

State of Arkansas
92nd General Assembly
Fiscal Session, 2020

A Bill

SENATE BILL 71

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 COMMERCE - DIVISION OF STATE SERVICES FOR THE BLIND FOR THE FISCAL YEAR ENDING JUNE 30, 2021; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF COMMERCE - DIVISION OF STATE SERVICES FOR THE BLIND APPROPRIATION FOR THE 2020-2021 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Commerce - Division of State Services for the Blind for the 2020-2021 fiscal year, the following maximum number of regular employees.

| Item No. | Class Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2020-2021 |
|----------|------------|--------------------------------------|--------------------------|--------------------------------------------------|
| (1) | N125N | DHS DEP DIR SVCS FOR THE BLIND | 1 | GRADE GS15 |
| (2) | G021C | DHS/DSB ASSISTANT DIRECTOR | 1 | GRADE GS11 |
| (3) | A050C | AGENCY FISCAL MANAGER | 1 | GRADE GS09 |
| (4) | G099C | DHS PROGRAM ADMINISTRATOR | 2 | GRADE GS09 |
| (5) | L037C | REHAB AREA MANAGER | 3 | GRADE GS09 |
| (6) | L098C | CERTIFIED VOCATIONAL REHAB COUNSELOR | 26 | GRADE GS08 |



| | | | |
|------|---------------------------------------|-----------|------------|
| (7) | X062C QUALITY ASSURANCE COORDINATOR | 1 | GRADE GS08 |
| (8) | G121C REHAB PROGRAM MANAGER | 3 | GRADE GS08 |
| (9) | G163C REHAB PROGRAM COORDINATOR | 2 | GRADE GS07 |
| (10) | E040C STAFF DEVELOPMENT COORDINATOR | 1 | GRADE GS07 |
| (11) | M032C VOCATIONAL REHAB PLACEMENT SPEC | 1 | GRADE GS07 |
| (12) | C037C ADMINISTRATIVE ANALYST | 2 | GRADE GS06 |
| (13) | E039C DHS/DSB TEACHER FOR THE BLIND | 1 | GRADE GS06 |
| (14) | A074C FISCAL SUPPORT SUPERVISOR | 1 | GRADE GS06 |
| (15) | G178C POLICY DEVELOPMENT COORDINATOR | 1 | GRADE GS06 |
| (16) | L051C REHABILITATION COUNSELOR | 3 | GRADE GS06 |
| (17) | M054C SOCIAL SERVICE WORKER | 1 | GRADE GS06 |
| (18) | A091C FISCAL SUPPORT ANALYST | 3 | GRADE GS05 |
| (19) | C056C ADMINISTRATIVE SPECIALIST III | 8 | GRADE GS04 |
| (20) | A098C FISCAL SUPPORT SPECIALIST | 2 | GRADE GS04 |
| (21) | C043C RECORDS MANAGEMENT ANALYST | 1 | GRADE GS04 |
| (22) | C073C ADMINISTRATIVE SPECIALIST II | <u>13</u> | GRADE GS03 |
| | MAX. NO. OF EMPLOYEES | 78 | |

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Department of Commerce - Division of State Services for the Blind for the 2020-2021 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: thirty (30) 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 Commerce, to be payable from the State Services for the Blind Fund, for personal services and operating expenses of the Department of Commerce - State Services for the Blind for the fiscal year ending June 30, 2021, the following:

| ITEM | FISCAL YEAR |
|-----------------------|------------------|
| <u>NO.</u> | <u>2020-2021</u> |
| (01) REGULAR SALARIES | \$3,302,069 |

| | |
|---------------------------------|---------------------|
| (02) EXTRA HELP | 384,174 |
| (03) PERSONAL SERVICES MATCHING | 1,198,953 |
| (04) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 1,122,186 |
| (B) CONF. & TRAVEL | 55,000 |
| (C) PROF. FEES | 195,259 |
| (D) CAP. OUTLAY | 25,000 |
| (E) DATA PROC. | 0 |
| (05) PURCHASE OF SERVICES | <u>4,646,768</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$10,929,409</u> |

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT. The Rehabilitation Act Amendments of 1992, commonly referred to as the Comprehensive System of Personnel Development (CSPD), requires State Vocational Rehabilitation (VR) agencies to establish qualified personnel standards for rehabilitation personnel, including Vocational Rehabilitation Counselors, that are consistent with any national or State-approved or recognized certification, licensing, or registration that apply to a particular profession. In order to comply with the Rehabilitation Act and its State Plan requirements, there is hereby authorized for the Department of Commerce, Division of State Services for the Blind a general waiver of the Financial Management Guide, R1-19-4-522 Continuing Professional Education. This waiver allows the agency to provide college level coursework in degree programs for any eligible employees selected by the agency. This provision covers any and all formula and discretionary grants funded by the U.S. Department of Education Rehabilitation Services Administration, now or in the future, including, but not limited to, the Vocational Rehabilitation Program, Supported Employment, Independent Living, and the Staff Development Grant. No state general revenue shall be expended for the tuition in pursuit of a degree authorized herein.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 5. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 19-5-

306(8), concerning the Department of Human Services Fund, is repealed.

~~(8) State Services for the Blind Fund Account.~~

~~— (A) The State Services for the Blind Fund Account shall be used for the maintenance, operation, and improvement required by the Division of State Services for the Blind in carrying out the powers, functions, and duties as set out in § 25-10-201 et seq. or other duties imposed by law upon the Division of State Services for the Blind.~~

~~— (B) The State Services for the Blind Fund Account shall consist of:~~

~~— (i) Those general revenues as may be provided by law;~~

~~— (ii) Nonrevenue income derived from services provided by programs of the Division of State Services for the Blind; and~~

~~— (iii) Any other nonfederal grants funds provided by law;~~

SECTION 6. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 19, Chapter 5, Subchapter 3, is amended to add an additional section to read as follows:

19-5-312. State Services for the Blind Fund.

(a) The State Services for the Blind Fund shall be used for the maintenance, operation, and improvement required by the Division of State Services for the Blind in carrying out the powers, functions, and duties as set out in § 25-10-201 et seq. or other duties imposed by law upon the division.

(b) The State Services for the Blind Fund shall consist of:

(1) Those general revenues provided by law;

(2) Nonrevenue income derived from services provided by programs of the division; and

(3) Any other nonfederal grants funds provided by law.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CODE AMENDMENT. Arkansas Code § 25-10-201(b), concerning the public policy related to the Division of State Services for the Blind, is amended to read as follows:

(b) The General Assembly finds that this purpose may be best accomplished by the establishment of a Division of State Services for the Blind within the Department of ~~Human Services~~ Commerce with the necessary

authority to administer the services and programs for the blind and visually impaired.

SECTION 8. 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 9. 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 10. 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, 2020 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, 2020 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, 2020.