

1 State of Arkansas  
2 87th General Assembly  
3 Fiscal Session, 2010  
4

# A Bill

SENATE BILL 43

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

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE  
11 DEPARTMENT OF RURAL SERVICES FOR THE FISCAL YEAR  
12 ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.  
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14

## Subtitle

15 AN ACT FOR THE DEPARTMENT OF RURAL  
16 SERVICES APPROPRIATION FOR THE 2010-2011  
17 FISCAL 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. There is hereby established for the  
24 Department of Rural Services for the 2010-2011 fiscal year, the following  
25 maximum number of regular employees whose salaries shall be governed by the  
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual  
29 salary is set out herein in dollars, shall be exempt from the provisions of  
30 said Uniform Classification and Compensation Act. All persons occupying  
31 positions authorized herein are hereby governed by the provisions of the  
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
33 or its successor.  
34

35 Maximum Annual  
36 Maximum Salary Rate



Item Class	No. of	Fiscal Year
No. Code Title	Employees	2010-2011
(1) U099U DIRECTOR OF RURAL SERVICES	1	\$83,960
(2) G115C ASST DIR OF RURAL SERVICES	1	GRADE C121
(3) G180C GRANTS ANALYST	3	GRADE C117
(4) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
MAX. NO. OF EMPLOYEES	6	

8

9 SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,  
 10 to the Department of Rural Services, to be payable from the Miscellaneous  
 11 Agencies Fund Account, for personal services and operating expenses of the  
 12 Department of Rural Services - State Operations for the fiscal year ending  
 13 June 30, 2011, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2010-2011</u>
(01) REGULAR SALARIES	\$ 230,766
(02) PERSONAL SERVICES MATCHING	68,698
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	67,704
(B) CONF. & TRAVEL	4,100
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) GRANTS/AID - RURAL COMMUNITY GRANTS	400,000
(05) RURAL FIRE PROTECTION GRANTS	500,000
(06) COUNTY FAIR IMPROVEMENT GRANTS	<u>100,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,371,268</u>

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30 SECTION 3. 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, 2011, the following:

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ITEM	FISCAL YEAR
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1	<u>NO.</u>		<u>2010-2011</u>
2	(01) CONFERENCE EXPENSES	\$	<u>50,000</u>

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4 SECTION 4. APPROPRIATION - WILDLIFE RECREATION FACILITIES PILOT PROGRAM.

5 There is hereby appropriated, to the Department of Rural Services, to be

6 payable from the Wildlife Recreation Facilities Fund, for personal services

7 and operating expenses of the Department of Rural Services for the fiscal

8 year ending June 30, 2011, the following:

10	ITEM		FISCAL YEAR
11	<u>NO.</u>		<u>2010-2011</u>
12	(01) REGULAR SALARIES	\$	32,990
13	(02) PERSONAL SERV MATCHING		11,276
14	(03) MAINT. & GEN. OPERATION		
15	(A) OPER. EXPENSE		6,614
16	(B) CONF. & TRAVEL		0
17	(C) PROF. FEES		0
18	(D) CAP. OUTLAY		0
19	(E) DATA PROC.		0
20	(04) WILDLIFE RECREATION GRANTS		<u>1,000,000</u>
21	TOTAL AMOUNT APPROPRIATED	\$	<u>1,050,880</u>

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23 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY

25 FAIR GRANTS. The Department of Rural Services shall develop the necessary

26 rules and regulations for the disbursement of matching fund grants to county

27 fairs for the construction, renovation and/or improvements to county fair

28 grounds. The grants shall be matched on a 50/50 basis. The match may be

29 cash or in-kind. No county fair shall receive more than \$30,000 for the

30 biennium.

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32 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT

34 AWARD CRITERIA. The Department of Rural Services shall promulgate regulations

35 establishing the criteria to be utilized in determining to whom grants will

36 be made under this Act. Subject to the approval of the Governor, and

1 approval by the Arkansas Legislative Council or the Joint Budget Committee,  
 2 the Department of Rural Services shall distribute the grants.  
 3 Determining the maximum number of employees and the maximum amount of  
 4 appropriation and general revenue funding for a state agency each fiscal year  
 5 is the prerogative of the General Assembly. This is usually accomplished by  
 6 delineating such maximums in the appropriation act(s) for a state agency and  
 7 the general revenue allocations authorized for each fund and fund account by  
 8 amendment to the Revenue Stabilization law. Further, the General Assembly  
 9 has determined that the Department of Rural Services may operate more  
 10 efficiently if some flexibility is provided to the Department of Rural  
 11 Services authorizing broad powers under this Section. Therefore, it is both  
 12 necessary and appropriate that the General Assembly maintain oversight by  
 13 requiring prior approval of the Legislative Council or Joint Budget Committee  
 14 as provided by this section. The requirement of approval by the Legislative  
 15 Council or Joint Budget Committee is not a severable part of this section.  
 16 If the requirement of approval by the Legislative Council or Joint Budget  
 17 Committee is ruled unconstitutional by a court of competent jurisdiction,  
 18 this entire section is void.

19 The provisions of this section shall be in effect only from July 1,  
 20 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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 22 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 23 by this act shall be limited to the appropriation for such agency and funds  
 24 made available by law for the support of such appropriations; and the  
 25 restrictions of the State Procurement Law, the General Accounting and  
 26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 27 Procedures and Restrictions Act, or their successors, and other fiscal  
 28 control laws of this State, where applicable, and regulations promulgated by  
 29 the Department of Finance and Administration, as authorized by law, shall be  
 30 strictly complied with in disbursement of said funds.

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 32 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly  
 33 that any funds disbursed under the authority of the appropriations contained  
 34 in this act shall be in compliance with the stated reasons for which this act  
 35 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
 36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral  
2 testimony in the official minutes of the Arkansas Legislative Council or  
3 Joint Budget Committee which relate to its passage and adoption.

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5 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly, that the Constitution of the State of Arkansas prohibits the  
7 appropriation of funds for more than a one (1) year period; that the  
8 effectiveness of this Act on July 1, 2010 is essential to the operation of  
9 the agency for which the appropriations in this Act are provided, and that in  
10 the event of an extension of the legislative session, the delay in the  
11 effective date of this Act beyond July 1, 2010 could work irreparable harm  
12 upon the proper administration and provision of essential governmental  
13 programs. Therefore, an emergency is hereby declared to exist and this Act  
14 being necessary for the immediate preservation of the public peace, health  
15 and safety shall be in full force and effect from and after July 1, 2010.

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18 **APPROVED: 02/19/2010**  
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