

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 85th General Assembly
3 Regular Session, 2005

As Engrossed: H2/21/05

A Bill

HOUSE BILL 1343

4
5 By: Joint Budget Committee
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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 - DIVISION OF AGING
12 AND ADULT SERVICES FOR THE BIENNIAL PERIOD ENDING
13 JUNE 30, 2007; AND FOR OTHER PURPOSES.
14

Subtitle

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16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - DIVISION OF AGING AND ADULT
18 SERVICES APPROPRIATION FOR THE 2005-2007
19 BIENNIUM.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Human Services - Division of Aging and Adult Services for the
27 2005-2007 biennium, the following maximum number of regular employees whose
28 salaries shall be governed by the provisions of the Uniform Classification
29 and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor,
30 and all laws amendatory thereto. Provided, however, that any position to
31 which a specific maximum annual salary is set out herein in dollars, shall be
32 exempt from the provisions of said Uniform Classification and Compensation
33 Act. All persons occupying positions authorized herein are hereby governed
34 by the provisions of the Regular Salaries Procedures and Restrictions Act
35 (Arkansas Code §21-5-101), or its successor.
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				Maximum Annual		
				Maximum	Salary Rate	
				No. of	Fiscal Years	
Item	Class			Employees	2005-2006	2006-2007
No.	Code	Title				
5	(1)	8868	DHS DEPUTY DIRECTOR ADULT SERVICES	1	\$96,708	\$99,068
6	(2)	8960	AGING & ADULT SVCS ASST DEP DIR	1	\$65,358	\$67,149
7	(3)	8930	AGING & ADULT SVCS ASST DEP DIR	1	\$63,284	\$65,036
8	(4)	923Z	DHS PRGM ADMINISTRATOR	7	GRADE 23	
9	(5)	L019	NUTRITIONIST CONSULTANT	1	GRADE 21	
10	(6)	L082	NURSING SERVICES SPECIALIST	3	GRADE 21	
11	(7)	697Z	DHS PRGM MANAGER	2	GRADE 21	
12	(8)	R115	OFFICE ON AGING PROGRAM SUPERVISOR	8	GRADE 21	
13	(9)	M127	SR REHABILITATION COUNSELOR	4	GRADE 20	
14	(10)	M005	FAMILY SERVICE WORKER SPECIALIST	21	GRADE 20	
15	(11)	L070	NURSE II	43	GRADE 20	
16	(12)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE 20	
17	(13)	M086	SOCIAL WORKER I	2	GRADE 19	
18	(14)	R134	PLANNING SPECIALIST II	1	GRADE 18	
19	(15)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
20	(16)	D034	PROGRAMMER ANALYST	1	GRADE 18	
21	(17)	R010	ADMINISTRATIVE ASSISTANT II	7	GRADE 17	
22	(18)	M079	SOCIAL SERVICE WORKER I	1	GRADE 15	
23	(19)	K153	SECRETARY II	<u>5</u>	GRADE 13	
24	MAX. NO. OF EMPLOYEES			117		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Human Services - Division of Aging and Adult Services for the 2005-2007 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: eighteen (18) 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 3. APPROPRIATION - MEALS ON WHEELS. There is hereby appropriated, to the Department of Human Services - Division of Aging and Adult Services,

1 to be payable from the Aging and Adult Services Fund Account, for the Meals
 2 on Wheels Program and transportation services for the elderly of the
 3 Department of Human Services - Division of Aging and Adult Services for the
 4 biennial period ending June 30, 2007, the following:

5	6 ITEM	7 FISCAL YEARS	
7	NO.	2005-2006	2006-2007
8	(01) TRANSPORTATION SERVICES	\$ 3,500,000	\$ 3,500,000

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10 SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 11 the Department of Human Services - Division of Aging and Adult Services, to
 12 be payable from the paying account as determined by the Chief Fiscal Officer
 13 of the State, for personal services and operating expenses of the Department
 14 of Human Services - Division of Aging and Adult Services for the biennial
 15 period ending June 30, 2007, the following:

16	17 ITEM	18 FISCAL YEARS	
18	NO.	2005-2006	2006-2007
19	(01) REGULAR SALARIES	\$ 4,781,222	\$ 4,922,485
20	(02) EXTRA HELP	140,868	140,868
21	(03) PERSONAL SERVICES MATCHING	1,403,580	1,431,387
22	(04) OVERTIME	1,200	1,200
23	(05) MAINT. & GEN. OPERATION		
24	(A) OPER. EXPENSE	1,282,613	1,282,613
25	(B) CONF. & TRAVEL	55,000	55,000
26	(C) PROF. FEES	1,651,795	1,651,795
27	(D) CAP. OUTLAY	0	0
28	(E) DATA PROC.	0	0
29	(06) PROJECT GRANTS	14,473,645	14,473,645
30	(07) RETIRED & SENIOR VOLUNTEER PROGRAM	75,000	75,000
31	(08) NURSING HOME CARE ALTERNATIVES	12,121,709	12,121,709
32	(09) COMMUNITY BASED CARE	121,970	121,970
33	(10) OLDER WORKER PROGRAM	1,132,006	1,132,006
34	(11) NUTRITION PROGRAMS	9,508,750	9,508,750
35	(12) PURCHASE DATA PROCESSING	<u>30,000</u>	<u>30,000</u>
36	TOTAL AMOUNT APPROPRIATED	\$ <u>46,779,358</u>	\$ <u>46,948,428</u>

SECTION 5. APPROPRIATION - ARKANSAS SENIOR OLYMPICS. There is hereby appropriated, to the Department of Human Services - Division of Aging and Adult Services, to be payable from the Aging and Adult Services Fund Account, for matching funds for the Arkansas Senior Olympics of the Department of Human Services - Division of Aging and Adult Services for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) STATE MATCH	\$ <u>70,000</u>	\$ <u>70,000</u>

SECTION 6. APPROPRIATION - BLUE AND YOU GRANT. There is hereby appropriated, to the Department of Human Services - Division of Aging and Adult Services, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for grants and aid by the Blue and You Foundation of the Department of Human Services - Division of Aging and Adult Services for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) BLUE & YOU GRANT	\$ <u>300,000</u>	\$ <u>300,000</u>

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND ADULT SERVICES - CARRY FORWARD. Any unexpended balance of funds and appropriation authorized ~~in Section 3~~ for elderly transportation including the Meals on Wheels Program which remains at the close of the fiscal year ending June 30, ~~2003~~ 2005 or June 30, ~~2004~~ 2006 or both, shall be carried forward into the next fiscal year, there to be used for the same purpose.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND

1 ADULT SERVICES - MATCHING FUNDS. The funds appropriated for state match for
2 the Arkansas Senior Olympics Program in this Act shall be paid on a two-to-
3 one state/local matching basis. The Senior Arkansas Sports Organization must
4 certify its portion of the match to the Division of Aging and Adult Services
5 before any funds appropriated for state match for the Arkansas Senior
6 Olympics Program in this Act are disbursed.

7 The provisions of this section shall be in effect only from July 1, ~~2003~~
8 2005 through June 30, ~~2005~~ 2007.

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10 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
12 ADULT SERVICES - STATE MATCH AUTHORIZED. The Director of the Department of
13 Human Services is authorized to use State funds appropriated in this Act to
14 match Federal funds available under Title III and Title V of the Older
15 Americans Act, Social Services Block Grant, or such other federal funds as
16 may become available.

17 The provisions of this section shall be in effect only from July 1, ~~2003~~
18 2005 through June 30, ~~2005~~ 2007.

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20 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
22 ADULT SERVICES - GRANT/CONTRACT DISBURSEMENT GUIDELINES. All appropriations
23 for state and federal funding contained herein for the Division of Aging and
24 Adult Services and that are distributed under grant or contract methodologies
25 may be disbursed by the Department of Human Services in the same manner as
26 authorized under federal regulations for the disbursement of Title III Older
27 Americans Act funds. Otherwise, all disbursements shall comply with the
28 provisions of this Act.

29 The provisions of this section shall be in effect only from July 1, ~~2003~~
30 2005 through June 30, ~~2005~~ 2007.

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32 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AGING AND
34 ADULT SERVICES - NURSING HOME CARE ALTERNATIVES. Funding for "Nursing Home
35 Care Alternatives", as it appears in the Aging and Adult Services -
36 Operations appropriation may be used for home delivered meals, adult day

1 care, homemaker/chore, respite care, personal care, health promotion, and
2 other community based activities. These funds may also be used to match
3 Medicaid community based programs.

4 The provisions of this section shall be in effect only from July 1, 2003
5 2005 through June 30, ~~2005~~ 2007.

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

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

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26 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a two (2) year period; that the
29 effectiveness of this Act on July 1, 2005 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the Regular Session, the delay in the effective
32 date of this Act beyond July 1, 2005 could work irreparable harm upon the
33 proper administration and provision of essential governmental programs.
34 Therefore, an emergency is hereby declared to exist and this Act being
35 necessary for the immediate preservation of the public peace, health and
36 safety shall be in full force and effect from and after July 1, 2005.

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/s/ Joint Budget Committee