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1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

HOUSE BILL 1213

4
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 ARKANSAS DEPARTMENT OF
10 ENVIRONMENTAL QUALITY FOR THE FISCAL YEAR ENDING JUNE
11 30, 2020; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT FOR THE ARKANSAS DEPARTMENT OF
14 ENVIRONMENTAL QUALITY APPROPRIATION FOR
15 THE 2019-2020 FISCAL YEAR.
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19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Arkansas Department of Environmental Quality for the 2019-2020 fiscal year,
24 the following maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2019-2020
30	(1) U015U	ADEQ DIRECTOR	1	GRADE SE03
31	(2) N218N	ADEQ SENIOR DEPUTY DIRECTOR	1	GRADE SE02
32	(3) D129C	ADEQ DIRECTOR OF INFO TECHNOLOGY	1	GRADE IT10
33	(4) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
34	(5) D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
35	(6) D039C	NETWORK SUPPORT SPECIALIST	1	GRADE IT06
36	(7) D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE IT05



1 2019 through June 30, ~~2019~~ 2020.

2
3 SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
5 INVESTMENTS. All funds that are held at in any trust fund time in the
6 ~~Landfill Post-Closure Trust Fund, Hazardous Substance Remedial Action Trust~~
7 ~~Fund, and Petroleum Storage Tank Trust Fund~~ administered by the Arkansas
8 Department of Environmental Quality may be invested and reinvested, subject
9 to the written approval of the Officer of the Treasurer, ~~to the extent~~
10 ~~feasible~~, and all investments as authorized for use by the Office of the
11 Treasurer may be available to the listed funds. The movement of these funds
12 into and out of investments shall be by fund transfers as directed by the
13 Director of the Arkansas Department of Environmental Quality or the
14 Director's designee.

15 The provisions of this section shall be in effect only from July 1, ~~2018~~
16 2019 through June 30, ~~2019~~ 2020.

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18 SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRUST
20 FUND CONTRIBUTION FEES.

21 (a) For purposes of collecting trust fund contribution fees under § 8-
22 4-203(b), the Arkansas Department of Environmental Quality shall treat a
23 public facilities boards and public water authorities as municipal systems.

24 (b) This section expires on June 30, ~~2019~~ 2020.

25
26 SECTION 49. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
27 authorized by this act shall be limited to the appropriation for such agency
28 and funds made available by law for the support of such appropriations; and
29 the 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.

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36 SECTION 50. LEGISLATIVE INTENT. It is the intent of the General

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 101

4
5 By: Joint Budget Committee

For An Act To Be Entitled

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7
8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN
10 SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES
11 SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2020;
12 AND FOR OTHER PURPOSES.

Subtitle

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15
16 AN ACT FOR THE DEPARTMENT OF HUMAN
17 SERVICES - DIVISION OF DEVELOPMENTAL
18 DISABILITIES SERVICES APPROPRIATION FOR
19 THE 2019-2020 FISCAL YEAR.
20

21
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23
24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
25 for the Department of Human Services - Division of Developmental Disabilities
26 Services for the 2019-2020 fiscal year, the following maximum number of
27 regular employees.

			Maximum Annual
			Salary Rate
			Fiscal Year
Item	Class		
No.	Code	Title	2019-2020
33	(1)	N020N DHS DDS COMMISSIONER	1 GRADE SE01
34	(2)	L008N PHYSICIAN SPECIALIST	6 GRADE MP07
35	(3)	L011N DENTIST	2 GRADE MP06
36	(4)	L017N DHS ALEXANDER CHIEF PSYCHOLOGIST	1 GRADE MP05



1	(5)	L001C PSYCHOLOGIST SUPERVISOR	1	GRADE MP04
2	(6)	L009C NURSE MANAGER	5	GRADE MP03
3	(7)	L021N PHYSICAL THERAPIST	1	GRADE MP03
4	(8)	L003C PSYCHOLOGIST	1	GRADE MP03
5	(9)	L015C CLINICAL SPEECH PATHOLOGIST	10	GRADE MP02
6	(10)	L036C NURSE INSTRUCTOR	4	GRADE MP02
7	(11)	L019C REGISTERED NURSE COORDINATOR	6	GRADE MP02
8	(12)	L027C REGISTERED NURSE SUPERVISOR	15	GRADE MP02
9	(13)	L038C REGISTERED NURSE	34	GRADE MP01
10	(14)	D065C NETWORK SUPPORT ANALYST	1	GRADE IT04
11	(15)	D079C COMPUTER SUPPORT TECHNICIAN	5	GRADE IT02
12	(16)	N175N DHS DDS ASST DIR FOR RESIDENTIAL SVC	1	GRADE GS15
13	(17)	N144N DHS DDS DIR CLIENT SERVICES	1	GRADE GS14
14	(18)	N081N DHS DDS SUPT HDC/CONWAY	1	GRADE GS14
15	(19)	N110N DHS ASST DIR CONTRACT MONITORING UNIT	1	GRADE GS13
16	(20)	N126N DHS DDS SUPT HDC	4	GRADE GS13
17	(21)	G004C MANAGING ATTORNEY	1	GRADE GS13
18	(22)	N145N DHS ASSISTANT DIRECTOR CMS	1	GRADE GS12
19	(23)	M005C DHS ASSISTANT SUPERINTENDENT - CONWAY	1	GRADE GS11
20	(24)	G099C DHS PROGRAM ADMINISTRATOR	11	GRADE GS09
21	(25)	L040C DIETARY SERVICES DIRECTOR	2	GRADE GS09
22	(26)	G109C GRANTS MANAGER	1	GRADE GS09
23	(27)	M009C LICENSED CERTIFIED SOCIAL WORKER	4	GRADE GS09
24	(28)	L021C NURSING HOME ASSISTANT ADMINISTRATOR	4	GRADE GS09
25	(29)	L033C PSYCHOLOGICAL EXAMINER	22	GRADE GS09
26	(30)	X038C QUALITY ASSURANCE MANAGER	1	GRADE GS09
27	(31)	E024C TEACHER SUPERVISOR	1	GRADE GS09
28	(32)	E035C CERTIFIED MASTERS TEACHER	2	GRADE GS08
29	(33)	G152C DHS PROGRAM MANAGER	22	GRADE GS08
30	(34)	E026C EDUCATION & INSTRUCTION COORDINATOR	3	GRADE GS08
31	(35)	M020C LICENSED PROFESSIONAL COUNSELOR	2	GRADE GS08
32	(36)	S004C MAINTENANCE MANAGER	1	GRADE GS08
33	(37)	L047C MEDICAL TECHNOLOGIST SUPERVISOR	1	GRADE GS08
34	(38)	X062C QUALITY ASSURANCE COORDINATOR	3	GRADE GS08
35	(39)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08
36	(40)	M043C DDS PROGRAM COORDINATOR	3	GRADE GS07

1	(41)	A055C DHS INSTITUTION BUSINESS MANAGER	5	GRADE GS07
2	(42)	G183C DHS PROGRAM COORDINATOR	64	GRADE GS07
3	(43)	M042C DHS STAFF SUPERVISOR	1	GRADE GS07
4	(44)	G182C DHS/DDS PROGRAM COORDINATOR	38	GRADE GS07
5	(45)	L055C DIETICIAN	1	GRADE GS07
6	(46)	E048C EDUCATION & INSTRUCTION SPECIALIST	2	GRADE GS07
7	(47)	M026C LICENSED SOCIAL WORKER	4	GRADE GS07
8	(48)	L061C MEDICAL TECHNOLOGIST	2	GRADE GS07
9	(49)	M025C PROGRAM ELIGIBILITY COORDINATOR I	2	GRADE GS07
10	(50)	X095C QUALITY ASSURANCE ANALYST	5	GRADE GS07
11	(51)	M024C RESIDENTIAL SERVICES MANAGER	14	GRADE GS07
12	(52)	E041C SENIOR LIBRARIAN	1	GRADE GS07
13	(53)	E040C STAFF DEVELOPMENT COORDINATOR	8	GRADE GS07
14	(54)	C037C ADMINISTRATIVE ANALYST	4	GRADE GS06
15	(55)	E044C CERTIFIED BACHELORS TEACHER	10	GRADE GS06
16	(56)	M057C CHAPLAIN	1	GRADE GS06
17	(57)	G210C DHS PROGRAM SPECIALIST	10	GRADE GS06
18	(58)	S019C DIRECTOR MAINTENANCE	1	GRADE GS06
19	(59)	E038C EDUCATION & INSTRUCTION ANALYST	1	GRADE GS06
20	(60)	G180C GRANTS ANALYST	4	GRADE GS06
21	(61)	R025C HUMAN RESOURCES ANALYST	3	GRADE GS06
22	(62)	L069C LICENSED PRACTICAL NURSE	142	GRADE GS06
23	(63)	S017C MAINTENANCE COORDINATOR	5	GRADE GS06
24	(64)	M066C PROGRAM ELIGIBILITY SPECIALIST	7	GRADE GS06
25	(65)	C026C RECORDS/INTAKE SUPERVISOR	1	GRADE GS06
26	(66)	L060C REHAB INSTRUCTOR SUPERVISOR	22	GRADE GS06
27	(67)	X094C SERVICES & PROGRAM LICENSING SPECIAL	8	GRADE GS06
28	(68)	M054C SOCIAL SERVICE WORKER	11	GRADE GS06
29	(69)	G202C VOLUNTEER PROGRAM COORDINATOR	1	GRADE GS06
30	(70)	S021C WATER FILTER/WASTE DISPOSAL PLNT SUPV	1	GRADE GS06
31	(71)	C050C ADMINISTRATIVE SUPPORT SUPERVISOR	1	GRADE GS05
32	(72)	A088C ASSETS COORDINATOR	1	GRADE GS05
33	(73)	R033C BENEFITS ANALYST	1	GRADE GS05
34	(74)	S041C BOILER OPERATOR	3	GRADE GS05
35	(75)	V014C BUYER	2	GRADE GS05
36	(76)	L071C DENTAL HYGIENIST	1	GRADE GS05

1	(77)	S033C MAINTENANCE SUPERVISOR	2	GRADE GS05
2	(78)	A090C PAYROLL SERVICES SPECIALIST	1	GRADE GS05
3	(79)	V015C PURCHASING SPECIALIST	3	GRADE GS05
4	(80)	M065C RECREATIONAL ACTIVITY SUPERVISOR	3	GRADE GS05
5	(81)	L066C REHABILITATION INSTRUCTOR	124	GRADE GS05
6	(82)	E051C STAFF DEVELOPMENT SPECIALIST	3	GRADE GS05
7	(83)	S030C WATER FILTER/WASTE DISPOSAL PLNT OPER	2	GRADE GS05
8	(84)	C056C ADMINISTRATIVE SPECIALIST III	38	GRADE GS04
9	(85)	S053C AUTO/DIESEL MECHANIC	1	GRADE GS04
10	(86)	S061C CHDC LAUNDRY OPERATIONS MANAGER	1	GRADE GS04
11	(87)	L081C DENTAL ASSISTANT	1	GRADE GS04
12	(88)	L102C DIETETIC SPECIALIST	1	GRADE GS04
13	(89)	A098C FISCAL SUPPORT SPECIALIST	3	GRADE GS04
14	(90)	A102C FISCAL SUPPORT TECHNICIAN	3	GRADE GS04
15	(91)	S044C FOOD PREPARATION MANAGER	5	GRADE GS04
16	(92)	R038C HUMAN RESOURCES ASSISTANT	2	GRADE GS04
17	(93)	R036C HUMAN RESOURCES SPECIALIST	7	GRADE GS04
18	(94)	S047C LANDSCAPE SUPERVISOR	1	GRADE GS04
19	(95)	S046C MAINTENANCE TECHNICIAN	4	GRADE GS04
20	(96)	M063C RESIDENTIAL CARE PROGRAM COORDINATOR	16	GRADE GS04
21	(97)	M073C RESIDENTIAL CARE SUPERVISOR	75	GRADE GS04
22	(98)	S031C SKILLED TRADESMAN	24	GRADE GS04
23	(99)	V023C STOREROOM SUPERVISOR	6	GRADE GS04
24	(100)	L074C THERAPY ASSISTANT	1	GRADE GS04
25	(101)	V025C WAREHOUSE SPECIALIST	5	GRADE GS04
26	(102)	C073C ADMINISTRATIVE SPECIALIST II	80	GRADE GS03
27	(103)	S081C APPRENTICE TRADESMAN	5	GRADE GS03
28	(104)	M090C DHS PROGRAM ASSISTANT	3	GRADE GS03
29	(105)	S056C FOOD PREPARATION SUPERVISOR	5	GRADE GS03
30	(106)	S076C INSTITUTIONAL BEAUTICIAN	3	GRADE GS03
31	(107)	V027C INVENTORY CONTROL TECHNICIAN	1	GRADE GS03
32	(108)	S050C MAINTENANCE SPECIALIST	6	GRADE GS03
33	(109)	C066C PATIENT ACCOUNT SPECIALIST	5	GRADE GS03
34	(110)	M071C RESIDENTIAL CARE SHIFT COORDINATOR	18	GRADE GS03
35	(111)	M081C RESIDENTIAL CARE SHIFT SUPERVISOR	105	GRADE GS03
36	(112)	T087C SECURITY OFFICER	1	GRADE GS03

1	(113)	C087C ADMINISTRATIVE SPECIALIST I	38	GRADE GS02
2	(114)	S083C BAKER	4	GRADE GS02
3	(115)	S082C CANTEEN SUPERVISOR	2	GRADE GS02
4	(116)	S070C EQUIPMENT TECHNICIAN	2	GRADE GS02
5	(117)	S085C FOOD PREPARATION SPECIALIST	11	GRADE GS02
6	(118)	S084C INSTITUTIONAL SERVICES SUPERVISOR	7	GRADE GS02
7	(119)	L075C ORTHOTIST AIDE	5	GRADE GS02
8	(120)	L085C PHYSICAL THERAPY AIDE	1	GRADE GS02
9	(121)	M076C RECREATIONAL ACTIVITY LEADER II	22	GRADE GS02
10	(122)	M083C RESIDENTIAL CARE TECHNICIAN	737	GRADE GS02
11	(123)	E056C TEACHER ASSISTANT	106	GRADE GS02
12	(124)	L084C THERAPY AIDE	4	GRADE GS02
13	(125)	V028C WAREHOUSE WORKER	1	GRADE GS02
14	(126)	S086C COOK	36	GRADE GS01
15	(127)	S080C EQUIPMENT OPERATOR	9	GRADE GS01
16	(128)	S089C FOOD PREPARATION TECHNICIAN	38	GRADE GS01
17	(129)	S087C INSTITUTIONAL SERVICES ASSISTANT	99	GRADE GS01
18	(130)	S065C MAINTENANCE ASSISTANT	19	GRADE GS01
19	(131)	L086C PHARMACY ASSISTANT	2	GRADE GS01
20	(132)	V029C PURCHASING ASSISTANT	1	GRADE GS01
21	(133)	M082C RECREATIONAL ACTIVITY LEADER I	1	GRADE GS01
22	(134)	M089C RESIDENTIAL CARE ASSISTANT	293	GRADE GS01
23	(135)	V031C STOCK CLERK	<u>1</u>	GRADE GS01
24		MAX. NO. OF EMPLOYEES	2,579	

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SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Human Services - Division of Developmental Disabilities Services for the 2019-2020 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: two hundred (200) 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.

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SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Human Services - Division of Developmental Disabilities

1 Services, to be payable from the paying account as determined by the Chief
 2 Fiscal Officer of the State, for personal services and operating expenses of
 3 the Department of Human Services - Division of Developmental Disabilities
 4 Services for the fiscal year ending June 30, 2020, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2019-2020</u>
8 (01) REGULAR SALARIES	\$81,357,607
9 (02) EXTRA HELP	2,910,944
10 (03) PERSONAL SERVICES MATCHING	32,865,213
11 (04) OVERTIME	2,310,000
12 (05) EXTRA SALARIES	27,000
13 (06) MAINT. & GEN. OPERATION	
14 (A) OPER. EXPENSE	26,170,408
15 (B) CONF. & TRAVEL	98,870
16 (C) PROF. FEES	5,311,079
17 (D) CAP. OUTLAY	750,000
18 (E) DATA PROC.	0
19 (07) GRANTS/PATIENT SERVICES	4,987,134
20 (08) DATA PROCESSING SERVICES	700,000
21 (09) VOCATIONAL TRAINEES	239,000
22 (10) CHILDREN AND ADOLESCENT SERVICES	67,191
23 (11) PURCHASE OF SERVICES	<u>6,814,688</u>
24 TOTAL AMOUNT APPROPRIATED	<u>\$164,609,134</u>

25
 26 SECTION 4. APPROPRIATION - SPECIAL OLYMPICS. There is hereby
 27 appropriated, to the Department of Human Services - Division of Developmental
 28 Disabilities Services, to be payable from the Developmental Disabilities
 29 Services Fund Account, for grants to the Arkansas Special Olympics for the
 30 fiscal year ending June 30, 2020, the following:

32 ITEM	FISCAL YEAR
33 <u>NO.</u>	<u>2019-2020</u>
34 (01) GRANTS-SPECIAL OLYMPICS	<u>\$178,768</u>

35
 36 SECTION 5. APPROPRIATION - COMMUNITY PROGRAMS. There is hereby

1 appropriated, to the Department of Human Services - Division of Developmental
 2 Disabilities Services, to be payable from the Developmental Disabilities
 3 Services-Dog Track Special Revenue Fund, for expenses of the private non-
 4 profit community based programs licensed by the Department of Human Services
 5 - Division of Developmental Disabilities Services for the fiscal year ending
 6 June 30, 2020, the following:

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8 ITEM	FISCAL YEAR
9 <u>NO.</u>	<u>2019-2020</u>
10 (01) COMMUNITY PROGRAMS	<u>\$50,000</u>

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12 SECTION 6. APPROPRIATION - GRANTS-IN-AID. There is hereby
 13 appropriated, to the Department of Human Services - Division of Developmental
 14 Disabilities Services, to be payable from the Developmental Disabilities
 15 Services Fund Account, for grants-in-aid to the community providers of
 16 services to the developmentally disabled by the Department of Human Services
 17 - Division of Developmental Disabilities Services for the fiscal year ending
 18 June 30, 2020, the following:

19

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2019-2020</u>
22 (01) GRANTS TO COMMUNITY PROVIDERS	<u>\$15,892,045</u>

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24 SECTION 7. APPROPRIATION - INTER-DIVISIONAL PROGRAMS. There is hereby
 25 appropriated, to the Department of Human Services - Division of Developmental
 26 Disabilities Services, to be payable from the Developmental Disabilities
 27 Services Fund Account, for integrated services and programs developed by the
 28 various divisions, for services and programs developed in conjunction with
 29 other state agencies, and for the development and implementation of an
 30 integrated case management system for of the Department of Human Services for
 31 the fiscal year ending June 30, 2020, the following:

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33 ITEM	FISCAL YEAR
34 <u>NO.</u>	<u>2019-2020</u>
35 (01) INTER-DIVISIONAL PROGRAMS	<u>\$108,644</u>

36

1 SECTION 8. APPROPRIATION - GRANTS - STATE. There is hereby
 2 appropriated, to the Department of Human Services - Division of Developmental
 3 Disabilities Services, to be payable from the Department of Human Services
 4 Grants Fund Account, for grant payments of the Department of Human Services -
 5 Division of Developmental Disabilities Services for the fiscal year ending
 6 June 30, 2020, the following:

8 ITEM	FISCAL YEAR
9 <u>NO.</u>	<u>2019-2020</u>
10 (01) CHILDREN'S MEDICAL SERVICES-STATE	<u>\$1,729,279</u>

11
 12 SECTION 9. APPROPRIATION - GRANTS - FEDERAL. There is hereby
 13 appropriated, to the Department of Human Services - Division of Developmental
 14 Disabilities Services, to be payable from the federal funds as designated by
 15 the Chief Fiscal Officer of the State, for federally funded grants of the
 16 Department of Human Services - Division of Developmental Disabilities
 17 Services for the fiscal year ending June 30, 2020, the following:

19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2019-2020</u>
21 (01) CHILDREN'S MEDICAL SERVICES-FEDERAL	<u>\$1,446,205</u>

22
 23 SECTION 10. APPROPRIATION - AUTISM TREATMENT AND COORDINATION. There
 24 is hereby appropriated, to the Department of Human Services - Division of
 25 Developmental Disabilities Services, to be payable from the Developmental
 26 Disabilities Services Fund Account, for grant payments and autism waiver
 27 services of the Department of Human Services - Division of Developmental
 28 Disabilities Services for the fiscal year ending June 30, 2020, the
 29 following:

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2019-2020</u>
33 (01) AUTISM TREATMENT AND COORDINATION	
34 GRANTS AND AID & AUTISM WAIVER	
35 SERVICES	<u>\$273,974</u>

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1 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 3 DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds
 4 allocated ~~under the appropriation~~ for community-based services, ~~for under the~~
 5 appropriation for (i) Grants to Community Providers, in the Developmental
 6 Disabilities Services—Grants-in-Aid appropriation in this act, (ii) the
 7 Grants/Patient Services Line in the Operations appropriation in this act, and
 8 (iii) the Inter-Divisional Programs appropriation in this act, shall be used
 9 only to provide services through private community based services licensed or
 10 certified by the Arkansas Division of Developmental Disabilities Services
 11 (DDS) or a private community provider licensed by a Provider-Led Arkansas
 12 Shared Savings Entity (PASSE). Non-profit community-based programs licensed
 13 by the Division of Developmental Disabilities Services or a Provider-Led
 14 Arkansas Shared Savings Entity are quasi-governmental instrumentalities of
 15 the state which provide supports and services to individuals who have a
 16 developmental disability or delay, who would otherwise require supports and
 17 services through state-operated programs and facilities owned by the State of
 18 Arkansas. When DDS licensed providers are involved in delivering services
 19 which are Medicaid reimbursable, they must enroll as a provider with the
 20 Arkansas Medicaid Program and must bill the Arkansas Medicaid Program for all
 21 covered services for eligible individuals.

22 Services which are covered by the Arkansas State Medicaid Program or under
 23 the ~~Alternative Community Services Waiver Program (ACS)~~Provider-Led Arkansas
 24 Shared Savings Entity (PASSE) model will be utilized to the maximum extent
 25 possible for any individual who is eligible for Medicaid coverage. It is the
 26 intent of this section that DDS, as a general policy, maximize the use of
 27 Medicaid funding available for appropriate services.

28 Licensed private community providers ~~The State shall require each provider~~
 29 ~~funded from this/these Appropriations~~ for community based services, shall:
 30 ~~including funding from the Grants/Patient Services Line, in the Developmental~~
 31 ~~Disabilities Services—Operations appropriation, or from the Grants to~~
 32 ~~Community Providers Line, in the Developmental Disabilities Services—~~
 33 ~~Grants-in-Aid appropriation,~~

34 1. to ~~s~~Screen each individual to whom services are provided for a
 35 determination of eligibility or ineligibility for Medicaid coverage within
 36 thirty days of the first date that services are provided.

- 1 2. Meet minimum standards of performance in the delivery of services to
 2 people with disabilities as defined by the Department of Human Services -
 3 Division of Developmental Disabilities Services.
 4 3. Supply statistical and financial data to the Department of Human Services
 5 - Division of Developmental Disabilities Services.
 6 4. Establish and maintain a sound financial management system in accordance
 7 with guidelines as set forth by the Department of Human Services.
 8 5. Establish and maintain community support programs designed to provide
 9 coordinated care and treatment to ensure ongoing involvement and
 10 individualized services for persons with disabilities.

11 It is the intent of this section to insure that wherever possible and
 12 appropriate, Medicaid funds are utilized ~~for covered or waived services to~~
 13 ~~individuals who are eligible for coverage under the Arkansas Medicaid Program~~
 14 ~~or the ACS Waiver.~~

15 Nothing in this Act shall prevent the Division or any provider from
 16 extending emergency services when appropriate measures have been taken in a
 17 timely manner to secure Medicaid eligibility.

18 The provisions of this section shall be in effect only from July 1, 2018
 19 2019 through June 30, ~~2019~~ 2020.

21 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 23 DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of
 24 Developmental Disabilities Services of the Department of Human Services is
 25 hereby authorized to provide employment opportunities for people with
 26 developmental disabilities residing at the Human Development Centers who work
 27 at less than a competitive employment level.

28 The provisions of this section shall be in effect only from July 1, 2018
 29 2019 through June 30, ~~2019~~ 2020.

31 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 33 DEVELOPMENTAL DISABILITIES - TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND
 34 EQUIPMENT. The Division of Developmental Disabilities Services is authorized
 35 to use the administrative operating accounts for capital improvements to
 36 physical plants and for the purchase of capital equipment. The funds shall be

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

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

15 The provisions of this section shall be in effect only from July 1, ~~2018~~
16 2019 through June 30, ~~2019~~ 2020.

17
18 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUMAN
20 DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS.

21 (A) The Developmental Disabilities Services Board or the Department of
22 Human Services shall not close any of the state administered Human
23 Development Centers which are located at Conway, Arkadelphia, Jonesboro,
24 Booneville, and Warren.

25 (B) The Department of Human Services shall continue to accept clients for
26 whom it has determined that therapy and residential services are needed at
27 state administered Human Development Centers and Community Programs licensed
28 by DDS shall continue to accept clients for whom it has been determined in
29 accordance with federal law that are in need of services in the community.

30 (C) Except for use as federal matching funds, no funds for community based
31 services licensed by DDS shall be transferred from Grants to Community
32 Providers line item of the Developmental Disabilities Services - Grants-in-
33 Aid appropriation unless the transfer(s) directly benefit(s) community based
34 services for persons with developmental disabilities or from the
35 appropriation for the Human Development Centers unless the transfer(s)
36 directly benefit(s) the Human Development Centers.

1 (D) Nor shall any general revenue funding as of July 1, ~~2018~~ 2019 from the
2 Grants to Community Providers line item of the Developmental Disabilities
3 Services - Grants-in-Aid appropriation for persons with developmental
4 disabilities or from any other general revenues as of July 1, ~~2018~~ 2019,
5 applied as federal matching funds for community based services licensed by
6 DDS on July 1, ~~2018~~ 2019 be reduced below the approved funding level on July
7 1, ~~2018~~ 2019; nor shall the general revenues applied as federal matching
8 funds for the Human Development Centers be reduced below the approved funding
9 level on July 1, ~~2018~~ 2019.

10 The provisions of this section shall be in effect only from July 1, ~~2018~~
11 2019 through June 30, ~~2019~~ 2020.

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

22
23 SECTION 16. LEGISLATIVE INTENT. It is the intent of the General
24 Assembly that any funds disbursed under the authority of the appropriations
25 contained in this act shall be in compliance with the stated reasons for
26 which this act was adopted, as evidenced by the Agency Requests, Executive
27 Recommendations and Legislative Recommendations contained in the budget
28 manuals prepared by the Department of Finance and Administration, letters, or
29 summarized oral testimony in the official minutes of the Arkansas Legislative
30 Council or Joint Budget Committee which relate to its passage and adoption.

31
32 SECTION 17. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly, that the Constitution of the State of Arkansas prohibits
34 the appropriation of funds for more than a one (1) year period; that the
35 effectiveness of this Act on July 1, 2019 is essential to the operation of
36 the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the legislative session, the delay in the
2 effective date of this Act beyond July 1, 2019 could work irreparable harm
3 upon the proper administration and provision of essential governmental
4 programs. Therefore, an emergency is hereby declared to exist and this Act
5 being necessary for the immediate preservation of the public peace, health
6 and safety shall be in full force and effect from and after July 1, 2019.

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1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 117

4
5 By: Joint Budget Committee

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE STATE INSURANCE
10 DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2020;
11 AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT FOR THE STATE INSURANCE DEPARTMENT
16 APPROPRIATION FOR THE 2019-2020 FISCAL
17 YEAR.

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

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the State Insurance Department for the 2019-2020 fiscal year, the
24 following maximum number of regular employees.

26				Maximum Annual
27				Salary Rate
28	Item	Class	Maximum	Fiscal Year
29	No.	Code Title	No. of	2019-2020
			Employees	
30	(1)	U047U STATE INSURANCE COMMISSIONER	1	GRADE SE03
31	(2)	U042U INSURANCE CHIEF DEPUTY COMMISSIONER	1	GRADE SE02
32	(3)	N025N INSURANCE DEP. COMM. INFO SYSTEMS	1	GRADE SE01
33	(4)	D028N REGULATORY HEALTH LINK TECH OFFICER	1	GRADE IT10
34	(5)	D007C INFORMATION SYSTEMS MANAGER	2	GRADE IT08
35	(6)	D010N INSURANCE CHIEF TECHNOLOGY OFFICER	1	GRADE IT08
36	(7)	D034C DATABASE ADMINISTRATOR	1	GRADE IT07



1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$125,000</u></u>

5
 6 SECTION 23. APPROPRIATION - ARKANSAS HEALTHCARE TRANSPARENCY INITIATIVE
 7 DATABASE. There is hereby appropriated, to the State Insurance Department,
 8 to be payable from the Arkansas Healthcare Transparency Initiative Fund, for
 9 the Arkansas Healthcare Transparency Initiative Database, maintenance and
 10 operations, data collection and management, and data request fulfillment of
 11 the State Insurance Department for the fiscal year ending June 30, 2020, the
 12 following:

13		
14	ITEM	FISCAL YEAR
15	<u>NO.</u>	<u>2019-2020</u>
16	(01) AR HEALTHCARE TRANSPARENCY INITIATIVE	
17	DATABASE EXPENSES	<u><u>\$3,200,000</u></u>

18
 19 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 21 PROVISION. In the event the State Insurance Department is unable to maintain
 22 a full roster of examination personnel, and upon approval of the Chief Fiscal
 23 Officer of the State, the resulting unused appropriations in Regular
 24 Salaries, Extra Help, and Personal Services Matching may be transferred to
 25 the Professional Services special line item for the purpose of contracting
 26 with qualified individuals or firms for examination assistance.

27 The provisions of this section shall be in effect only from July 1, ~~2018~~
 28 2019 through June 30, ~~2019~~ 2020.

29
 30 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 32 WORKS AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS. (a) As used in
 33 this section, "Arkansas Works" means Arkansas Works established under the
 34 Arkansas Works Act of 2016, Arkansas Code § 23-61-1001 et seq.

35 (b)(1) Determining the maximum number of employees, the maximum amount
 36 of appropriation, for what purposes an appropriation is authorized, and

1 general revenue funding for a state agency each fiscal year is the
2 prerogative of the General Assembly.

3 (2) The purposes of subdivision (b)(1) of this section are
4 typically accomplished by:

5 (A) Identifying the purpose in the appropriation act;

6 (B) Delineating such maximums in the appropriation act for
7 a state agency; and

8 (C) Delineating the general revenue allocations authorized
9 for each fund and fund account by amendment to the Revenue Stabilization Law,
10 Arkansas Code § 19-5-101 et seq.

11 (3) It is both necessary and appropriate that the General
12 Assembly restrict the use of appropriations authorized in this act.

13 (c)(1) Except as provided in this subsection, the State Insurance
14 Department shall not allocate, budget, expend, or utilize any appropriation
15 authorized by the General Assembly for the purpose of advertisement,
16 promotion, or other activities designed to promote or encourage enrollment in
17 the Arkansas Health Insurance Marketplace or Arkansas Works, including
18 without limitation:

19 (A) Unsolicited communications mailed to potential
20 recipients;

21 (B) Television, radio, or online commercials;

22 (C) Billboard or mobile billboard advertising;

23 (D) Advertisements printed in newspapers, magazines, or
24 other print media; and

25 (E) Internet websites and electronic media.

26 (2) This subsection does not prohibit the department from:

27 (A) Direct communications with:

28 (i) Licensed insurance agents; and

29 (ii) Persons licensed by the department;

30 (B) Solicited communications with potential recipients;

31 (C)(i) Responding to an inquiry regarding the coverage for
32 which a potential recipient might be eligible, including without limitation
33 providing educational materials or information regarding any coverage for
34 which the individual might qualify.

35 (ii) Educational materials and information

36 distributed under subdivision (c)(2)(C)(i) of this section shall contain only

1 factual information and shall not contain subjective statements regarding the
2 coverage for which the potential recipient might be eligible; and

3 (D) Using an Internet website for the exclusive purpose of
4 enrolling individuals in the Arkansas Health Insurance Marketplace or
5 Arkansas Works.

6 (d) The State Insurance Department shall not apply for or accept any
7 funds, including without limitation federal funds, for the purpose of
8 advertisement, promotion, or other activities designed to promote or
9 encourage enrollment in the Arkansas Health Insurance Marketplace or Arkansas
10 Works.

11 (e)(1) Except as provided in subdivision (e)(2) of this section, the
12 State Insurance Department shall not:

13 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of
14 this section, allocate, budget, expend, or utilize an appropriation
15 authorized by the General Assembly for the purpose of funding activities of
16 navigators, guides, certified application counselors, and certified licensed
17 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
18 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

19 (ii) Subdivision (e)(1)(A)(i) of this section does
20 not apply to regulatory and training responsibilities related to navigators,
21 guides, certified application counselors, and certified licensed producers;
22 and

23 (B) Apply for or accept any funds, including without
24 limitation federal funds, for the purpose of funding activities of
25 navigators, guides, certified application counselors, and certified licensed
26 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,
27 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

28 (2) Subdivision (e)(1) of this section does not apply to
29 certified application counselors at health related institutions, including
30 without limitation the University of Arkansas for Medical Sciences.

31 (f) An appropriation authorized by the General Assembly shall not be
32 subject to the provisions allowed through reallocation of resources or
33 transfer of appropriation authority for the purpose of transferring an
34 appropriation to any other appropriation authorized for the State Insurance
35 Department to be allocated, budgeted, expended, or utilized in a manner
36 prohibited by this section.

1 (g) The provisions of this section are severable, and the invalidity
2 of any subsection or subdivision of this section shall not affect other
3 provisions of the section that can be given effect without the invalid
4 provision.

5 (h) This section expires on June 30, ~~2019~~ 2020.

6
7 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
9 RESTRICTIONS. The State Insurance Department shall not allocate, budget,
10 expend or commit for expenditure any appropriation authorized by the General
11 Assembly for final implementation of a state-based health insurance exchange
12 by the Arkansas Health Insurance Marketplace Board as established in Arkansas
13 Code § 23-61-803 et seq. until after the decision of the United States
14 Supreme Court in King v. Burwell, 759 F.3d 358 (4th Cir.), cert. granted,
15 U.S., 135 S. Ct. 475(2014).

16 The provisions of this section shall be in effect only from July 1, ~~2018~~
17 2019 through June 30, ~~2019~~ 2020.

18
19 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. INSURANCE
21 BUILDING CONSTRUCTION FUNDING PROVISION. Upon request of the Commissioner,
22 approval of the Chief Fiscal Officer of the State, and prior review by the
23 Arkansas Legislative Council or Joint Budget Committee, the State Insurance
24 Department may retain an amount above that which is set out in A.C.A. 23-61-
25 710(c) for the purposes of providing funding for the construction and
26 renovation of Department facilities, not to exceed eight million dollars
27 (\$8,000,000) in a single biennium. The amount being requested must be
28 submitted to the Chief Fiscal Officer of the State by April 1st of each
29 fiscal year.

30 The provisions of this section shall expire on June 30, ~~2019~~ 2020.

31
32 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
33 authorized by this act shall be limited to the appropriation for such agency
34 and funds made available by law for the support of such appropriations; and
35 the restrictions of the State Procurement Law, the General Accounting and
36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

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

5
6 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General
7 Assembly that any funds disbursed under the authority of the appropriations
8 contained in this act shall be in compliance with the stated reasons for
9 which this act was adopted, as evidenced by the Agency Requests, Executive
10 Recommendations and Legislative Recommendations contained in the budget
11 manuals prepared by the Department of Finance and Administration, letters, or
12 summarized oral testimony in the official minutes of the Arkansas Legislative
13 Council or Joint Budget Committee which relate to its passage and adoption.

14
15 SECTION 30. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly, that the Constitution of the State of Arkansas prohibits
17 the appropriation of funds for more than a one (1) year period; that the
18 effectiveness of this Act on July 1, 2019 is essential to the operation of
19 the agency for which the appropriations in this Act are provided, and that in
20 the event of an extension of the legislative session, the delay in the
21 effective date of this Act beyond July 1, 2019 could work irreparable harm
22 upon the proper administration and provision of essential governmental
23 programs. Therefore, an emergency is hereby declared to exist and this Act
24 being necessary for the immediate preservation of the public peace, health
25 and safety shall be in full force and effect from and after July 1, 2019.

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1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 138

4
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
10 EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2020;
11 AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT FOR THE DEPARTMENT OF EDUCATION
14 APPROPRIATION FOR THE 2019-2020 FISCAL
15 YEAR.
16
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Education for the 2019-2020 fiscal year, the following maximum
24 number of regular employees.
25

26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2019-2020
30	(1)	U033U	COMMISSIONER OF EDUCATION	1	GRADE SE05
31	(2)	U027U	DEPUTY COMMISSIONER OF EDUCATION	1	GRADE SE03
32	(3)	N005N	ADE ASST COMMISSIONER LEARNING SERVICES	1	GRADE SE01
33	(4)	N006N	ADE ASST COMMISSIONER PUB SCH ACCOUNTING	1	GRADE SE01
34	(5)	D011N	ADE DIRECTOR OF INFORMATION SYSTEMS	1	GRADE SE01
35	(6)	N009N	ASST COMMISSIONER FISCAL & ADMIN SVC	1	GRADE SE01
36	(7)	N008N	ASST COMMISSIONER RESEARCH & TECHNOLOGY	1	GRADE SE01



1 Commissioner be required to devote all of his or her working time exclusively
 2 to the performance of his or her duties as Commissioner of the Department of
 3 Education. Therefore, the Commissioner of the Department of Education is
 4 hereby prohibited from accepting any additional salary from any other source
 5 (including state, federal, or private entities or persons) for the
 6 performance of his or her duties as Commissioner, and is prohibited from
 7 accepting any salary, fees or compensation from any other source (including
 8 state, federal or private entities or persons) for any other employment of
 9 any kind outside the scope of his or her duties as Commissioner, including
 10 but not limited to consulting work for any other public or private entity.
 11 This section shall not be construed to prohibit the Commissioner from
 12 accepting or receiving expense reimbursements and employee benefits as
 13 provided by State law.

14 The provisions of this section shall be in effect only from July 1, ~~2018~~
 15 2019 through June 30, ~~2019~~ 2020.

16
 17 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 19 ESTABLISHMENT OF A "POSITION POOL". (a) To address needs emerging from
 20 statewide education issues and the necessity of recruiting and retaining
 21 qualified personnel, the Arkansas Department of Education or its successor
 22 agency is authorized for the ~~2018-2019~~ 2019-2020 fiscal year a pool of no
 23 more than five (5) ~~Professional/Executive~~ Information Technology positions at
 24 a salary not to exceed the maximum salary for a grade ~~N912~~ IT12. These
 25 positions are to be used by the Department of Education in the event that the
 26 personal services needs of the Department during the ~~2018-2019~~ 2019-2020
 27 fiscal year require additional positions, either by title or in number, that
 28 are not authorized by the General Assembly in the Regular Salaries section of
 29 this Act. These positions may also be used to properly classify positions
 30 when the Department does not have a vacant position available with the
 31 appropriate title and salary level.

32 (b) To address needs emerging from statewide education issues and the
 33 necessity of recruiting and retaining qualified personnel, the Arkansas
 34 Department of Education or its successor agency is authorized for the ~~2018-~~
 35 ~~2019~~ 2019-2020 fiscal year a pool of ten (10) ~~classified~~ General Salaries
 36 positions at up to a grade ~~G130~~ GS15. These positions are to be used by the

1 Department of Education in the event that the personal services needs of the
2 Department during the ~~2018-2019~~ 2019-2020 fiscal year require additional
3 positions, either by classification or in number, that are not authorized by
4 the General Assembly in the Regular Salaries section of this Act. These
5 positions may also be used to properly classify positions when the Department
6 does not have a vacant position available with the appropriate title and
7 grade level.

8 (c) Any salary determinations or adjustments administered under the
9 provisions of Subsections (a) and (b) of this Section shall be made by
10 comparing the qualifications and salary levels of similar employees in school
11 districts or in other state education agencies.

12 (d) The Department of Education is authorized to access the pool
13 positions authorized in this Section at any time when it is determined by the
14 Commissioner that the need exists. The Commissioner shall provide a monthly
15 report of the justification for the need to allocate titles from this growth
16 pool to the Chief Fiscal Officer of the State and to the Arkansas Legislative
17 Council or Joint Budget Committee for review. The report shall also include
18 an accounting of the names, titles, and salaries of personnel whose salaries
19 have been adjusted under provisions of Subsections (a) and (b) of this
20 Section.

21 (e) If the Department of Education requests continuation of any
22 "Position Pool" position(s) as established herein during the next fiscal
23 year, the position(s) must be requested as a new position(s) in the agency's
24 budget request.

25 (f) Determining the number of personnel to be employed by a state agency
26 is the prerogative of the General Assembly and is usually accomplished by
27 delineating the maximum number of personnel by identifying job titles and the
28 maximum grade or salary attached to those titles. The General Assembly has
29 determined that the Arkansas Department of Education could be operated more
30 efficiently if some flexibility is given to that agency. That flexibility is
31 being accomplished by providing a position pool in Subsections (a) and (b) of
32 this Section and since the General Assembly has granted the agency broad
33 powers under the growth pool concept, it is both necessary and appropriate
34 that the General Assembly maintain oversight of the utilization of the
35 position pool by requiring review of the Legislative Council or Joint Budget
36 Committee in the utilization of the position pool. Therefore, the requirement

1 of review by the Legislative Council or Joint Budget Committee is not a
2 severable part of this section. If the requirement of review by the
3 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
4 court of competent jurisdiction, this entire section is void.

5 The provisions of this section shall be in effect only from July 1, ~~2018~~
6 2019 through June 30, ~~2019~~ 2020.

7
8 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
9 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE FUND
10 RESTRICTIONS. No state funds shall be used for abortion referral in public
11 schools, or for abortion services. Funds shall be expended in accordance with
12 Arkansas Code Annotated § 6-18-703.

13 The provisions of this section shall be in effect only from July 1, ~~2018~~
14 2019 through June 30, ~~2019~~ 2020.

15
16 SECTION 24. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
17 authorized by this act shall be limited to the appropriation for such agency
18 and funds made available by law for the support of such appropriations; and
19 the restrictions of the State Procurement Law, the General Accounting and
20 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
21 Procedures and Restrictions Act, or their successors, and other fiscal
22 control laws of this State, where applicable, and regulations promulgated by
23 the Department of Finance and Administration, as authorized by law, shall be
24 strictly complied with in disbursement of said funds.

25
26 SECTION 25. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this act shall be in compliance with the stated reasons for
29 which this act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.

34
35 SECTION 26. EMERGENCY CLAUSE. It is found and determined by the
36 General Assembly, that the Constitution of the State of Arkansas prohibits

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 136

4
5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO
9 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE
10 DEPARTMENT OF EDUCATION-PUBLIC SCHOOL FUND FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2020; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF EDUCATION-
16 PUBLIC SCHOOL FUND - GRANTS AND AID TO
17 LOCAL SCHOOL DISTRICTS AND SPECIAL
18 PROGRAMS APPROPRIATION FOR THE 2019-2020
19 FISCAL YEAR.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. APPROPRIATION - GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND
26 SPECIAL PROGRAMS. There is hereby appropriated, to the Department of
27 Education, to be payable from the Department of Education Public School Fund
28 Account, for grants and aid to local school districts and special programs of
29 the Department of Education for the fiscal year ending June 30, 2020, the
30 following:
31

32 ITEM	FISCAL YEAR
33 NO.	2019-2020
34 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT	34,500,000
35 (02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
36 HEALTH INSURANCE	15,000,000



1 2019 through June 30, ~~2019~~ 2020.

2
3 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
5 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
6 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
7 addition to funds already being provided for the Arkansas Governor's School,
8 to fund the appropriation authorized from general revenue for the Gifted and
9 Talented program as appropriated in the Grants and Aid to Local School
10 Districts and Special Programs section herein. With this additional funding
11 either the department shall increase the number of grants for AEGIS summer
12 enrichment programs, or the duration of the Arkansas Governor's School shall
13 be extended from four (4) weeks to six (6) weeks.

14 The provisions of this section shall be in effect only from July 1, ~~2018~~
15 2019 through June 30, ~~2019~~ 2020.

16
17 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
19 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
20 each fiscal year, an amount of not less than three million five thousand
21 dollars (\$3,005,000) or eighteen percent (18%), whichever is greater each
22 fiscal year, shall be awarded through a grant or professional services
23 contract for the EAST Initiative. Not less than one million dollars
24 (\$1,000,000) of the three million five thousand dollars (\$3,005,000) or
25 eighteen percent (18%) of the Technology Grants Line Item awarded to the EAST
26 Initiatives shall be used for EAST infrastructure and personnel growth for
27 the establishment of new programs. The remaining funding shall be used for
28 existing EAST infrastructure, personnel, and operating expenses of the EAST
29 Initiative. The EAST infrastructure grant or contract for personal services
30 and operating expenses shall be awarded to an entity that has personnel or
31 experience, or both, in implementing the EAST Initiative.

32 The provisions of this section shall be in effect only from July 1, ~~2018~~
33 2019 through June 30, ~~2019~~ 2020.

34
35 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

1 this section on a pro rata basis until the available funds are exhausted.

2 (2) As used in this subsection, "pro rata basis" means providing
3 each district qualifying for additional funding in a proportionate share
4 based on how each district's expenditure bears to the total of funding
5 provided in subsection (a) of this section for all qualifying districts as
6 determined by the Department of Education.

7 (c) If any funding remains after funding subsection (b) of this
8 section, that remaining balance shall be carried over to the following fiscal
9 year for the same purposes as provided in this section.

10 (d) The Department of Education shall adopt rules as necessary to
11 implement this section.

12 (e) The provisions of this section shall be in effect only from July 1,
13 ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

14
15 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. R.I.S.E.
17 ARKANSAS. The appropriation for the R.I.S.E. Arkansas line item in the
18 Grants and Aid to Local School Districts and Special Programs section of this
19 Act shall be used for the coordination of a statewide reading campaign with
20 community partners, parents, and teachers to establish the importance of
21 reading in homes, schools, and communities.

22 The provisions of this section shall be in effect only from July 1,
23 ~~2018~~ 2019 through June 30, ~~2019~~ 2020.

24
25 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EDUCATOR
27 COMPENSATION REFORM SUB-FUND. Upon the effective date of this Act, or as
28 soon thereafter as practical, the Arkansas State Treasurer shall transfer
29 \$60,000,000 from the Educational Adequacy Fund to the Public School Fund to
30 be used solely for the implementation of the Educator Compensation Reform
31 Program. Funds shall be kept separate from all other monies in the Public
32 School Fund and are to be utilized over a four-year period, beginning July 1,
33 2019, to assist school districts in ensuring that all educators in Arkansas
34 public school districts receive a minimum annual salary of \$36,000 by July 1,
35 2023. The Educator Compensation Reform Fund shall not be considered part of
36 a school district's net legal balance or net legal balance revenues for the

1 purpose of meeting the requirements on limitation of fund balances pursuant
2 to A.C.A. 6-20-2210. The Arkansas Department of Education shall promulgate
3 rules to administer this section.

4 The provisions of this section shall be in effect only from July 1,
5 2019 through June 30, 2020.

6
7 SECTION 32. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
8 authorized by this act shall be limited to the appropriation for such agency
9 and funds made available by law for the support of such appropriations; and
10 the 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.

16
17 SECTION 33. LEGISLATIVE INTENT. It is the intent of the General
18 Assembly that any funds disbursed under the authority of the appropriations
19 contained in this act shall be in compliance with the stated reasons for
20 which this act was adopted, as evidenced by the Agency Requests, Executive
21 Recommendations and Legislative Recommendations contained in the budget
22 manuals prepared by the Department of Finance and Administration, letters, or
23 summarized oral testimony in the official minutes of the Arkansas Legislative
24 Council or Joint Budget Committee which relate to its passage and adoption.

25
26 SECTION 34. EMERGENCY CLAUSE. It is found and determined by the
27 General Assembly, that the Constitution of the State of Arkansas prohibits
28 the appropriation of funds for more than a one (1) year period; that the
29 effectiveness of this Act on July 1, 2019 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 legislative session, the delay in the
32 effective date of this Act beyond July 1, 2019 could work irreparable harm
33 upon the proper administration and provision of essential governmental
34 programs. Therefore, an emergency is hereby declared to exist and this Act
35 being necessary for the immediate preservation of the public peace, health
36 and safety shall be in full force and effect from and after July 1, 2019.