

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 577 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

As Engrossed: S2/12/07

A Bill

SENATE BILL 130

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

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9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 MINORITY HEALTH COMMISSION FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER
13 PURPOSES.
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Subtitle

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17 AN ACT FOR THE ARKANSAS MINORITY HEALTH
18 COMMISSION APPROPRIATION FOR THE
19 2007-2009 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
25 Minority Health Commission for the 2007-2009 biennium, the following maximum
26 number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
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Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2007-2008	2008-2009
(1)	9239	DIRECTOR - MINORITY HEALTH COMM	1	\$79,319	\$80,905
(2)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
(3)	R010	ADMINISTRATIVE ASSISTANT II	<u>1</u>	GRADE 17	
MAX. NO. OF EMPLOYEES			3		

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Arkansas Minority Health Commission, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Arkansas Minority Health Commission for the biennial period ending June 30, 2009, the following:

ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
(01)	REGULAR SALARIES	\$ 138,101	\$ 140,861
(02)	PERSONAL SERVICES MATCHING	40,567	41,123
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	1,789	1,789
(B)	CONF. & TRAVEL	500	500
(C)	PROF. FEES	250	250
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	0	0
(04)	PROMOTIONAL ITEMS	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED		<u>\$ 181,207</u>	<u>\$ 184,523</u>

SECTION 3. APPROPRIATION - CASH. There is hereby appropriated, to the Arkansas Minority Health Commission, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Minority Health Commission for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS
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NO.	2007-2008	2008-2009
(01) PERSONAL SERVICES AND OPERATING		
EXPENSES	\$ 100,000	\$ 100,000

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request for the Minority Health Commission a special Promotional Items appropriation to be used in the acquisition of promotional items. When the Minority Health Commission wishes to transfer from its operating expenses appropriation and funds to the promotional items line, the request shall be forwarded by the Minority Health Commission to the Chief Fiscal Officer of the State for processing and for prior approval by the Arkansas Legislative Council or Joint Budget Committee. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Minority Health Commission may operate more efficiently if some flexibility is provided to the Minority Health Commission authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.

SECTION 5. 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

1 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.

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

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17 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
18 Assembly, that the Constitution of the State of Arkansas prohibits the
19 appropriation of funds for more than a two (2) year period; that the
20 effectiveness of this Act on July 1, 2007 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 Regular Session, the delay in the effective
23 date of this Act beyond July 1, 2007 could work irreparable harm upon the
24 proper administration and provision of essential governmental programs.
25 Therefore, an emergency is hereby declared to exist and this Act being
26 necessary for the immediate preservation of the public peace, health and
27 safety shall be in full force and effect from and after July 1, 2007.

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29 /s/ Joint Budget Committee

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31 APPROVED: 3/28/2007
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