

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: H2/16/07 H3/26/07*

# A Bill

HOUSE BILL 1356

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 COUNTY OPERATIONS FOR THE BIENNIAL  
13 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER  
14 PURPOSES.  
15

## Subtitle

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



					<i>Maximum Annual</i>	
				<i>Maximum</i>	<i>Salary Rate</i>	
	<i>Item</i>	<i>Class</i>		<i>No. of</i>	<i>Fiscal Years</i>	
	<i>No.</i>	<i>Code</i>	<i>Title</i>	<i>Employees</i>	<i>2007-2008</i>	<i>2008-2009</i>
6	(1)	6603	GENERAL PHYSICIAN	5	\$125,046	\$127,546
7	(2)	9719	DHS DEP DIR COUNTY OPS	1	\$102,712	\$104,766
8	(3)	8943	DHS/DCO ASST DEP DIR COUNTY OPS	1	\$85,643	\$87,355
9	(4)	8937	DHS/DCO ASST DEP DIR COUNTY OPS	1	\$85,643	\$87,355
10	(5)	8935	DHS/DCO ASST DEP DIR PGM & ADMN SPT	1	\$85,643	\$87,355
11	(6)	8039	DHS/DCO ASSISTANT DIRECTOR	1	\$85,643	\$87,355
12	(7)	8939	DHS/DCO ASST DEP DIR COUNTY OPS	1	\$83,817	\$85,493
13	(8)	9412	DHS/DCO AREA DIRECTOR	6	\$75,391	\$76,898
14	(9)	M042	DHS/DCO COUNTY ADMINISTRATOR IV	2	GRADE	24
15	(10)	M040	DHS/DCO COUNTY ADMINISTRATOR III	11	GRADE	23
16	(11)	923Z	DHS PRGM ADMINISTRATOR	2	GRADE	23
17	(12)	975Z	DHS WEATHERIZATION PROGRAM ADMIN	1	GRADE	22
18	(13)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE	22
19	(14)	699Z	DHS/DCO FIELD MANAGER	6	GRADE	22
20	(15)	D066	SYSTEMS COORDINATION ANALYST II	2	GRADE	22
21	(16)	D124	LEAD PROGRAMMER/ANALYST	1	GRADE	22
22	(17)	M032	DHS/DCO COUNTY SUPV IV	2	GRADE	22
23	(18)	M038	DHS/DCO COUNTY ADMINISTRATOR II	30	GRADE	22
24	(19)	M029	DHS/DCO COUNTY SUPV III	14	GRADE	21
25	(20)	R488	GRANTS ADMIN SUPV	2	GRADE	21
26	(21)	V014	DHS/DCO COMMODITY SERVICES MANAGER	1	GRADE	21
27	(22)	D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE	21
28	(23)	M022	DHS/DCO COUNTY ADMINISTRATOR I	34	GRADE	21
29	(24)	697Z	DHS PRGM MANAGER	5	GRADE	21
30	(25)	D121	USER SUPPORT ANALYST	3	GRADE	20
31	(26)	E112	WEATHERIZATION TRAINING COORD	1	GRADE	20
32	(27)	E114	STAFF DEVELOPMENT COORDINATOR	2	GRADE	20
33	(28)	R145	DHS PROGRAM COORDINATOR	11	GRADE	20
34	(29)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE	20
35	(30)	M027	DHS/DCO COUNTY SUPV II	29	GRADE	20
36	(31)	M088	SOCIAL WORKER II	1	GRADE	20

1	(32)	M025	DHS/DCO COUNTY SUPV I	34	GRADE 19
2	(33)	R332	DHS POLICY DEVELOPMENT COORD	6	GRADE 19
3	(34)	R168	GRANTS COORDINATOR II	9	GRADE 19
4	(35)	M154	DHS FIELD REPRESENTATIVE	16	GRADE 19
5	(36)	M164	QUALITY CONTROL REVIEW SUPV	7	GRADE 19
6	(37)	R084	DHS STAFF SUPERVISOR	4	GRADE 19
7	(38)	E074	TRAINING REPRESENTATIVE	5	GRADE 19
8	(39)	W012	MEDICAL RECORDS ADMINISTRATOR	1	GRADE 19
9	(40)	M170	QUALITY CONTROL REVIEWER	33	GRADE 18
10	(41)	M024	FAMILY SUPPORT SPECIALIST SUPV	97	GRADE 18
11	(42)	M075	SOCIAL SERVICE REPRESENTATIVE II	6	GRADE 18
12	(43)	M078	DHS/DEMS SUPERVISOR	2	GRADE 18
13	(44)	M068	DHS PROGRAM ANALYST	11	GRADE 18
14	(45)	M072	SOCIAL SERVICE INVESTIGATOR II	20	GRADE 18
15	(46)	R010	ADMINISTRATIVE ASSISTANT II	13	GRADE 17
16	(47)	R110	MEDICAL PROGRAM REPRESENTATIVE	1	GRADE 17
17	(48)	M125	WORK PROGRAM ADVISOR	35	GRADE 17
18	(49)	M023	FAMILY SUPPORT SPECIALIST III	865	GRADE 17
19	(50)	X352	HLTH CARE ANALYST II	2	GRADE 17
20	(51)	M148	YOUTH SERVICES WORKER II	2	GRADE 16
21	(52)	M110	VOLUNTEER SERVICES COORDINATOR	3	GRADE 16
22	(53)	M021	FAMILY SUPPORT SPECIALIST II	1	GRADE 16
23	(54)	M073	SOCIAL SERVICE REPRESENTATIVE I	3	GRADE 15
24	(55)	V021	COMMODITY DIST REP	3	GRADE 15
25	(56)	V051	STOREROOM SUPV/STORE SUPV	1	GRADE 15
26	(57)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	33	GRADE 15
27	(58)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15
28	(59)	D005	COMPUTER OPERATOR II	1	GRADE 15
29	(60)	K117	MEDICAL OR LEGAL SECRETARY	1	GRADE 14
30	(61)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	25	GRADE 14
31	(62)	K153	SECRETARY II	64	GRADE 13
32	(63)	M067	SOCIAL SERVICE AIDE II	20	GRADE 13
33	(64)	T045	SECURITY OFFICER II	1	GRADE 12
34	(65)	K115	STATISTICIAN ASST II/STATISTICIAN I	1	GRADE 12
35	(66)	K039	DOCUMENT EXAMINER II	364	GRADE 12
36	(67)	K037	DOCUMENT EXAMINER I	1	GRADE 10

1	(68) C011 SWITCHBOARD OPERATOR II	3	GRADE 09
2	(69) V055 SURPLUS PROPERTY ASSISTANT	<u>1</u>	GRADE 09
3	MAX. NO. OF EMPLOYEES	1,882	

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Health and Human Services - Division of County Operations for the 2007-2009 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: thirty-seven (37) 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 - OPERATIONS. There is hereby appropriated, to the Department of Health and Human Services - Division of County Operations, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Health and Human Services - Division of County Operations - Operations 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) REGULAR SALARIES	\$ 55,878,753	\$ 56,998,126
(02) EXTRA HELP	234,052	234,052
(03) PERSONAL SERVICES MATCHING	19,266,065	19,498,075
(04) OVERTIME	5,000	5,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	20,316,160	20,316,160
(B) CONF. & TRAVEL	124,600	124,600
(C) PROF. FEES	11,478,810	11,478,810
(D) CAP. OUTLAY	72,500	22,500
(E) DATA PROC.	0	0
(06) DATA PROCESSING SERVICES	<u>5,000,000</u>	<u>5,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 112,375,940</u>	<u>\$ 113,677,323</u>

SECTION 4. APPROPRIATION - COMMODITY DISTRIBUTION AND SALVAGE CONTAINER -

1 CASH. There is hereby appropriated, to the Department of Health and Human  
 2 Services - Division of County Operations, to be payable from the cash fund  
 3 deposited in the State Treasury as determined by the Chief Fiscal Officer of  
 4 the State, for operating expenses of the Department of Health and Human  
 5 Services - Division of County Operations - Commodity Distribution and Salvage  
 6 Container - Cash for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 276,000	\$ 276,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 276,000</u>	<u>\$ 276,000</u>

18 SECTION 5. APPROPRIATION - GRANTS - FEDERAL. There is hereby appropriated,  
 19 to the Department of Health and Human Services - Division of County  
 20 Operations, to be payable from the federal funds as designated by the Chief  
 21 Fiscal Officer of the State, for federally funded grants of the Department of  
 22 Health and Human Services - Division of County Operations - Grants - Federal  
 23 for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) SHELTER PLUS CARE PROGRAM	\$ 3,000,000	\$ 3,000,000
(02) WEATHERIZATION PROGRAM	5,820,000	5,820,000
(03) EMERGENCY FOOD PROGRAM	680,000	680,000
(04) LOW INCOME ENERGY ASSISTANCE PROGRAM	22,419,034	22,419,034
(05) REFUGEE RESETTLEMENT PROGRAM	12,000	12,000
(06) HOMELESS ASSISTANCE GRANT	<u>2,400,100</u>	<u>2,400,100</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 34,331,134</u>	<u>\$ 34,331,134</u>

35 SECTION 6. APPROPRIATION - GRANTS - STATE. There is hereby appropriated,  
 36 to the Department of Health and Human Services - Division of County

1 Operations, to be payable from the Department of Human Services Grants Fund  
 2 Account, for grant payments of the Department of Health and Human Services -  
 3 Division of County Operations - Grants - State for the biennial period ending  
 4 June 30, 2009, the following:

5

6 ITEM	7 FISCAL YEARS	
	2007-2008	2008-2009
8 (01) AID TO AGED, BLIND, DISABLED	\$ 4,000	\$ 4,000

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10 SECTION 7. APPROPRIATION - GRANTS. There is hereby appropriated, to the  
 11 Department of Health and Human Services - Division of County Operations, to  
 12 be payable from the paying account as determined by the Chief Fiscal Officer  
 13 of the State, for grant payments of the Department of Health and Human  
 14 Services - Division of County Operations - Grants for the biennial period  
 15 ending June 30, 2009, the following:

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17 ITEM	18 FISCAL YEARS	
	2007-2008	2008-2009
19 (01) TANF BLOCK GRANT	\$ 41,284,650	\$ 41,284,650
20 (02) COMMUNITY SERVICE BLOCK GRANT	11,031,604	11,031,604
21 TOTAL AMOUNT APPROPRIATED	\$ 52,316,254	\$ 52,316,254

22

23 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY  
 25 OPERATIONS - CARRY FORWARD. The unexpended balances in appropriations made  
 26 from federal funds, for County Operations, as provided for in this Act on  
 27 June 30, ~~2006~~ 2008 shall be carried forward and made available for  
 28 expenditures for the same purpose for the fiscal year ending June 30, ~~2007~~  
 29 2009.

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

33

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

1  
2 (2) The Department of Finance and Administration Office of Budget shall  
3 report to the Arkansas Legislative Council all amounts carried forward from  
4 the first fiscal year of the biennium to the second fiscal year of the  
5 biennium by the September Arkansas Legislative Council or Joint Budget  
6 Committee meeting in the second fiscal year of the biennial period which  
7 report shall include the name of the Agency, Board, Commission or Institution  
8 and the amount of the appropriation and/or funding carried forward from the  
9 first fiscal year to the second fiscal year, the program name or line item,  
10 the funding source of that appropriation and a copy of the written request  
11 set forth in (1) above;  
12

13 (3) Each Agency, Board, Commission or Institution shall provide a written  
14 report to the Arkansas Legislative Council or Joint Budget Committee  
15 containing all information set forth in item (2) above, along with a written  
16 statement as to the current status of the project, contract, purpose etc. for  
17 which the carry forward was originally requested no later than thirty (30)  
18 days prior to the time the Agency, Board, Commission or Institution presents  
19 its budget request to the Arkansas Legislative Council/Joint Budget  
20 Committee; and  
21

22 (4) Thereupon, the Department of Finance and Administration shall include all  
23 information obtained in item (3) above in the biennial budget manuals and/or  
24 a statement of non-compliance by the Agency, Board, Commission or  
25 Institution.  
26

27 The provisions of this section shall be in effect only from July 1, 2005  
28 2007 through June 30, ~~2007~~ 2009.  
29

30 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INTER-  
32 AGENCY TRANSFER OF STATE GENERAL REVENUE FOR THE TEMPORARY ASSISTANCE FOR  
33 NEEDY FAMILIES (TANF) PROGRAMS. Upon the request of the Director of the  
34 Department of Health and Human Services and the Director of the Department of  
35 Workforce Services (DWS), the Chief Fiscal Officer of the State may approve  
36 up to \$3,640,650 in State General Revenue appropriated to DWS for the TANF

1 Program to be transferred to the Department of Health and Human Services-  
2 Division of County Operations in support of Arkansas' Temporary Assistance  
3 for Needy Families (TANF) Programs or any related Separate State Programs.  
4

5 The Director of the Department of Workforce Services shall provide a report  
6 of all transfers made to the DHHS - Division of County Operations to the  
7 Performance Evaluation and Expenditure Review Committee of the Arkansas  
8 Legislative Council and Joint Budget Committee. The report must include the  
9 justification for and the amount of the completed transfers.  
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11 The provisions of this section shall be in effect only from July 1, 2007  
12 through June 30, 2009.  
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14 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIVISION  
16 OF COUNTY OPERATIONS-STATE AND FEDERAL DISASTER DECLARATIONS. It will be  
17 permissible for the Division of County Operations to implement the following  
18 exemptions in the event that a State or Federal Disaster is declared: (1)  
19 Exceed the 240 hour per quarter limit on the purchase of temporary help; and,  
20 (2) Waive the 1,000 hour limit per State Fiscal Year for Extra Help  
21 positions.  
22

23 The provisions of this section shall be in effect only from July 1, 2007  
24 through June 30, 2009.  
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26 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
27 by this act shall be limited to the appropriation for such agency and funds  
28 made available by law for the support of such appropriations; and the  
29 restrictions of the State Procurement Law, the General Accounting and  
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
31 Procedures and Restrictions Act, or their successors, and other fiscal  
32 control laws of this State, where applicable, and regulations promulgated by  
33 the Department of Finance and Administration, as authorized by law, shall be  
34 strictly complied with in disbursement of said funds.  
35

36 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General Assembly



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

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

20  
21 */s/ Joint Budget Committee*  
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