

1 State of Arkansas
2 91st General Assembly
3 Fiscal Session, 2018
4

A Bill

SENATE BILL 61

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF YOUTH SERVICES FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2019; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - DIVISION OF YOUTH SERVICES
16 APPROPRIATION FOR THE 2018-2019 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Human Services - Division of Youth Services for the
25 2018-2019 fiscal year, the following maximum number of regular employees.
26

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate
				Fiscal Year 2018-2019
31	(1) N026N	DHS DEPUTY DIRECTOR OF DYS	1	GRADE SE01
32	(2) N124N	DHS/DYS ASSISTANT DIVISION DIRECTOR	2	GRADE GS14
33	(3) G255C	DYS ACADEMIC ADMINISTRATOR	1	GRADE GS11
34	(4) X007C	DHS/DYS ADMIN PROG COMPLIANCE	1	GRADE GS11
35	(5) E010C	DHS/DYS EDUCATION MANAGER	1	GRADE GS10
36	(6) E016C	PUBLIC SCHOOL PROGRAM COORDINATOR	1	GRADE GS10



1	(7)	E015C SPECIAL EDUCATION SUPERVISOR	1	GRADE GS09
2	(8)	G099C DHS PROGRAM ADMINISTRATOR	5	GRADE GS09
3	(9)	G152C DHS PROGRAM MANAGER	10	GRADE GS08
4	(10)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
5	(11)	X062C QUALITY ASSURANCE COORDINATOR	2	GRADE GS08
6	(12)	E040C STAFF DEVELOPMENT COORDINATOR	2	GRADE GS07
7	(13)	G082C DHS/DYS ADMISSIONS EVALUATOR	1	GRADE GS07
8	(14)	G183C DHS PROGRAM COORDINATOR	5	GRADE GS07
9	(15)	G210C DHS PROGRAM SPECIALIST	6	GRADE GS06
10	(16)	G214C GRANTS SPECIALIST	2	GRADE GS06
11	(17)	G180C GRANTS ANALYST	2	GRADE GS06
12	(18)	M047C YOUTH SERVICES ADVISOR	9	GRADE GS06
13	(19)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
14	(20)	X101C INTERNAL AFFAIRS INVESTIGATOR	1	GRADE GS06
15	(21)	C043C RECORDS MANAGEMENT ANALYST	1	GRADE GS04
16	(22)	C056C ADMINISTRATIVE SPECIALIST III	5	GRADE GS04
17	(23)	V020C INVENTORY CONTROL MANAGER	<u>1</u>	GRADE GS04
18		MAX. NO. OF EMPLOYEES	62	

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20 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 21 the Department of Human Services - Division of Youth Services for the 2018-
 22 2019 fiscal year, the following maximum number of part-time or temporary
 23 employees, to be known as "Extra Help", payable from funds appropriated
 24 herein for such purposes: thirty-four (34) temporary or part-time employees,
 25 when needed, at rates of pay not to exceed those provided in the Uniform
 26 Classification and Compensation Act, or its successor, or this act for the
 27 appropriate classification.

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29 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 30 to the Department of Human Services - Division of Youth Services, to be
 31 payable from the paying account as determined by the Chief Fiscal Officer of
 32 the State, for personal services and operating expenses of the Department of
 33 Human Services - Division of Youth Services for the fiscal year ending June
 34 30, 2019, the following:

35

36 ITEM FISCAL YEAR

1	<u>NO.</u>	<u>2018-2019</u>
2	(01) REGULAR SALARIES	\$2,333,168
3	(02) EXTRA HELP	40,008
4	(03) PERSONAL SERVICES MATCHING	883,358
5	(04) OVERTIME	8,004
6	(05) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	2,708,006
8	(B) CONF. & TRAVEL	91,000
9	(C) PROF. FEES	354,050
10	(D) CAP. OUTLAY	105,000
11	(E) DATA PROC.	<u>0</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$6,522,594</u></u>

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14 SECTION 4. APPROPRIATION - JUVENILE ACCOUNTABILITY INCENTIVE BLOCK
 15 GRANT. There is hereby appropriated, to the Department of Human Services -
 16 Division of Youth Services, to be payable from the Juvenile Accountability
 17 Incentive Block Grant Trust Fund, for grant payments of the Juvenile
 18 Accountability Incentive Block Grant of the Department of Human Services -
 19 Division of Youth Services for the fiscal year ending June 30, 2019, the
 20 following:

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22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2018-2019</u>
24	(01) JUVENILE ACCOUNTABILITY INCENTIVE	
25	GRANTS	<u><u>\$712,021</u></u>

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27 SECTION 5. APPROPRIATION - COMMUNITY BASED SANCTIONS. There is hereby
 28 appropriated, to the Department of Human Services - Division of Youth
 29 Services, to be payable from the Youth Services Fund Account, for grants and
 30 aid for graduated community based sanctions for juveniles adjudicated
 31 delinquent for the fiscal year ending June 30, 2019, the following:

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33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2018-2019</u>
35	(01) COMMUNITY BASED SANCTIONS	<u><u>\$2,480,444</u></u>

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SECTION 6. APPROPRIATION - COMMUNITY SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the Youth Services Fund Account, for the purchase of services from community based providers by the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) COMMUNITY SERVICES	<u>\$16,971,100</u>

SECTION 7. APPROPRIATION - FEDERAL CHILD AND YOUTH SERVICE GRANTS. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for federally funded grants of the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) FEDERAL CHILD & YOUTH SERVICE GRANTS	<u>\$4,371,921</u>

SECTION 8. APPROPRIATION - RESIDENTIAL SERVICES. There is hereby appropriated, to the Department of Human Services - Division of Youth Services, to be payable from the Youth Services Fund Account, for the purchase and operation of residential services by the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) RESIDENTIAL SERVICES	<u>\$27,612,244</u>

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

1 OF FUNDS FOR THE JUVENILE OMBUDSMAN PROGRAM. The Department of Human
2 Services shall provide funding in an amount not to exceed \$240,000 for the
3 fiscal year ending June 30, ~~2018~~ 2019 for the Juvenile Ombudsman Program
4 described in ACA 16-87-216. Upon request by the Executive Director of the
5 Arkansas Public Defender Commission, the Chief Fiscal Officer of the State
6 shall transfer an amount not to exceed \$240,000 for the fiscal year ending
7 June 30, ~~2018~~ 2019 from an account designated by the Director of the
8 Department of Human Services to the State Central Services Fund as a direct
9 revenue to fund the Juvenile Ombudsman Program.

10 The provisions of this section shall be in effect only from July 1, ~~2017~~
11 2018 through June 30, ~~2018~~ 2019.

12
13 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
15 OF FUNDS FOR LOCAL JUVENILE DETENTION FACILITIES. The Chief Fiscal Officer
16 of the State shall transfer funds in an amount of \$400,000 for the fiscal
17 year ending June 30, ~~2018~~ 2019 from the Department of Human Services – Youth
18 Services Fund Account to the Juvenile Detention Facilities Operating Fund to
19 fund the appropriation to the Department of Finance and Administration –
20 Disbursing Officer for grants for operating expenses of local juvenile
21 detention facilities.

22 The amount of the funds transferred in the fiscal year ending June 30,
23 ~~2018~~ 2019 may be adjusted upon request of the Director of the Department of
24 Human Services on a pro-rata basis with any reductions provided in the
25 Revenue Stabilization Law from the July 1 Official Forecast of general
26 revenue funding for the Division of Youth Services.

27 The provisions of this section shall be in effect only from July 1, ~~2017~~
28 2018 through June 30, ~~2018~~ 2019.

29
30 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. YOUTH
32 SERVICES - TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND EQUIPMENT. The
33 Division of Youth Services is authorized to use the administrative operating
34 account for capital improvements to the physical plant and for the purchase
35 of capital equipment by the Mansfield Youth Services Facility operated by the
36 Department of Human Services, Division of Youth Services. The funds shall be

1 held by the Department of Human Services, Division of Youth Services from the
2 proceeds of the sale of timber that may be harvested from land owned by the
3 Division of Youth Services. All funds deposited and all expenses shall be
4 tracked separately. The harvesting of timber is specifically authorized to
5 provide funds to finance capital improvements to the physical plant and for
6 the purchase of major capital equipment by the Mansfield Facility from which
7 the timber is sold.

8 The Division of Youth Services shall report all income derived from the
9 sale of timber to the Chief Fiscal Officer of the State and the Arkansas
10 Legislative Council or Joint Budget Committee. Any contracts initiated for
11 the harvesting and sale of timber shall be submitted to the Review
12 Subcommittee of the Arkansas Legislative Council or Joint Budget Committee
13 for prior review. All expenditures of funds derived from the sale of timber
14 will be expended in accordance with relevant state purchasing laws.

15 The provisions of this section shall be in effect only from July 1, ~~2017~~
16 2018 through June 30, ~~2018~~ 2019.

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18 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
20 RESIDENTIAL SERVICES CONTINGENCY. If it has been determined that the
21 Department of Human Services - Division of Youth Services cannot continue to
22 contract with private provider(s) for residential juvenile services,
23 educational services, therapeutic services, and/or medical services and deems
24 it necessary to utilize Department staff to provide all or parts of the
25 required services above, the Department is authorized to seek the approval of
26 the Chief Fiscal Officer of the State, the Governor and the Arkansas
27 Legislative Council or Joint Budget Committee to utilize the contingent
28 residential services positions contained in this Act and to make the
29 appropriate transfers from any line item authorized in the RESIDENTIAL
30 SERVICES appropriation of this Act to any line item authorized in the
31 OPERATIONS appropriation of this Act. If it has been determined that the
32 Department of Human Services - Division of Youth Services cannot continue to
33 operate one or more of the various service components of a Residential
34 Facility for residential juvenile services, educational services, therapeutic
35 services, and/or medical services and deems it necessary to utilize a
36 contract with private provider(s), the Department is authorized to seek the

1 approval of the Chief Fiscal Officer of the State, the Governor and the
2 Arkansas Legislative Council or Joint Budget Committee to make the
3 appropriate transfers from any line item authorized in the OPERATIONS
4 appropriation of this Act to any line item authorized in the RESIDENTIAL
5 SERVICES appropriation of this Act.

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7 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
9 HELP SALARIES - CONTINGENT RESIDENTIAL SERVICES POSITIONS. There is hereby
10 established for the Department of Human Services - Division of Youth Services
11 - Contingent Residential Services Positions, the following maximum number of
12 positions whose salaries shall be governed by the provisions of the Uniform
13 Classification and Compensation Act (Arkansas Code § 21-5-201 et seq.), or
14 its successor, and all laws amendatory thereto. Requests to use positions
15 will be based upon the non-contracted services for residential juvenile
16 services, educational services, therapeutic services, and/or medical
17 services. If at such time a category(s) of services are contracted with
18 private provider(s), identified positions associated with such service(s)
19 shall be returned to the contingency pool. In order to ensure required
20 staffing levels, Extra Help positions authorized herein are specifically
21 exempt from limitation of hours, either by Act or regulation.

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23 CONTINGENT POSITIONS - RESIDENTIAL SERVICES

				MAXIMUM
ITEM	CLASS			NO. OF
NO.	CODE	TITLE	EMPLOYEES	
(01)	9999	EXTRA HELP	<u>320</u>	
GRAND TOTAL CONTINGENT POSITIONS				320

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30 The provisions of this section shall be in effect through June 30, ~~2018~~
31 2019.

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33 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
34 authorized by this act shall be limited to the appropriation for such agency
35 and funds made available by law for the support of such appropriations; and
36 the restrictions of the State Procurement Law, the General Accounting and

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

6
7 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General
8 Assembly that any funds disbursed under the authority of the appropriations
9 contained in this act shall be in compliance with the stated reasons for
10 which this act was adopted, as evidenced by the Agency Requests, Executive
11 Recommendations and Legislative Recommendations contained in the budget
12 manuals prepared by the Department of Finance and Administration, letters, or
13 summarized oral testimony in the official minutes of the Arkansas Legislative
14 Council or Joint Budget Committee which relate to its passage and adoption.

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16 SECTION 16. EFFECTIVE DATE. This act is effective on and after July 1,
17 2018.