

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 799 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

SENATE BILL 246

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 MINORITY HEALTH COMMISSION FOR THE FISCAL YEAR  
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

## Subtitle

16 AN ACT FOR THE ARKANSAS MINORITY HEALTH  
17 COMMISSION APPROPRIATION FOR THE  
18 2009-2010 FISCAL YEAR.

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas  
24 Minority Health Commission for the 2009-2010 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



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2009-2010
1	(1)	N133N DIRECTOR MINORITY HEALTH COMMISSION	1	GRADE N903
2	(2)	C037C ADMINISTRATIVE ANALYST	1	GRADE C115
3	(3)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
4	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 fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 138,793
(02) PERSONAL SERVICES MATCHING	41,283
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,789
(B) CONF. & TRAVEL	500
(C) PROF. FEES	250
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) PROMOTIONAL ITEMS	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 182,615</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 fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
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1 (01) PERSONAL SERV. & OPERATING EXPENSES \$ 100,000

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

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

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

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32 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 33 by this act shall be limited to the appropriation for such agency and funds  
 34 made available by law for the support of such appropriations; and the  
 35 restrictions of the State Procurement Law, the General Accounting and  
 36 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

1 Procedures and Restrictions Act, or their successors, and other fiscal  
2 control laws of this State, where applicable, and regulations promulgated by  
3 the Department of Finance and Administration, as authorized by law, shall be  
4 strictly complied with in disbursement of said funds.

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

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15 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
16 Assembly, that the Constitution of the State of Arkansas prohibits the  
17 appropriation of funds for more than a one (1) year period; that the  
18 effectiveness of this Act on July 1, 2009 is essential to the operation of  
19 the agency for which the appropriations in this Act are provided, and that in  
20 the event of an extension of the Regular Session, the delay in the effective  
21 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
22 proper administration and provision of essential governmental programs.  
23 Therefore, an emergency is hereby declared to exist and this Act being  
24 necessary for the immediate preservation of the public peace, health and  
25 safety shall be in full force and effect from and after July 1, 2009.

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27 **APPROVED: 4/3/2009**  
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