

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

SENATE BILL 43

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 RURAL
10 SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2016;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF RURAL
15 SERVICES APPROPRIATION FOR THE 2015-2016
16 FISCAL YEAR.
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 Rural Services for the 2015-2016 fiscal year, the following
24 maximum number of regular employees.
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2015-2016
30	(1) U099U	DIRECTOR OF RURAL SERVICES	1	\$90,200
31	(2) G115C	ASST DIR OF RURAL SERVICES	1	GRADE C121
32	(3) G180C	GRANTS ANALYST	2	GRADE C117
33	(4) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
34		MAX. NO. OF EMPLOYEES	5	

35
36 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department



1 of Rural Services for the 2015-2016 fiscal year, the following maximum number
 2 of part-time or temporary employees, to be known as "Extra Help", payable
 3 from funds appropriated herein for such purposes: one (1) temporary or part-
 4 time employees, when needed, at rates of pay not to exceed those provided in
 5 the Uniform Classification and Compensation Act, or its successor, or this
 6 act for the appropriate classification.

7
 8 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 9 appropriated, to the Department of Rural Services, to be payable from the
 10 Miscellaneous Agencies Fund Account, for personal services and operating
 11 expenses of the Department of Rural Services - State Operations for the
 12 fiscal year ending June 30, 2016, the following:

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2015-2016</u>
16 (01) REGULAR SALARIES	\$237,427
17 (02) EXTRA HELP	2,000
18 (03) PERSONAL SERVICES MATCHING	78,704
19 (04) MAINT. & GEN. OPERATION	
20 (A) OPER. EXPENSE	72,038
21 (B) CONF. & TRAVEL	4,100
22 (C) PROF. FEES	0
23 (D) CAP. OUTLAY	0
24 (E) DATA PROC.	0
25 (05) GRANTS/AID - RURAL COMMUNITY GRANTS	400,000
26 (06) RURAL FIRE PROTECTION GRANTS	500,000
27 (07) COUNTY FAIR IMPROVEMENT GRANTS	<u>100,000</u>
28 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,394,269</u></u>

29
 30 SECTION 4. APPROPRIATION - CONFERENCE EXPENSES. There is hereby
 31 appropriated, to the Department of Rural Services, to be payable from cash
 32 funds as defined by Arkansas Code 19-4-801 of the Department of Rural
 33 Services, for conference expenses of the Department of Rural Services for the
 34 fiscal year ending June 30, 2016, the following:

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2015-2016</u>
2	(01) CONFERENCE EXPENSES	<u>\$75,000</u>

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4 SECTION 5. APPROPRIATION - ANIMAL RESCUE/SHELTERS. There is hereby

5 appropriated, to the Department of Rural Services, to be payable from the

6 Animal Rescue and Shelter Trust Fund, for providing grants to counties or

7 municipalities for infrastructure, construction, renovation, personal

8 services and maintenance and operations for animal rescues or animal shelters

9 for the fiscal year ending June 30, 2016, the following:

10		
11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2015-2016</u>
13	(01) ANIMAL RESCUE/SHELTERS GRANTS/AID	<u>\$5,328</u>

14

15 SECTION 6. APPROPRIATION - ADMINISTRATIVE FEE. There is hereby

16 appropriated, to the Department of Rural Services, to be payable from the

17 Miscellaneous Agencies Fund Account, for maintenance and operating expenses

18 of the Department of Rural Services for the fiscal year ending June 30, 2016,

19 the following:

20		
21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2015-2016</u>
23	(01) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	\$45,395
25	(B) CONF. & TRAVEL	0
26	(C) PROF. FEES	0
27	(D) CAP. OUTLAY	0
28	(E) DATA PROC.	<u>0</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$45,395</u>

30

31 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GENERAL

33 IMPROVEMENT PROJECTS ADMINISTRATIVE FEE. The Department of Rural Services is

34 authorized to retain and utilize for administrative cost purposes up to one

35 and one half percent (1.5%) of the total amount of any General Improvement

36 Fund moneys received for projects authorized for disbursement through the

1 department by the General Assembly.

2 The provisions of this section shall be in effect only from July 1,
3 2015 through June 30, 2016.

4
5 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
7 TRANSFER. Upon request of the Director of the Department of Rural Services
8 to the Chief Fiscal Officer of the State, the Chief Fiscal Officer of the
9 State, from time to time, shall cause to be transferred on his books and
10 those of the State Treasurer and Auditor of State, an amount not to exceed
11 one and one half percent (1.5%) from the various sub funds created in any
12 General Improvement Fund, established for disbursement through the Department
13 of Rural Services, to the Miscellaneous Agencies Fund Account.

14 The funds transferred to the Miscellaneous Agencies Fund Account from the
15 various sub funds established in any General Improvement Fund pursuant to
16 this section shall be made available and utilized solely by the Department of
17 Rural Services for maintenance and general operations costs.

18 The provisions of this section shall be in effect only from July 1,
19 2015 through June 30, 2016.

20
21 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
23 ADMINISTRATIVE EXPENSES. Any unexpended balance of funds remaining on June
24 30, of each fiscal year in the Miscellaneous Agencies Fund Account for the
25 Department of Rural Services that were transferred from the various sub funds
26 created in any General Improvement Fund for the administration of general
27 improvement fund projects shall remain in the Miscellaneous Agencies Fund
28 Account and made available to the Department of Rural Services and utilized
29 for the same purpose during the following fiscal year.

30 The provisions of this section shall be in effect only from July 1,
31 2015 through June 30, 2016.

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33 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
35 FAIR GRANTS. The Department of Rural Services shall develop the necessary
36 rules and regulations for the disbursement of matching fund grants to county

1 fairs for the construction, renovation and/or improvements to county fair
 2 grounds. The grants shall be matched on a 50/50 basis. The match may be
 3 cash or in-kind. No county fair shall receive more than \$30,000 for the
 4 biennium.

5 The provisions of this section shall be in effect only from July 1,
 6 2015 through June 30, 2016.

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 8 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT
 10 AWARD CRITERIA. The Department of Rural Services shall promulgate regulations
 11 establishing the criteria to be utilized in determining to whom grants will
 12 be made under this Act. Subject to the approval of the Governor, and
 13 approval by the Arkansas Legislative Council or the Joint Budget Committee,
 14 the Department of Rural Services shall distribute the grants.

15 Determining the maximum number of employees and the maximum amount of
 16 appropriation and general revenue funding for a state agency each fiscal year
 17 is the prerogative of the General Assembly. This is usually accomplished by
 18 delineating such maximums in the appropriation act(s) for a state agency and
 19 the general revenue allocations authorized for each fund and fund account by
 20 amendment to the Revenue Stabilization law. Further, the General Assembly
 21 has determined that the Department of Rural Services may operate more
 22 efficiently if some flexibility is provided to the Department of Rural
 23 Services authorizing broad powers under this Section. Therefore, it is both
 24 necessary and appropriate that the General Assembly maintain oversight by
 25 requiring prior approval of the Legislative Council or Joint Budget Committee
 26 as provided by this section. The requirement of approval by the Legislative
 27 Council or Joint Budget Committee is not a severable part of this section.
 28 If the requirement of approval by the Legislative Council or Joint Budget
 29 Committee is ruled unconstitutional by a court of competent jurisdiction,
 30 this entire section is void.

31 The provisions of this section shall be in effect only from July 1, ~~2014~~
 32 2015 through June 30, ~~2015~~ 2016.

33
 34 SECTION 12. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 35 authorized by this act shall be limited to the appropriation for such agency
 36 and funds made available by law for the support of such appropriations; and

1 the restrictions of the State Procurement Law, the General Accounting and
2 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
3 Procedures and Restrictions Act, or their successors, and other fiscal
4 control laws of this State, where applicable, and regulations promulgated by
5 the Department of Finance and Administration, as authorized by law, shall be
6 strictly complied with in disbursement of said funds.

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

16
17 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the
18 General Assembly, that the Constitution of the State of Arkansas prohibits
19 the appropriation of funds for more than a one (1) year period; that the
20 effectiveness of this Act on July 1, 2015 is essential to the operation of
21 the agency for which the appropriations in this Act are provided, and that in
22 the event of an extension of the legislative session, the delay in the
23 effective date of this Act beyond July 1, 2015 could work irreparable harm
24 upon the proper administration and provision of essential governmental
25 programs. Therefore, an emergency is hereby declared to exist and this Act
26 being necessary for the immediate preservation of the public peace, health
27 and safety shall be in full force and effect from and after July 1, 2015.