

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 84th General Assembly
3 Regular Session, 2003
4

A Bill

HOUSE BILL 1192

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 HUMAN SERVICES - ADMINISTRATION FOR
12 THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - ADMINISTRATION APPROPRIATION
18 FOR THE 2003-2005 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - DIRECTOR'S OFFICE. There is hereby
25 established for the Department of Human Services - Director's Office for the
26 2003-2005 biennium, the following maximum number of regular employees whose
27 salaries shall be governed by the provisions of the Uniform Classification
28 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,
29 and all laws amendatory thereto. Provided, however, that any position to
30 which a specific maximum annual salary is set out herein in dollars, shall be
31 exempt from the provisions of said Uniform Classification and Compensation
32 Act. All persons occupying positions authorized herein are hereby governed
33 by the provisions of the Regular Salaries Procedures and Restrictions Act
34 (Arkansas Code §21-5-101), or its successor.
35

36 Maximum Annual



01232003JKG1145.JKG016

1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2003-2004	2004-2005
4	(1)	9984	DHS DIRECTOR	1	\$125,805	\$128,417
5	(2)	9920	DHS DEPUTY DIRECTOR	1	\$101,422	\$103,692
6	(3)	9726	DHS CHIEF ATTORNEY	1	\$90,313	\$92,427
7	(4)	9617	DHS CHIEF DEPUTY ATTORNEY	1	\$79,620	\$81,533
8	(5)	7405	NATIONAL SERVICE SPECIALIST	1	\$77,912	\$79,792
9	(6)	8958	DHS AUDIT/FISCAL REVIEW MANAGER	1	\$71,609	\$73,370
10	(7)	8957	DHS ATTORNEY SUPERVISOR	2	\$71,607	\$73,368
11	(8)	8959	DHS PROGRAM MANAGER	1	\$66,005	\$67,659
12	(9)	R038	ATTORNEY SUPERVISOR	3	GRADE 26	
13	(10)	R170	ATTORNEY SPECIALIST	41	GRADE 25	
14	(11)	897Z	DHS INSTITUTION PROGRAM MANAGER	1	GRADE 23	
15	(12)	R165	DHS CLIENT ADVOCATE	1	GRADE 23	
16	(13)	A095	DHS AUDIT SUPERVISOR	4	GRADE 22	
17	(14)	697Z	DHS PRGM MANAGER	1	GRADE 21	
18	(15)	A251	SR AUDITOR	31	GRADE 21	
19	(16)	R145	DHS PROGRAM COORDINATOR	3	GRADE 20	
20	(17)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
21	(18)	R424	FAIR HEARING REFEREE	6	GRADE 19	
22	(19)	M068	DHS PROGRAM ANALYST	2	GRADE 18	
23	(20)	M072	SOCIAL SERVICE INVESTIGATOR II	11	GRADE 18	
24	(21)	R264	MANAGEMENT PROJECT ANALYST I	2	GRADE 18	
25	(22)	R010	ADMINISTRATIVE ASSISTANT II	5	GRADE 17	
26	(23)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15	
27	(24)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
28	(25)	K117	MEDICAL OR LEGAL SECRETARY	36	GRADE 14	
29	(26)	K155	SECRETARY I	<u>1</u>	GRADE 11	
30			MAX. NO. OF EMPLOYEES	165		

31

32 SECTION 2. REGULAR SALARIES - ADMINISTRATIVE SERVICES. There is hereby

33 established for the Department of Human Services - Division of Administrative

34 Services for the 2003-2005 biennium, the following maximum number of regular

35 employees whose salaries shall be governed by the provisions of the Uniform

36 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or

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

				Maximum Annual		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
Item	Class			Employees	2003-2004	2004-2005
No.	Code	Title				
12	(1) 9724	DHS DEP DIR ADMINISTRATIVE SVCS	1	\$93,803	\$95,966	
13	(2) 9234	CHIEF ADMINISTRATIVE OFFICER	1	\$93,803	\$95,966	
14	(3) 8945	DHS ASST DEP DIR FOR MGR ACCOUNTING	1	\$77,912	\$79,793	
15	(4) 8946	DHS ASST DEP DIR FIN SUPPORT SYSTEM	1	\$71,411	\$73,168	
16	(5) 8947	DHS ASST DEP DIR GENERAL ACCOUNTING	1	\$68,293	\$69,990	
17	(6) 8951	DHS ASST DEP DIR HUMAN RESOURCES	1	\$62,518	\$64,105	
18	(7) 397Z	DHS/DCFS ADMIN COMMUNITY SVCS	1	GRADE 25		
19	(8) 297Z	GENERAL BUSINESS MANAGER	1	GRADE 24		
20	(9) 055Z	DP MANAGER	2	GRADE 23		
21	(10) 923Z	DHS PRGM ADMINISTRATOR	5	GRADE 23		
22	(11) M011	FAMILY SERVICE WORKER PRINCIPAL	1	GRADE 23		
23	(12) 506Z	REHAB SERVICES PERSONNEL MANAGER	1	GRADE 22		
24	(13) 698Z	DHS/DAS MATERIALS MGMT ADMR	1	GRADE 22		
25	(14) 909Z	PROGRAM SUPPORT MANAGER	4	GRADE 22		
26	(15) A088	DHS FINANCIAL SECTION MANAGER	12	GRADE 22		
27	(16) D066	SYSTEMS COORDINATION ANALYST II	18	GRADE 22		
28	(17) E051	TRAINING PROJECT MANAGER	1	GRADE 22		
29	(18) L078	NURSE SUPERVISOR	1	GRADE 22		
30	(19) M009	FAMILY SERVICE WORKER SUPERVISOR	1	GRADE 22		
31	(20) V042	GENERAL SERVICES MANAGER	1	GRADE 22		
32	(21) 697Z	DHS PRGM MANAGER	8	GRADE 21		
33	(22) 892Z	DHS INSTITUTION BUSINESS MANAGER	1	GRADE 21		
34	(23) A008	ACCOUNTING SUPERVISOR II	29	GRADE 21		
35	(24) D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE 21		
36	(25) L072	REGISTERED NURSE PRACTITIONER I	1	GRADE 21		

1	(26)	R143	DHS RESEARCH & STATISTICS MGR	1	GRADE 21
2	(27)	R488	GRANTS ADMIN SUPV	2	GRADE 21
3	(28)	V080	MGR PURCHASING & PROPERTY MGT	1	GRADE 21
4	(29)	A006	ACCOUNTING SUPERVISOR I	2	GRADE 20
5	(30)	A038	FINANCIAL ANALYST	1	GRADE 20
6	(31)	D121	USER SUPPORT ANALYST	2	GRADE 20
7	(32)	E114	STAFF DEVELOPMENT COORDINATOR	10	GRADE 20
8	(33)	M005	FAMILY SERVICE WORKER SPECIALIST	1	GRADE 20
9	(34)	R145	DHS PROGRAM COORDINATOR	6	GRADE 20
10	(35)	R266	MANAGEMENT PROJECT ANALYST II	13	GRADE 20
11	(36)	R406	DHS PERSONNEL PROCESSING SUPV	1	GRADE 20
12	(37)	A087	BUDGET OFFICER	2	GRADE 19
13	(38)	M164	QUALITY CONTROL REVIEW SUPV	1	GRADE 19
14	(39)	R030	ASST PERSONNEL MANAGER	2	GRADE 19
15	(40)	R048	BUDGET SPECIALIST	4	GRADE 19
16	(41)	R068	EEO/GRIEVANCE OFFICER	2	GRADE 19
17	(42)	R084	DHS STAFF SUPERVISOR	2	GRADE 19
18	(43)	R150	RESEARCH PROJECT ANALYST	3	GRADE 19
19	(44)	R168	GRANTS COORDINATOR II	35	GRADE 19
20	(45)	R424	FAIR HEARING REFEREE	1	GRADE 19
21	(46)	V022	LEASING SPECIALIST II	1	GRADE 19
22	(47)	A111	ACCOUNTANT	22	GRADE 18
23	(48)	D034	PROGRAMMER ANALYST	2	GRADE 18
24	(49)	D128	P C SUPPORT SPECIALIST	2	GRADE 18
25	(50)	M068	DHS PROGRAM ANALYST	3	GRADE 18
26	(51)	R195	PERSONNEL ANALYST	3	GRADE 18
27	(52)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
28	(53)	V020	LEASING SPECIALIST	1	GRADE 18
29	(54)	V034	PLANT WAREHOUSE FOREMAN	1	GRADE 18
30	(55)	V040	PURCHASE AGENT II/PURCHASE AGENT	8	GRADE 18
31	(56)	W030	RECORDS MANAGEMENT ANALYST II	4	GRADE 18
32	(57)	Y087	PRINTER SUPERVISOR	1	GRADE 18
33	(58)	M023	FAMILY SUPPORT SPECIALIST III	1	GRADE 17
34	(59)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	2	GRADE 17
35	(60)	R010	ADMINISTRATIVE ASSISTANT II	15	GRADE 17
36	(61)	R162	STATISTICIAN/STATISTICIAN II	6	GRADE 17

1	(62)	R190	PERSONNEL OFFICER II	7	GRADE 17
2	(63)	V030	INVENTORY CONTROL MANAGER	1	GRADE 17
3	(64)	A024	COLLECTION OFFICER	4	GRADE 16
4	(65)	Y085	PRINTER II	6	GRADE 16
5	(66)	A063	PAYROLL OFFICER	2	GRADE 15
6	(67)	A108	ACCOUNTING TECHNICIAN II	46	GRADE 15
7	(68)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	4	GRADE 15
8	(69)	K105	REPROD EQUIPMENT OPERATOR SUPV	1	GRADE 15
9	(70)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
10	(71)	R342	INTERVIEWER	3	GRADE 15
11	(72)	T047	SECURITY OFFICER III	1	GRADE 15
12	(73)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	15	GRADE 14
13	(74)	K117	MEDICAL OR LEGAL SECRETARY	3	GRADE 14
14	(75)	K153	SECRETARY II	12	GRADE 13
15	(76)	K039	DOCUMENT EXAMINER II	28	GRADE 12
16	(77)	K089	PERSONNEL ASSISTANT	1	GRADE 12
17	(78)	K115	STATISTICIAN ASST II/STATISTICIAN I	1	GRADE 12
18	(79)	K181	MAILROOM SUPERVISOR	1	GRADE 12
19	(80)	V043	SHIPPING & RECEIVING CLERK	2	GRADE 11
20	(81)	G013	WAREHOUSE WORKER	2	GRADE 10
21	(82)	K103	REPROD EQUIPMENT OPERATOR	2	GRADE 10
22	(83)	K065	MAIL OFFICER	2	GRADE 09
23	(84)	V015	CENTRAL SUPPLY TECHNICIAN	1	GRADE 09
24	(85)	G045	EQUIPMENT OPERATOR	<u>3</u>	GRADE 08
25			MAX. NO. OF EMPLOYEES	412	

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27 SECTION 3. REGULAR SALARIES - VOLUNTEERISM. There is hereby established
 28 for the Department of Human Services - Division of Volunteerism for the 2003-
 29 2005 biennium, the following maximum number of regular employees whose
 30 salaries shall be governed by the provisions of the Uniform Classification
 31 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,
 32 and all laws amendatory thereto. Provided, however, that any position to
 33 which a specific maximum annual salary is set out herein in dollars, shall be
 34 exempt from the provisions of said Uniform Classification and Compensation
 35 Act. All persons occupying positions authorized herein are hereby governed
 36 by the provisions of the Regular Salaries Procedures and Restrictions Act

1 (Arkansas Code §21-5-101), or its successor.

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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				2003-2004	2004-2005
(1)	7406	COMMUNITY SERVICE SPECIALIST	1	\$71,950	\$73,717
(2)	7354	DHS DEP DIR OFFICE OF VOL SVCS	1	\$65,647	\$67,294
(3)	7404	NATIONAL & COMM. SVC, EXEC DIR	1	\$63,108	\$64,707
(4)	8973	DOV ASST DEP DIR	1	\$43,810	\$44,993
(5)	923Z	DHS PRGM ADMINISTRATOR	1	GRADE 23	
(6)	M113	VOLUNTEER PROGRAM MANAGER	1	GRADE 21	
(7)	R266	MANAGEMENT PROJECT ANALYST II	1	GRADE 20	
(8)	M097	VOLUNTEER PROGRAM DEVELOPER II	7	GRADE 19	
(9)	A111	ACCOUNTANT	1	GRADE 18	
(10)	N328	INFORMATION OFFICER II	1	GRADE 18	
(11)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
(12)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15	
(13)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15	
(14)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE 14	
(15)	K153	SECRETARY II	<u>2</u>	GRADE 13	
MAX. NO. OF EMPLOYEES			23		

SECTION 4. EXTRA HELP - DIRECTOR'S OFFICE. There is hereby authorized, for the Department of Human Services - Director's Office for the 2003-2005 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: five (5) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 5. EXTRA HELP - ADMINISTRATIVE SERVICES. There is hereby authorized, for the Department of Human Services - Division of Administrative Services for the 2003-2005 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds

1 appropriated herein for such purposes: twenty (20) temporary or part-time
 2 employees, when needed, at rates of pay not to exceed those provided in the
 3 Uniform Classification and Compensation Act, or its successor, or this act
 4 for the appropriate classification.

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6 SECTION 6. APPROPRIATION - DIRECTOR'S OFFICE - OPERATIONS. There is hereby
 7 appropriated, to the Department of Human Services - Director's Office, to be
 8 payable from the paying account as determined by the Chief Fiscal Officer of
 9 the State, for personal services and operating expenses of the Department of
 10 Human Services - Director's Office for the biennial period ending June 30,
 11 2005, the following:

12

13 ITEM	FISCAL YEARS	
14 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
15 (01) REGULAR SALARIES	\$ 5,433,341	\$ 5,433,341
16 (02) EXTRA HELP	22,579	22,579
17 (03) PERSONAL SERV MATCH	1,427,386	1,427,386
18 (04) MAINT. & GEN. OPERATION		
19 (A) OPER. EXPENSE	992,112	992,112
20 (B) CONF. & TRAVEL	24,473	24,473
21 (C) PROF. FEES	11,000	11,000
22 (D) CAP. OUTLAY	0	0
23 (E) DATA PROC.	0	0
24 (05) DATA PROCESSING SERVICES	<u>12,300</u>	<u>12,300</u>
25 TOTAL AMOUNT APPROPRIATED	<u>\$ 7,923,191</u>	<u>\$ 7,923,191</u>

26

27 SECTION 7. APPROPRIATIONS - ADMINISTRATIVE SERVICES - CLIENT SPECIFIC
 28 EMERGENCY SERVICES - CASH. There is hereby appropriated, to the Department
 29 of Human Services - Division of Administrative Services, to be payable from
 30 cash funds as defined by Arkansas Code 19-4-801 of the Department of Human
 31 Services, for purchase of services of the Department of Human Services -
 32 Division of Administrative Services for the biennial period ending June 30,
 33 2005, the following:

34

35 ITEM	FISCAL YEARS	
36 <u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>

1	(01) PURCHASE OF SERVICES	\$	<u>120,000</u>	\$	<u>120,000</u>
2	TOTAL AMOUNT APPROPRIATED	\$	<u>120,000</u>	\$	<u>120,000</u>

3
 4 SECTION 8. APPROPRIATION - ADMINISTRATIVE SERVICES - VARIOUS BUILDING
 5 CONSTRUCTION. There is hereby appropriated, to the Department of Human
 6 Services - Division of Administrative Services, to be payable from the
 7 Department of Human Services Renovation Fund, for construction, renovation,
 8 maintenance, equipment and repairs for various buildings operated by the
 9 Department of Human Services for the biennial period ending June 30, 2005,
 10 the following:

11			FISCAL YEARS		
12	ITEM				
13	<u>NO.</u>		<u>2003-2004</u>	<u>2004-2005</u>	
14	(01) CONSTRUCTION	\$	<u>2,813,060</u>	\$	<u>2,813,060</u>
15	TOTAL AMOUNT APPROPRIATED	\$	<u>2,813,060</u>	\$	<u>2,813,060</u>

16
 17 SECTION 9. APPROPRIATION - ADMINISTRATIVE SERVICES - CONSOLIDATED COST.
 18 There is hereby appropriated, to the Department of Human Services - Division
 19 of Administrative Services, to be payable from the DHS Consolidated Cost
 20 Revolving Fund, for operating expenses of the Department of Human Services -
 21 Division of Administrative Services - Consolidated Cost for the biennial
 22 period ending June 30, 2005, the following:

23			FISCAL YEARS		
24	ITEM				
25	<u>NO.</u>		<u>2003-2004</u>	<u>2004-2005</u>	
26	(01) MAINT. & GEN. OPERATION				
27	(A) OPER. EXPENSE	\$	271,500	\$	271,500
28	(B) CONF. & TRAVEL		0		0
29	(C) PROF. FEES		0		0
30	(D) CAP. OUTLAY		0		0
31	(E) DATA PROC.		<u>0</u>		<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	\$	<u>271,500</u>	\$	<u>271,500</u>

33
 34 SECTION 10. APPROPRIATION - ADMINISTRATIVE SERVICES - OPERATIONS. There is
 35 hereby appropriated, to the Department of Human Services - Division of
 36 Administrative Services, to be payable from the paying account as determined

1 by the Chief Fiscal Officer of the State, for personal services and operating
 2 expenses of the Department of Human Services - Division of Administrative
 3 Services for the biennial period ending June 30, 2005, the following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) REGULAR SALARIES	\$ 11,481,289	\$ 11,481,289
(02) EXTRA HELP	69,480	69,480
(03) PERSONAL SERV MATCH	3,195,406	3,195,406
(04) OVERTIME	10,000	10,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	2,800,648	2,800,648
(B) CONF. & TRAVEL	53,891	53,891
(C) PROF. FEES	10,542,660	10,542,660
(D) CAP. OUTLAY	162,038	162,038
(E) DATA PROC.	0	0
(06) DATA PROCESSING SERVICES	<u>2,096,760</u>	<u>2,096,760</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 30,412,172</u>	<u>\$ 30,412,172</u>

19
 20 SECTION 11. APPROPRIATION - ADMINISTRATIVE SERVICES - SOCIAL SERVICES
 21 BLOCK GRANT - FEDERAL. There is hereby appropriated, to the Department of
 22 Human Services - Division of Administrative Services, to be payable from the
 23 federal funds as designated by the Chief Fiscal Officer of the State, for
 24 purchase of services of the Department of Human Services - Division of
 25 Administrative Services for the biennial period ending June 30, 2005, the
 26 following:

ITEM NO.	FISCAL YEARS	
	2003-2004	2004-2005
(01) PURCHASE OF SERVICES	<u>\$ 888,133</u>	<u>\$ 888,133</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 888,133</u>	<u>\$ 888,133</u>

32
 33 SECTION 12. APPROPRIATION - VOLUNTEERISM - CASH. There is hereby
 34 appropriated, to the Department of Human Services - Division of Volunteerism,
 35 to be payable from the cash fund deposited in the State Treasury as
 36 determined by the Chief Fiscal Officer of the State, for operating expenses

1 of the Department of Human Services - Division of Volunteerism for the
 2 biennial period ending June 30, 2005, the following:

3

4 ITEM	FISCAL YEARS	
5 NO.	2003-2004	2004-2005
6 (01) MAINT. & GEN. OPERATION		
7 (A) OPER. EXPENSE	\$ 7,500	\$ 7,500
8 (B) CONF. & TRAVEL	5,000	5,000
9 (C) PROF. FEES	2,500	2,500
10 (D) CAP. OUTLAY	0	0
11 (E) DATA PROC.	<u>0</u>	<u>0</u>
12 TOTAL AMOUNT APPROPRIATED	<u>\$ 15,000</u>	<u>\$ 15,000</u>

13

14 SECTION 13. APPROPRIATION - VOLUNTEERISM - OPERATIONS. There is hereby
 15 appropriated, to the Department of Human Services - Division of Volunteerism,
 16 to be payable from the paying account as determined by the Chief Fiscal
 17 Officer of the State, for personal services and operating expenses of the
 18 Department of Human Services - Division of Volunteerism for the biennial
 19 period ending June 30, 2005, the following:

20

21 ITEM	FISCAL YEARS	
22 NO.	2003-2004	2004-2005
23 (01) REGULAR SALARIES	\$ 686,037	\$ 686,037
24 (02) PERSONAL SERV MATCH	191,369	191,369
25 (03) OVERTIME	1,000	1,000
26 (04) MAINT. & GEN. OPERATION		
27 (A) OPER. EXPENSE	279,044	279,044
28 (B) CONF. & TRAVEL	56,695	56,695
29 (C) PROF. FEES	33,013	33,013
30 (D) CAP. OUTLAY	0	0
31 (E) DATA PROC.	0	0
32 (05) DELTA SERVICE CORPS GRANTS	2,078,586	2,078,586
33 (06) DATA PROCESSING SERVICES	<u>5,238</u>	<u>5,238</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,330,982</u>	<u>\$ 3,330,982</u>

35

36 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 2 DIRECTOR'S OFFICE/OFFICE OF CHIEF COUNSEL - PURCHASE OF EVIDENCE. Upon
 3 approval by the Chief Fiscal Officer of the State, the Chief Counsel for the
 4 Department of Human Services may transfer an amount up to but not to exceed
 5 \$12,000 for the ~~2001-2003~~ 2003-2005 biennial period and deposit same in a
 6 bank account for the purpose of purchasing evidence in the course of
 7 investigating the illegal use of food stamps /Electronic Benefit Transfer
 8 (EBT) cards. The funds so transferred shall be subject to accounting in a
 9 manner substantially similar to that employed by the Arkansas State Police
 10 for such transactions; provided however, that information tending to identify
 11 participants in such transactions shall be exempt from the Arkansas Freedom
 12 of Information Act.

13 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 14 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

15
 16 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 18 SALARIES. There is hereby authorized for the Department of Human Services
 19 for the ~~2001-2003~~ 2003-2005 biennium the following increases in salaries for
 20 certain positions provided in the regular salary schedule of the Department
 21 of Human Services and to be in addition to the annual amounts as established
 22 by the Uniform Classification and Compensation Act, as amended: for full-time
 23 physicians certified by the American Specialty Boards, a rate of pay not to
 24 exceed an additional \$4,500 per year; for each full-time physician eligible
 25 to be certified by the American Specialty Boards, a rate of pay not to exceed
 26 \$2,500 per year. If a physician is certified in Child Psychiatry, an
 27 additional \$2,500 per year will be allowed with the total not to exceed
 28 \$7,000. If a physician is certified in Forensic Psychiatry, an additional
 29 \$2,500 per year will be allowed with the total not to exceed \$7,000. In the
 30 event the physician is not a full-time employee, the amount specified herein
 31 shall be adjusted proportionately to the amount of time worked for the
 32 Department of Human Services by that physician.

33 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 34 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

35
 36 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
2 SERVICES RENOVATION FUND.

3 Department of Human Services Renovation Fund.

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

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

10 (c) The fund shall consist of:

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

13 (2) General revenues transferred from the Division of Youth Services, the
14 Division of Mental Health Services, and the Division of Developmental
15 Disabilities Services for the purposes of repairing, renovating, equipping,
16 acquiring and constructing Department of Human Services facilities with an
17 annual maximum of five million dollars (\$5,000,000). The projects for which
18 these transfers are authorized must be projects which were unanticipated
19 during the preceding regular session of the Arkansas General Assembly and
20 must be projects which, if not carried out in the interim period between
21 regular sessions of the Arkansas General Assembly would cause greater harm to
22 the facilities, clients or programs of the Department of Human Services than
23 to wait until the next regular session.

24 (3) Other non-general revenue funds as may be available within the
25 Department of Human Services that can be used for the purposes of this fund.

26 (d) At the request of the Director of the Department of Human Services, and
27 upon certification of the availability of such funds, the Chief Fiscal
28 Officer of the State shall initiate the necessary transfer documents to
29 reflect the transfer on the books of record of the Treasurer of State, the
30 Auditor of State, the Chief Fiscal Officer of the State, and the Department
31 of Human Services. The Director of the Department of Human Services shall
32 submit any transfer plan to and must receive approval of the plan from the
33 Chief Fiscal Officer of the State, the Governor and the Arkansas Legislative
34 Council prior to the effective date of the transfer.

35 (e) Provided, that any non-general revenue funding that may remain in the
36 fund at the end of any fiscal year shall be carried over into the next fiscal

1 year and all obligated general revenue funding that may remain in the fund at
 2 the end of any fiscal year shall be carried over into the next fiscal year to
 3 satisfy such legal and contractual obligations that have been entered into
 4 prior to the end of the fiscal year.

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

20 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 21 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

22
 23 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 25 AUTHORITY. The Director of the Department of Human Services shall have
 26 transfer authority provided by the following:

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

31
 32 (b) MATCH TRANSFER. The Director of the Department of Human Services, with
 33 the approval of the Chief Fiscal Officer of the State, is authorized to
 34 effect inter-agency and inter-divisional fund transfers for the purpose of
 35 providing the State's matching share for payments made to that Division or
 36 Office or its service providers for services eligible for federal

1 reimbursement under programs administered by the Department of Human
 2 Services. The Department of Human Services shall report to the Legislative
 3 Council or Joint Budget Committee on a quarterly basis all fund transfers
 4 made in accordance with the authority granted by this section; and

5
 6 (c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The
 7 Division of Youth Services (DYS) is authorized to fulfill its responsibility
 8 to house offenders between the ages of 18 and 21 and to separate juvenile
 9 offenders by age and seriousness of offense by either employing additional
 10 state employees and providing the corresponding operating expenses or
 11 entering into professional services contracts. If the Division of Youth
 12 Services determines that the Division needs to employ state employees to
 13 fulfill the housing and separation requirements, they may transfer up to the
 14 total amount appropriated for the DYS - Offender Housing and Separation
 15 appropriation to the appropriate DYS appropriation and line items, upon
 16 approval of the Chief Fiscal Officer of the State, and prior review by the
 17 Legislative Council.

18
 19 (d) REALLOCATION OF RESOURCES: (1) Upon determination by the Director of the
 20 Department of Human Services that a reallocation of resources within the
 21 department is necessary for the efficient and effective operation of the
 22 department, the director, with approval of the Governor, shall have the
 23 authority to request, from the Chief Fiscal Officer of the State, a transfer
 24 of positions, appropriations, line item appropriations, and funds within or
 25 between existing and newly created divisions, offices, sections, or units of
 26 the department. Provided, however, that no transfer of funds or appropriation
 27 that provides direct support or matching support for the Arkansas Medicaid
 28 Program shall be made to any other fund account or appropriation that does
 29 not directly support the Arkansas Medicaid Program. Further, no positions,
 30 funds, or appropriation authorized during the ~~2001-2003~~ 2003-2005 biennial
 31 budget process for the Division of Children and Family Services ~~for~~
 32 compliance with initiatives established under the Angela R. ~~lawsuit-consent~~
 33 decree shall be transferred to any other division. Nothing in this provision
 34 is intended to prevent the one-time transfers of savings in any other program
 35 to the Arkansas Medicaid Program, with the exception of the provisions
 36 previously cited for the Division of Children and Family Services – Angela R.

1 ~~lawsuit consent decree.~~ The Division of Developmental Disabilities – Grants
 2 to Community Providers line item of the Developmental Disabilities Services -
 3 Grants-in-Aid appropriation may not be decreased. The appropriation, funding,
 4 and positions provided for the six Human Development Centers shall remain at
 5 a level sufficient to ensure quality care for the Centers’ residents. ~~The~~
 6 ~~exemptions provided in this subsection whereby certain DHS Programs and~~
 7 ~~Divisions are protected from appropriation, fund, or position transfers are~~
 8 ~~applicable only to the reallocation or transfer authority granted herein, and~~
 9 ~~not by any reductions which are applicable to all state programs.~~ If
 10 requested by the Division of Child Care and Early Childhood Education
 11 (DCCECE), the Division of County Operations shall transfer sufficient general
 12 revenue to allow the State to access the full allocation of Federal Funds
 13 available through the Matching Category of the Child Care Development Fund.
 14 General Revenue Dollars transferred to DCCECE must be used as matching funds
 15 to support the Transitional Employment Assistance (TEA) Program and must be
 16 eligible to be counted toward the State’s Maintenance-of-Effort requirement
 17 for the Temporary Assistance for Needy Families (TANF) Block Grant. The
 18 exemptions provided in this subsection whereby certain DHS Programs and
 19 Divisions are protected from appropriation, fund, or position transfers are
 20 applicable only to the reallocation or transfer authority granted herein, and
 21 not by any reductions which are applicable to all state programs.

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

- 32 i). Medicaid Program
- 33 ii). Facilities and institutions costs, including operational expenses and
- 34 Construction/Renovation/Equipping expenses
- 35 iii). Departmental grants and contracts
- 36 iv). Court ordered settlements and payments

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

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2001~~ 2003 through June 30, ~~2003~~ 2005.

SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

1 by this act shall be limited to the appropriation for such agency and funds
2 made available by law for the support of such appropriations; and the
3 restrictions of the State Purchasing Law, the General Accounting and
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
5 Procedures and Restrictions Act, or their successors, and other fiscal
6 control laws of this State, where applicable, and regulations promulgated by
7 the Department of Finance and Administration, as authorized by law, shall be
8 strictly complied with in disbursement of said funds.

9
10 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General Assembly
11 that any funds disbursed under the authority of the appropriations contained
12 in this act shall be in compliance with the stated reasons for which this act
13 was adopted, as evidenced by the Agency Requests, Executive Recommendations
14 and Legislative Recommendations contained in the budget manuals prepared by
15 the Department of Finance and Administration, letters, or summarized oral
16 testimony in the official minutes of the Arkansas Legislative Council or
17 Joint Budget Committee which relate to its passage and adoption.

18
19 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the General
20 Assembly, that the Constitution of the State of Arkansas prohibits the
21 appropriation of funds for more than a two (2) year period; that the
22 effectiveness of this Act on July 1, 2003 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the Regular Session, the delay in the effective
25 date of this Act beyond July 1, 2003 could work irreparable harm upon the
26 proper administration and provision of essential governmental programs.
27 Therefore, an emergency is hereby declared to exist and this Act being
28 necessary for the immediate preservation of the public peace, health and
29 safety shall be in full force and effect from and after July 1, 2003.