

Stricken language will be deleted and underlined language will be added.  
Act 233 of the Fiscal Session

State of Arkansas  
90th General Assembly  
Fiscal Session, 2016

As Engrossed: S5/3/16  
**A Bill**

SENATE BILL 70

By: Joint Budget Committee

**For An Act To Be Entitled**

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE DEPARTMENT OF  
VETERANS' AFFAIRS FOR THE FISCAL YEAR ENDING JUNE 30,  
2017; AND FOR OTHER PURPOSES.

**Subtitle**

AN ACT FOR THE DEPARTMENT OF VETERANS'  
AFFAIRS APPROPRIATION FOR THE 2016-2017  
FISCAL YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES. There is hereby established for the  
Department of Veterans' Affairs for the 2016-2017 fiscal year, the following  
maximum number of regular employees.

| Item No. | Class Code | Title                              | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2016-2017 |
|----------|------------|------------------------------------|--------------------------|--|
| (1)      | U008U      | ADVA DIRECTOR                      | 1                        | \$99,602   |
| (2)      | G039N      | ADVA ASSISTANT DIRECTOR            | 1                        | GRADE N905                                       |
| (3)      | N197N      | NURSING HOME DIVISION DIRECTOR     | 1                        | GRADE N904                                       |
| (4)      | A012N      | ADVA CHIEF FISCAL OFFICER          | 1                        | GRADE N903                                       |
| (5)      | L026N      | STATE VETERANS HOME ADMINISTRATOR  | 1                        | GRADE N903                                       |
| (6)      | D020C      | INSTITUTION INFO TECH COORDINATOR  | 1                        | GRADE C125                                       |
| (7)      | G254C      | ADVA CLAIMS & APPEALS DIVISION MGR | 1                        | GRADE C124                                       |



|      |       |                                     |          |            |
|------|-------|-------------------------------------|----------|------------|
| (8)  | A031C | ASSISTANT CONTROLLER                | 1        | GRADE C124 |
| (9)  | L019C | REGISTERED NURSE COORDINATOR        | 2        | GRADE C123 |
| (10) | L027C | REGISTERED NURSE SUPERVISOR         | 1        | GRADE C122 |
| (11) | S003C | FOOD & BEVERAGE DIRECTOR            | 1        | GRADE C122 |
| (12) | M009C | LICENSED CERTIFIED SOCIAL WORKER    | 2        | GRADE C121 |
| (13) | R014C | PERSONNEL MANAGER                   | 2        | GRADE C121 |
| (14) | L032C | REGISTERED NURSE - HOSPITAL         | 16       | GRADE C121 |
| (15) | G252C | VETERANS SERVICE PROGRAM MANAGER    | 3        | GRADE C120 |
| (16) | G159C | DEPARTMENT BUSINESS COORDINATOR     | 1        | GRADE C119 |
| (17) | R024C | ASSISTANT PERSONNEL MANAGER         | 1        | GRADE C118 |
| (18) | C010C | EXECUTIVE ASSISTANT TO THE DIRECTOR | 1        | GRADE C118 |
| (19) | G253C | VETERANS SERVICE OFFICER            | 9        | GRADE C118 |
| (20) | G237C | VETERANS CEMETERY MANAGER           | 1        | GRADE C117 |
| (21) | E040C | STAFF DEVELOPMENT COORDINATOR       | 1        | GRADE C117 |
| (22) | S017C | MAINTENANCE COORDINATOR             | 1        | GRADE C117 |
| (23) | P027C | PUBLIC INFORMATION SPECIALIST       | 1        | GRADE C116 |
| (24) | V041C | BUYER                               | 1        | GRADE C116 |
| (25) | C037C | ADMINISTRATIVE ANALYST              | 2        | GRADE C115 |
| (26) | A091C | FISCAL SUPPORT ANALYST              | 5        | GRADE C115 |
| (27) | S033C | MAINTENANCE SUPERVISOR              | 2        | GRADE C115 |
| (28) | D079C | COMPUTER SUPPORT TECHNICIAN         | 1        | GRADE C115 |
| (29) | C028C | MEDICAL RECORDS SUPERVISOR          | 1        | GRADE C115 |
| (30) | M065C | RECREATIONAL ACTIVITY SUPERVISOR    | 1        | GRADE C114 |
| (31) | V018C | WAREHOUSE MANAGER                   | 1        | GRADE C114 |
| (32) | L069C | LICENSED PRACTICAL NURSE            | 34       | GRADE C113 |
| (33) | S046C | MAINTENANCE TECHNICIAN              | 4        | GRADE C113 |
| (34) | C056C | ADMINISTRATIVE SPECIALIST III       | 6        | GRADE C112 |
| (35) | M076C | RECREATIONAL ACTIVITY LEADER II     | 2        | GRADE C111 |
| (36) | C073C | ADMINISTRATIVE SPECIALIST II        | 2        | GRADE C109 |
| (37) | L082C | CERTIFIED NURSING ASSISTANT         | 156      | GRADE C109 |
| (38) | S060C | HEAVY EQUIPMENT OPERATOR            | 4        | GRADE C109 |
| (39) | M082C | RECREATIONAL ACTIVITY LEADER I      | 1        | GRADE C109 |
| (40) | V027C | INVENTORY CONTROL TECHNICIAN        | <u>1</u> | GRADE C108 |
|      |       | MAX. NO. OF EMPLOYEES               | 275      |            |

SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby

appropriated, to the Department of Veterans' Affairs, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Veterans' Affairs - State Operations for the fiscal year ending June 30, 2017, the following:

| ITEM<br>NO.                                     | FISCAL YEAR<br>2016-2017  |
|---|---------------------------|
| (01) REGULAR SALARIES                           | \$2,783,856               |
| (02) <i>EXTRA HELP</i>                          | 6,544                     |
| (03) PERSONAL SERVICES MATCHING                 | 1,249,904                 |
| (04) <i>OVERTIME</i>                            | 20,380                    |
| (05) MAINT. & GEN. OPERATION                    |                           |
| (A) OPER. EXPENSE                               | 1,849,320                 |
| (B) CONF. & TRAVEL                              | 30,750                    |
| (C) PROF. FEES                                  | 83,333                    |
| (D) CAP. OUTLAY                                 | 142,500                   |
| (E) DATA PROC.                                  | 0                         |
| (06) AID TO COUNTY VETERANS' SERVICE<br>OFFICES | 375,000                   |
| (07) CONTINGENCY                                | <u>250,000</u>            |
| TOTAL AMOUNT APPROPRIATED                       | <u><u>\$6,791,587</u></u> |

SECTION 3. EXTRA HELP -VETERANS' *HOMES*. There is hereby authorized, for the Department of Veterans' Affairs - Veterans' Home - Fayetteville for the 2016-2017 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: *fifteen (15)* 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 4. APPROPRIATION - VETERANS' *HOMES*. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Veterans' Affairs - Veterans' *Homes* for the fiscal year ending

June 30, 2017, the following:

| ITEM<br>NO.                     | FISCAL YEAR<br>2016-2017   |
|---------------------------------|----------------------------|
| (01) REGULAR SALARIES           | \$6,459,529                |
| (02) EXTRA HELP                 | 52,612                     |
| (03) PERSONAL SERVICES MATCHING | 3,052,137                  |
| (04) OVERTIME                   | 79,278                     |
| (05) MAINT. & GEN. OPERATION    |                            |
| (A) OPER. EXPENSE               | 4,834,575                  |
| (B) CONF. & TRAVEL              | 30,885                     |
| (C) PROF. FEES                  | 485,000                    |
| (D) CAP. OUTLAY                 | 74,500                     |
| (E) DATA PROC.                  | 0                          |
| (06) REFUNDS/REIMBURSEMENTS     | 475,000                    |
| (07) CONTINGENCY                | <u>250,000</u>             |
| TOTAL AMOUNT APPROPRIATED       | <u><u>\$15,793,516</u></u> |

SECTION 5. APPROPRIATION - VETERANS' CEMETERIES - STATE. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Veterans' Affairs - Veterans' Cemeteries - State for the fiscal year ending June 30, 2017, the following:

| ITEM<br>NO.                     | FISCAL YEAR<br>2016-2017 |
|---------------------------------|--------------------------|
| (01) REGULAR SALARIES           | \$285,402                |
| (02) PERSONAL SERVICES MATCHING | 132,312                  |
| (03) MAINT. & GEN. OPERATION    |                          |
| (A) OPER. EXPENSE               | 135,070                  |
| (B) CONF. & TRAVEL              | 3,000                    |
| (C) PROF. FEES                  | 0                        |
| (D) CAP. OUTLAY                 | 0                        |
| (E) DATA PROC.                  | <u>0</u>                 |
| TOTAL AMOUNT APPROPRIATED       | <u><u>\$555,784</u></u>  |

SECTION 6. EXTRA HELP - VETERANS' CEMETERIES - CASH. There is hereby authorized, for the Department of Veterans' Affairs - Veterans' Cemeteries - Cash for the 2016-2017 fiscal year, 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 7. APPROPRIATION - VETERANS' CEMETERIES - CASH. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Veterans' Affairs - Veterans' Cemeteries - Cash for the fiscal year ending June 30, 2017, the following:

| ITEM                            | FISCAL YEAR             |
|---------------------------------|-------------------------|
| <u>NO.</u>                      | <u>2016-2017</u>        |
| (01) REGULAR SALARIES           | \$161,596               |
| (02) PERSONAL SERVICES MATCHING | 71,579                  |
| (03) MAINT. & GEN. OPERATION    |                         |
| (A) OPER. EXPENSE               | 135,000                 |
| (B) CONF. & TRAVEL              | 5,000                   |
| (C) PROF. FEES                  | 0                       |
| (D) CAP. OUTLAY                 | 215,000                 |
| (E) DATA PROC.                  | 0                       |
| (04) CONTINGENCY                | <u>250,000</u>          |
| TOTAL AMOUNT APPROPRIATED       | <u><u>\$838,175</u></u> |

SECTION 8. APPROPRIATION - MILITARY FUNERAL HONORS PROGRAM. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the Military Funeral Honors Fund, for operating expenses of the Department of Veterans' Affairs - Military Funeral Honors Program for the fiscal year ending June 30, 2017, the following:

| ITEM | FISCAL YEAR |
|------|-------------|
|------|-------------|

| <u>NO.</u>                            | <u>2016-2017</u> |
|---------------------------------------|------------------|
| (01) MILITARY FUNERAL HONORS EXPENSES | <u>\$100,000</u> |

SECTION 9. APPROPRIATION - NLR CEMETERY - FEDERAL. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for construction, maintenance and operating expenses of the Department of Veterans' Affairs - NLR Cemetery - Federal for the fiscal year ending June 30, 2017, the following:

| ITEM                         | FISCAL YEAR        |
|------------------------------|--------------------|
| <u>NO.</u>                   | <u>2016-2017</u>   |
| (01) MAINT. & GEN. OPERATION |                    |
| (A) OPER. EXPENSE            | \$408,494          |
| (B) CONF. & TRAVEL           | 0                  |
| (C) PROF. FEES               | 41,039             |
| (D) CAP. OUTLAY              | 0                  |
| (E) DATA PROC.               | 0                  |
| (02) CONSTRUCTION            | <u>689,529</u>     |
| TOTAL AMOUNT APPROPRIATED    | <u>\$1,139,062</u> |

SECTION 10. APPROPRIATION - VETERANS' HOME TREASURY - CASH. There is hereby appropriated, to the Department of Veterans' Affairs, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Veterans' Affairs - Veterans' Home Treasury - Cash for the fiscal year ending June 30, 2017, the following:

| ITEM                         | FISCAL YEAR      |
|------------------------------|------------------|
| <u>NO.</u>                   | <u>2016-2017</u> |
| (01) MAINT. & GEN. OPERATION |                  |
| (A) OPER. EXPENSE            | \$635,727        |
| (B) CONF. & TRAVEL           | 0                |
| (C) PROF. FEES               | 0                |
| (D) CAP. OUTLAY              | 0                |
| (E) DATA PROC.               | <u>0</u>         |

TOTAL AMOUNT APPROPRIATED

\$635,727

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRAINING CONFERENCES. The funds appropriated herein for Aid to County Veterans' Service Offices may also be used by the Department of Veterans' Affairs to pay expenses of County Veterans' Service Officers for attending regional or statewide training conferences approved by the Department of Veterans' Affairs and designed to provide better trained and qualified Veterans' Service Officers in the various counties. Any such expenses paid by the Department of Veterans' Affairs from funds appropriated herein shall be on the same reimbursement basis as the reimbursement of state employees for expenses incurred in attending their official business. Provided, no County Veterans' Service Officer shall be entitled to receive reimbursement for expenses incurred in attending more than two (2) approved conferences per year.

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LIABILITY INSURANCE APPROPRIATION RESTRICTION. In no event shall the Department of Veterans' Affairs expend or transfer any appropriation or funds for the purchase of malpractice liability insurance for the benefit of a non-governmental entity.

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. USE OF ADVA CONTINGENCY POSITION POOL AND CONTINGENCY APPROPRIATION. In the event additional appropriation becomes necessary that is not authorized or contemplated in Section 2, Section 4 and Section 7 of this Act and growth in the State Veterans' Home at Fayetteville's resident census and/or growth in the number of interments at the State Veterans' Cemetery at North Little Rock makes it necessary for the Arkansas Department of Veterans' Affairs to

request additional positions, regular salaries and personal services matching appropriation in order to carry out the objectives of the Agency, the ADVA Contingency Position Pool and Contingency Appropriation authorized herein may be used for regular salaries and personal services matching line items. The Arkansas Department of Veterans' Affairs Contingency Appropriation authorized herein shall be funded primarily with cash funds of the State Veterans' Home at Fayetteville and of the State Veterans' Cemetery at North Little Rock. Each entity's cash funds shall be utilized in support of its own business operations and shall not be co-mingled. In addition, general revenue funding in support of the ADVA Contingency Position Pool shall be limited to \$250,000 per year.

Use of the ADVA Contingency Position Pool and Contingency Appropriation authorized in this Act shall be conditioned upon approval by the Chief Fiscal Officer of the State and upon certification by the Director of the Arkansas Department of Veterans' Affairs that funds are available to support the contingency positions requested and upon prior review by the Arkansas Legislative Council or Joint Budget Committee.

The General Assembly has determined that the Arkansas State Veterans' Home at Fayetteville and the Arkansas State Veterans' Cemetery at North Little Rock may operate more efficiently if some flexibility is provided to the Arkansas Department of Veterans' Affairs under this Section.

| ITEM<br>NO. | CLASS<br>CODE TITLE            | MAXIMUM<br>NO. OF<br>EMPLOYEES | MAXIMUM ANNUAL                          |
|-------------|--------------------------------|--------------------------------|---|
|             |                                |                                | SALARY RATE<br>FISCAL YEAR<br>2016-2017 |
| (1)         | C087C ADMIN SPECIALIST I       | 1                              | GRADE C106                              |
| (2)         | S046C MAINT TECHNICIAN         | 1                              | GRADE C113                              |
| (3)         | S050C MAINT SPECIALIST         | 1                              | GRADE C112                              |
| (4)         | S056C MAINT ASSISTANT          | 3                              | GRADE C108                              |
| (5)         | L009C NURSE MANAGER            | 1                              | GRADE C125                              |
| (6)         | L019C REG NURSE COORD          | 1                              | GRADE C123                              |
| (7)         | D071C COMP SUPPORT ANALYST     | 1                              | GRADE C117                              |
| (8)         | L069C LICENSED PRACT NURSE     | 1                              | GRADE C113                              |
| (9)         | M065C RECR ACTIVITY LEADER SVR | 1                              | GRADE C114                              |
| (10)        | L082C CERTIFIED NURSING ASSIST | 9                              | GRADE C109                              |
| (11)        | S087C INSTITUTIONAL SERV ASST  | 3                              | GRADE C109                              |

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

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

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

SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2016 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2016.

*/s/ Joint Budget Committee*

*APPROVED: 05/09/2016*