

Stricken language will be deleted and underlined language will be added.

State of Arkansas  
88th General Assembly  
Fiscal Session, 2012

# A Bill

HOUSE BILL 1101

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE HEALTH SERVICES PERMIT AGENCY FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE HEALTH SERVICES PERMIT AGENCY APPROPRIATION FOR THE 2012-2013 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Health Services Permit Agency for the 2012-2013 fiscal year, the following maximum number of regular employees.

| Item No. | Class Code | Title                           | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2012-2013 |
|----------|------------|---------------------------------|--------------------------|--|
| (1)      | U025U      | HEALTH PERMIT SERVICES DIRECTOR | 1                        | \$102,834  |
| (2)      | A050C      | AGENCY FISCAL MANAGER           | 1                        | GRADE C121                                       |
| (3)      | L043C      | HEALTH PROGRAM SPECIALIST III   | 1                        | GRADE C119                                       |
| (4)      | G180C      | GRANTS ANALYST                  | 1                        | GRADE C117                                       |
| (5)      | L053C      | HEALTH PROGRAM SPECIALIST I     | 3                        | GRADE C117                                       |
| (6)      | P027C      | PUBLIC INFORMATION SPECIALIST   | 1                        | GRADE C116                                       |
| (7)      | G204C      | PLANNING SPECIALIST             | 1                        | GRADE C115                                       |



|     |       |                               |          |            |
|-----|-------|-------------------------------|----------|------------|
| (8) | C056C | ADMINISTRATIVE SPECIALIST III | 1        | GRADE C112 |
| (9) | C073C | ADMINISTRATIVE SPECIALIST II  | <u>1</u> | GRADE C109 |
|     |       | MAX. NO. OF EMPLOYEES         | 11       |            |

SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Health Services Permit Agency, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Health Services Permit Agency - State Operations for the fiscal year ending June 30, 2013, the following:

| ITEM                            | FISCAL YEAR             |
|---------------------------------|-------------------------|
| <u>NO.</u>                      | <u>2012-2013</u>        |
| (01) REGULAR SALARIES           | \$260,325               |
| (02) PERSONAL SERVICES MATCHING | 74,584                  |
| (03) MAINT. & GEN. OPERATION    |                         |
| (A) OPER. EXPENSE               | 60,627                  |
| (B) CONF. & TRAVEL              | 5,274                   |
| (C) PROF. FEES                  | 17,267                  |
| (D) CAP. OUTLAY                 | 0                       |
| (E) DATA PROC.                  | <u>0</u>                |
| TOTAL AMOUNT APPROPRIATED       | <u><u>\$418,077</u></u> |

SECTION 3. APPROPRIATION - DEVELOPMENTAL DISABILITIES PLANNING COUNCIL - STATE. There is hereby appropriated, to the Health Services Permit Agency, to be payable from the Miscellaneous Agencies Fund Account, for personal services of the Health Services Permit Agency - Developmental Disabilities Planning Council - State for the fiscal year ending June 30, 2013, the following:

| ITEM                            | FISCAL YEAR            |
|---------------------------------|------------------------|
| <u>NO.</u>                      | <u>2012-2013</u>       |
| (01) REGULAR SALARIES           | \$29,446               |
| (02) PERSONAL SERVICES MATCHING | <u>8,694</u>           |
| TOTAL AMOUNT APPROPRIATED       | <u><u>\$38,140</u></u> |

SECTION 4. APPROPRIATION - DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

- FEDERAL. There is hereby appropriated, to the Health Services Permit Agency, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Health Services Permit Agency – Developmental Disabilities Planning Council – Federal for the fiscal year ending June 30, 2013, the following:

| ITEM   | FISCAL YEAR               |
|--|---------------------------|
| <u>NO.</u>                                   | <u>2012-2013</u>          |
| (01) REGULAR SALARIES                        | \$246,690                 |
| (02) PERSONAL SERVICES MATCHING              | 75,437                    |
| (03) MAINT. & GEN. OPERATION                 |                           |
| (A) OPER. EXPENSE                            | 259,025                   |
| (B) CONF. & TRAVEL                           | 10,843                    |
| (C) PROF. FEES                               | 120,000                   |
| (D) CAP. OUTLAY                              | 0                         |
| (E) DATA PROC.                               | 0                         |
| (04) GRANTS/AID - SYSTEM CHANGE PILOT GRANTS | <u>690,929</u>            |
| TOTAL AMOUNT APPROPRIATED                    | <u><u>\$1,402,924</u></u> |

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. Any unexpended balance of funds generated by fees and fines pursuant to Arkansas Code 20-8-103 et. seq. deposited into the Miscellaneous Agencies Fund Account which remain at the close of each state fiscal year shall be carried forward to the next state fiscal year to be used for the same intent and purposes as set forth in law.

Any carry forward of unexpended balance funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, ~~2010~~ 2013 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting, which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward, the program name

or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

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

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

SECTION 6. 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 7. 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 8. 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, 2012 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, 2012 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, 2012.