

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

A Bill

SENATE BILL 73

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 HUMAN
10 SERVICES - DIVISION OF YOUTH SERVICES FOR THE FISCAL
11 YEAR ENDING JUNE 30, 2021; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF HUMAN
15 SERVICES - DIVISION OF YOUTH SERVICES
16 APPROPRIATION FOR THE 2020-2021 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Human Services - Division of Youth Services for the
25 2020-2021 fiscal year, the following maximum number of regular employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2020-2021
31	(1)	N026N DHS DEPUTY DIRECTOR OF DYS	1	GRADE SE01
32	(2)	L038C REGISTERED NURSE	1	GRADE MP01
33	(3)	D071C COMPUTER SUPPORT ANALYST	1	GRADE IT03
34	(4)	N080N DHS/DMS ASSISTANT DIRECTOR - FISCAL	1	GRADE GS14
35	(5)	N124N DHS/DYS ASSISTANT DIVISION DIRECTOR	2	GRADE GS14
36	(6)	G027N DHS RESEARCH ANALYSIS MANAGER	1	GRADE GS11



1	(7)	X007C DHS/DYS ADMIN PROG COMPLIANCE	1	GRADE GS11
2	(8)	G255C DYS ACADEMIC ADMINISTRATOR	1	GRADE GS11
3	(9)	E010C DHS/DYS EDUCATION MANAGER	1	GRADE GS10
4	(10)	E016C PUBLIC SCHOOL PROGRAM COORDINATOR	1	GRADE GS10
5	(11)	G099C DHS PROGRAM ADMINISTRATOR	6	GRADE GS09
6	(12)	E015C SPECIAL EDUCATION SUPERVISOR	1	GRADE GS09
7	(13)	M008C YOUTH PROGRAM DIRECTOR	1	GRADE GS09
8	(14)	G152C DHS PROGRAM MANAGER	10	GRADE GS08
9	(15)	E026C EDUCATION & INSTRUCTION COORDINATOR	1	GRADE GS08
10	(16)	X062C QUALITY ASSURANCE COORDINATOR	2	GRADE GS08
11	(17)	M012C YOUTH PROGRAM MANAGER	2	GRADE GS08
12	(18)	G183C DHS PROGRAM COORDINATOR	5	GRADE GS07
13	(19)	G082C DHS/DYS ADMISSIONS EVALUATOR	1	GRADE GS07
14	(20)	E048C EDUCATION & INSTRUCTION SPECIALIST	4	GRADE GS07
15	(21)	E040C STAFF DEVELOPMENT COORDINATOR	3	GRADE GS07
16	(22)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
17	(23)	E044C CERTIFIED BACHELORS TEACHER	4	GRADE GS06
18	(24)	G210C DHS PROGRAM SPECIALIST	6	GRADE GS06
19	(25)	G180C GRANTS ANALYST	2	GRADE GS06
20	(26)	G214C GRANTS SPECIALIST	2	GRADE GS06
21	(27)	X101C INTERNAL AFFAIRS INVESTIGATOR	1	GRADE GS06
22	(28)	G166C MILITARY PROGRAM COORDINATOR	3	GRADE GS06
23	(29)	B076C RESEARCH PROJECT ANALYST	1	GRADE GS06
24	(30)	M047C YOUTH SERVICES ADVISOR	10	GRADE GS06
25	(31)	V015C PURCHASING SPECIALIST	1	GRADE GS05
26	(32)	M060C YOUTH PROGRAM COORDINATOR	6	GRADE GS05
27	(33)	C056C ADMINISTRATIVE SPECIALIST III	4	GRADE GS04
28	(34)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
29	(35)	C043C RECORDS MANAGEMENT ANALYST	1	GRADE GS04
30	(36)	T072C SECURITY OFFICER SUPERVISOR	1	GRADE GS04
31	(37)	T084C PUBLIC SAFETY SECURITY OFFICER	9	GRADE GS03
32	(38)	M070C YOUTH PROGRAM SPECIALIST	<u>7</u>	GRADE GS03
33		MAX. NO. OF EMPLOYEES	107	

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35 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for

36 the Department of Human Services - Division of Youth Services 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-seven (37) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Human Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$4,703,225
(02) EXTRA HELP	46,822
(03) PERSONAL SERVICES MATCHING	1,704,608
(04) OVERTIME	8,699
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	5,112,099
(B) CONF. & TRAVEL	91,144
(C) PROF. FEES	359,050
(D) CAP. OUTLAY	105,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$12,130,647</u>

SECTION 4. APPROPRIATION - JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT. There is hereby appropriated, to the Department of Human Services, to be payable from the Juvenile Accountability Incentive Block Grant Trust Fund, for grant payments of the Juvenile Accountability Incentive Block Grant of the Department of Human Services - Division of Youth Services for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>

1 (01) JUVENILE ACCOUNTABILITY INCENTIVE
 2 GRANTS \$1,000

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 4 SECTION 5. APPROPRIATION - COMMUNITY BASED SANCTIONS. There is hereby
 5 appropriated, to the Department of Human Services - Division of Youth
 6 Services, to be payable from the Youth Services Fund Account, for grants and
 7 aid for graduated community based sanctions for juveniles adjudicated
 8 delinquent for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) COMMUNITY BASED SANCTIONS	<u>\$2,480,444</u>

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 14 SECTION 6. APPROPRIATION - COMMUNITY SERVICES. There is hereby
 15 appropriated, to the Department of Human Services, to be payable from the
 16 Youth Services Fund Account, for purchase of services from community based
 17 providers by the Department of Human Services - Division of Youth Services
 18 for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) COMMUNITY SERVICES	<u>\$17,821,100</u>

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 24 SECTION 7. APPROPRIATION - FEDERAL CHILD AND YOUTH SERVICE GRANTS.
 25 There is hereby appropriated, to the Department of Human Services, to be
 26 payable from the federal funds as designated by the Chief Fiscal Officer of
 27 the State, for federally funded grants of the Department of Human Services -
 28 Division of Youth Services for the fiscal year ending June 30, 2021, the
 29 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) FEDERAL CHILD AND YOUTH SERVICE GRANTS	<u>\$5,082,942</u>

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 35 SECTION 8. APPROPRIATION - RESIDENTIAL SERVICES. There is hereby
 36 appropriated, to the Department of Human Services, to be payable from the

1 Youth Services Fund Account, for the purchase and operation of residential
 2 services by the Department of Human Services - Division of Youth Services for
 3 the fiscal year ending June 30, 2021, the following:

5	ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2020-2021</u>
7	(01) RESIDENTIAL SERVICES	<u>\$29,762,244</u>

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9 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 11 OF FUNDS FOR THE JUVENILE OMBUDSMAN PROGRAM. The Department of Human
 12 Services shall provide funding in an amount not to exceed \$240,000 for the
 13 fiscal year ending June 30, ~~2020~~ 2021 for the Juvenile Ombudsman Program
 14 described in ACA 16-87-216. Upon request by the Executive Director of the
 15 Arkansas Public Defender Commission, the Chief Fiscal Officer of the State
 16 shall transfer an amount not to exceed \$240,000 for the fiscal year ending
 17 June 30, ~~2020~~ 2021 from an account designated by the Director of the
 18 Department of Human Services to the State Central Services Fund as a direct
 19 revenue to fund the Juvenile Ombudsman Program.

20 The provisions of this section shall be in effect only from July 1, ~~2019~~
 21 2020 through June 30, ~~2020~~ 2021.

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23 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 25 OF FUNDS FOR LOCAL JUVENILE DETENTION FACILITIES. The Chief Fiscal Officer
 26 of the State shall transfer funds in an amount of \$400,000 for the fiscal
 27 year ending June 30, ~~2020~~ 2021 from the Department of Human Services – Youth
 28 Services Fund Account to the Juvenile Detention Facilities Operating Fund to
 29 fund the appropriation to the Department of Finance and Administration –
 30 Disbursing Officer for grants for operating expenses of local juvenile
 31 detention facilities.

32 The amount of the funds transferred in the fiscal year ending June 30,
 33 ~~2020~~ 2021 may be adjusted upon request of the Director of the Department of
 34 Human Services on a pro-rata basis with any reductions provided in the
 35 Revenue Stabilization Law from the July 1 Official Forecast of general
 36 revenue funding for the Division of Youth Services.

1 The provisions of this section shall be in effect only from July 1, ~~2019~~
2 2020 through June 30, ~~2020~~ 2021.

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4 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. YOUTH
6 SERVICES - TIMBER SALES PROCEEDS - CAPITAL IMPROVEMENTS AND EQUIPMENT. The
7 Division of Youth Services is authorized to use the administrative operating
8 account for capital improvements to the physical plant and for the purchase
9 of capital equipment by the Mansfield Youth Services Facility operated by the
10 Department of Human Services, Division of Youth Services. The funds shall be
11 held by the Department of Human Services, Division of Youth Services from the
12 proceeds of the sale of timber that may be harvested from land owned by the
13 Division of Youth Services. All funds deposited and all expenses shall be
14 tracked separately. The harvesting of timber is specifically authorized to
15 provide funds to finance capital improvements to the physical plant and for
16 the purchase of major capital equipment by the Mansfield Facility from which
17 the timber is sold.

18 The Division of Youth Services shall report all income derived from the
19 sale of timber to the Chief Fiscal Officer of the State and the Arkansas
20 Legislative Council or Joint Budget Committee. Any contracts initiated for
21 the harvesting and sale of timber shall be submitted to the Review
22 Subcommittee of the Arkansas Legislative Council or Joint Budget Committee
23 for prior review. All expenditures of funds derived from the sale of timber
24 will be expended in accordance with relevant state purchasing laws.

25 The provisions of this section shall be in effect only from July 1, ~~2019~~
26 2020 through June 30, ~~2020~~ 2021.

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28 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
30 RESIDENTIAL SERVICES CONTINGENCY. If it has been determined that the
31 Department of Human Services - Division of Youth Services cannot continue to
32 contract with private provider(s) for residential juvenile services,
33 educational services, therapeutic services, and/or medical services and deems
34 it necessary to utilize Department staff to provide all or parts of the
35 required services above, the Department is authorized to seek the approval of
36 the Chief Fiscal Officer of the State, the Governor and the Arkansas

1 Legislative Council or Joint Budget Committee to utilize the contingent
 2 residential services positions contained in this Act and to make the
 3 appropriate transfers from any line item authorized in the RESIDENTIAL
 4 SERVICES appropriation of this Act to any line item authorized in the
 5 OPERATIONS appropriation of this Act. If it has been determined that the
 6 Department of Human Services - Division of Youth Services cannot continue to
 7 operate one or more of the various service components of a Residential
 8 Facility for residential juvenile services, educational services, therapeutic
 9 services, and/or medical services and deems it necessary to utilize a
 10 contract with private provider(s), the Department is authorized to seek the
 11 approval of the Chief Fiscal Officer of the State, the Governor and the
 12 Arkansas Legislative Council or Joint Budget Committee to make the
 13 appropriate transfers from any line item authorized in the OPERATIONS
 14 appropriation of this Act to any line item authorized in the RESIDENTIAL
 15 SERVICES appropriation of this Act.

16 The provisions of this section shall be in effect only from July 1,
 17 ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

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 19 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 21 HELP SALARIES - CONTINGENT RESIDENTIAL SERVICES POSITIONS. There is hereby
 22 established for the Department of Human Services - Division of Youth Services
 23 - Contingent Residential Services Positions, the following maximum number of
 24 positions whose salaries shall be governed by the provisions of the Uniform
 25 Classification and Compensation Act (Arkansas Code § 21-5-201 et seq.), or
 26 its successor, and all laws amendatory thereto. Requests to use positions
 27 will be based upon the non-contracted services for residential juvenile
 28 services, educational services, therapeutic services, and/or medical
 29 services. If at such time a category(s) of services are contracted with
 30 private provider(s), identified positions associated with such service(s)
 31 shall be returned to the contingency pool. In order to ensure required
 32 staffing levels, Extra Help positions authorized herein are specifically
 33 exempt from limitation of hours, either by Act or regulation.

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 35 CONTINGENT POSITIONS - RESIDENTIAL SERVICES

36 MAXIMUM

1	ITEM	CLASS		NO. OF
2	NO.	CODE	TITLE	EMPLOYEES
3	(01)	9999	EXTRA HELP	<u>320</u>
4	GRAND TOTAL CONTINGENT POSITIONS			320

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6 The provisions of this section shall be in effect through June 30, ~~2020~~
 7 2021.

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

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

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28 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the
 29 General Assembly, that the Constitution of the State of Arkansas prohibits
 30 the appropriation of funds for more than a one (1) year period; that the
 31 effectiveness of this Act on July 1, 2020 is essential to the operation of
 32 the agency for which the appropriations in this Act are provided, and that in
 33 the event of an extension of the legislative session, the delay in the
 34 effective date of this Act beyond July 1, 2020 could work irreparable harm
 35 upon the proper administration and provision of essential governmental
 36 programs. Therefore, an emergency is hereby declared to exist and this Act

1 being necessary for the immediate preservation of the public peace, health
2 and safety shall be in full force and effect from and after July 1, 2020.

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5 **APPROVED: 4/20/20**
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