$ 6,035,073</u> | <u>\$ 6,102,791</u> |

20 SECTION 7. APPROPRIATION - VETERANS' CEMETERY - STATE. There is hereby
 21 appropriated, to the Department of Veterans' Affairs, to be payable from the
 22 Miscellaneous Agencies Fund Account, for personal services and operating
 23 expenses of the Department of Veterans' Affairs - Veterans' Cemetery - State
 24 for the biennial period ending June 30, 2009, the following:

| 25 | 26 ITEM | 27 FISCAL YEARS | |
|----|---------------------------------|-------------------|-------------------|
| 28 | NO. | 2007-2008 | 2008-2009 |
| 29 | (01) REGULAR SALARIES | \$ 158,254 | \$ 161,417 |
| 30 | (02) PERSONAL SERVICES MATCHING | 57,578 | 58,225 |
| 31 | (03) MAINT. & GEN. OPERATION | | |
| 32 | (A) OPER. EXPENSE | 53,075 | 53,075 |
| 33 | (B) CONF. & TRAVEL | 0 | 0 |
| 34 | (C) PROF. FEES | 0 | 0 |
| 35 | (D) CAP. OUTLAY | 0 | 0 |
| 36 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| | TOTAL AMOUNT APPROPRIATED | <u>\$ 268,907</u> | <u>\$ 272,717</u> |

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 2 SECTION 8. APPROPRIATIONS - VETERANS' CEMETERY - CASH. There is hereby
 3 appropriated, to the Department of Veterans' Affairs, to be payable from cash
 4 funds as defined by Arkansas Code 19-4-801 of the Department of Veterans'
 5 Affairs, for operating expenses of the Department of Veterans' Affairs -
 6 Veterans' Cemetery for the biennial period ending June 30, 2009, the
 7 following:

| ITEM | FISCAL YEARS | |
|------------------------------|-------------------|-------------------|
| <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| (01) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | \$ 10,000 | \$ 10,000 |
| (B) CONF. & TRAVEL | 5,000 | 5,000 |
| (C) PROF. FEES | 0 | 0 |
| (D) CAP. OUTLAY | 100,000 | 100,000 |
| (E) DATA PROC. | <u>0</u> | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 115,000</u> | <u>\$ 115,000</u> |

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 19 SECTION 9. APPROPRIATIONS - VETERANS' HOME - CASH. There is hereby
 20 appropriated, to the Department of Veterans' Affairs, to be payable from cash
 21 funds as defined by Arkansas Code 19-4-801 of the Department of Veterans'
 22 Affairs, for operating expenses of the Department of Veterans' Affairs -
 23 Veterans' Home for the biennial period ending June 30, 2009, the following:

| ITEM | FISCAL YEARS | |
|------------------------------|---------------------|---------------------|
| <u>NO.</u> | <u>2007-2008</u> | <u>2008-2009</u> |
| (01) MAINT. & GEN. OPERATION | | |
| (A) OPER. EXPENSE | \$ 250,000 | \$ 250,000 |
| (B) CONF. & TRAVEL | 10,000 | 10,000 |
| (C) PROF. FEES | 100,000 | 100,000 |
| (D) CAP. OUTLAY | 150,000 | 150,000 |
| (E) DATA PROC. | 0 | 0 |
| (02) REFUNDS/REIMBURSEMENTS | <u>750,000</u> | <u>750,000</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$ 1,260,000</u> | <u>\$ 1,260,000</u> |

35
 36 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 FAYETTEVILLE VETERANS' HOME. Before funds or appropriations for the
3 Fayetteville Nursing Home are spent, the Department of Veterans' Affairs
4 shall present to the Joint Budget Committee or the Arkansas Legislative
5 Council, a detailed report of the proposed project and a revised budget for
6 operation showing there are sufficient funds for the entire operation. ~~No~~
7 ~~funds shall be expended on construction or renovation of the Fayetteville~~
8 ~~Nursing Home until there is a balanced operating budget presented to the~~
9 ~~Joint Budget Committee or the Arkansas Legislative Council showing no~~
10 ~~additional general revenue will be needed for the operation of the home.~~

11
12 Before any additional expenditures for the ~~2004—2005~~ 2007 - 2008 fiscal
13 year are spent, the Department of Veterans' Affairs shall present to the
14 Joint Budget Committee or the Arkansas Legislative Council, a detailed report
15 of the proposed project and a revised budget for operation of the Nursing
16 Home.

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18 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRAINING
20 CONFERENCES. The funds appropriated herein for Aid to County Veterans Service
21 Offices may also be used by the Department of Veteran Affairs to pay expenses
22 of County Veterans Service Officers for attending regional or statewide
23 training conferences approved by the Department of Veterans Affairs and
24 designed to provide better trained and qualified Veterans Service Officers in
25 the various counties. Any such expenses paid by the Department of Veterans
26 Affairs from funds appropriated herein shall be on the same reimbursement
27 basis as the reimbursement of state employees for expenses incurred in
28 attending their official business. Provided, no County Veterans Service
29 Officer shall be entitled to receive reimbursement for expenses incurred in
30 attending more than two (2) approved conferences per year, ~~per county~~. The
31 provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
32 through June 30, ~~2007~~ 2009.

33
34 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LIABILITY
36 INSURANCE APPROPRIATION RESTRICTION. *In no event shall the Department of*

1 Veterans Affairs expend or transfer any appropriation or funds for the
2 purchase of malpractice liability insurance for the benefit of a non-
3 governmental entity.

4
5 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
6 by this act shall be limited to the appropriation for such agency and funds
7 made available by law for the support of such appropriations; and the
8 restrictions of the State Procurement Law, the General Accounting and
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
10 Procedures and Restrictions Act, or their successors, and other fiscal
11 control laws of this State, where applicable, and regulations promulgated by
12 the Department of Finance and Administration, as authorized by law, shall be
13 strictly complied with in disbursement of said funds.

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

23
24 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
25 General Assembly, that the Constitution of the State of Arkansas prohibits
26 the appropriation of funds for more than a two (2) year period; that the
27 effectiveness of this Act on July 1, 2007 is essential to the operation of
28 the agency for which the appropriations to this Act are provided; with the
29 exception that Section 12 in this Act shall be in full force and effect from
30 and after the date of its passage and approval, and that in the event of an
31 extension of the Regular Session, the delay in the effective date of this Act
32 beyond July 1, 2007, with the exception that Section 12 in this Act shall be
33 in full force and effect from and after the date of its passage and approval,
34 could work irreparable harm upon the proper administration and provision of
35 essential governmental programs. Therefore, an emergency is hereby declared
36 to exist and this Act being necessary for the immediate preservation of the

1 public peace, health and safety shall be in full force and effect from and
2 after July 1, 2007; with the exception that Section 12 in this Act be in full
3 force and effect from and after the date of its passage and approval.

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5 /s/ Joint Budget Committee
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