

1 State of Arkansas
2 89th General Assembly
3 Fiscal Session, 2014
4

A Bill

SENATE BILL 123

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, 2015;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF RURAL
15 SERVICES APPROPRIATION FOR THE 2014-2015
16 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Department of Rural Services for the 2014-2015 fiscal year, the following
24 maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2014-2015
30	(1) U099U	DIRECTOR OF RURAL SERVICES	1	\$89,307
31	(2) G115C	ASST DIR OF RURAL SERVICES	1	GRADE C121
32	(3) G180C	GRANTS ANALYST	3	GRADE C117
33	(4) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
34		MAX. NO. OF EMPLOYEES	6	

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



1 of Rural Services for the 2014-2015 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.

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 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, 2015, the following:

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2014-2015</u>
16 (01) REGULAR SALARIES	\$250,928
17 (02) EXTRA HELP	5,500
18 (03) PERSONAL SERVICES MATCHING	80,103
19 (04) MAINT. & GEN. OPERATION	
20 (A) OPER. EXPENSE	67,704
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>\$1,408,335</u></u>

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 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, 2015, the following:

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2014-2015</u>
2	(01) CONFERENCE EXPENSES	<u>\$75,000</u>

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4 SECTION 5. APPROPRIATION - WILDLIFE RECREATION FACILITIES PILOT

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

6 to be payable from the Wildlife Recreation Facilities Fund, for personal

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

8 fiscal year ending June 30, 2015, the following:

10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2014-2015</u>
12	(01) REGULAR SALARIES	\$32,249
13	(02) PERSONAL SERVICES MATCHING	11,999
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>\$1,050,862</u>

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23 SECTION 6. APPROPRIATION - ANIMAL RESCUE/SHELTERS. There is hereby

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

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

26 municipalities for infrastructure, construction, renovation, personal

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

28 for the fiscal year ending June 30, 2015, the following:

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2014-2015</u>
32	(01) ANIMAL RESCUE/SHELTERS GRANTS/AID	<u>\$100,000</u>

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34 SECTION 7. APPROPRIATION - ADMINISTRATIVE FEE. There is hereby

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

36 Miscellaneous Agencies Fund Account, for maintenance and operating expenses

1 of the Department of Rural Services for the fiscal year ending June 30, 2015,
 2 the following:

3	4 ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2014-2015</u>
6	(01) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	\$102,570
8	(B) CONF. & TRAVEL	0
9	(C) PROF. FEES	0
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	<u>0</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$102,570</u></u>

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14 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GENERAL
 16 IMPROVEMENT PROJECTS ADMINISTRATIVE FEE. The Department of Rural Services is
 17 authorized to retain and utilize for administrative cost purposes up to one
 18 and one half percent (1.5%) of the total amount of any General Improvement
 19 Fund moneys received for projects authorized for disbursement through the
 20 department by the General Assembly.

21

22 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 24 TRANSFER. Upon request of the Director of the Department of Rural Services
 25 to the Chief Fiscal Officer of the State, the Chief Fiscal Officer of the
 26 State, from time to time, shall cause to be transferred on his books and
 27 those of the State Treasurer and Auditor of State, an amount not to exceed
 28 one and one half percent (1.5%) from the various sub funds created in any
 29 General Improvement Fund, established for disbursement through the Department
 30 of Rural Services, to the Miscellaneous Agencies Fund Account.
 31 The funds transferred to the Miscellaneous Agencies Fund Account from the
 32 various sub funds established in any General Improvement Fund pursuant to
 33 this section shall be made available and utilized solely by the Department of
 34 Rural Services for maintenance and general operations costs.

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36 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 ADMINISTRATIVE EXPENSES. Any unexpended balance of funds remaining on June
3 30, of each fiscal year in the Miscellaneous Agencies Fund Account for the
4 Department of Rural Services that were transferred from the various sub funds
5 created in any General Improvement Fund for the administration of general
6 improvement fund projects shall remain in the Miscellaneous Agencies Fund
7 Account and made available to the Department of Rural Services and utilized
8 for the same purpose during the following fiscal year.

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10 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY
12 FAIR GRANTS. The Department of Rural Services shall develop the necessary
13 rules and regulations for the disbursement of matching fund grants to county
14 fairs for the construction, renovation and/or improvements to county fair
15 grounds. The grants shall be matched on a 50/50 basis. The match may be
16 cash or in-kind. No county fair shall receive more than \$30,000 for the
17 biennium.

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19 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT
21 AWARD CRITERIA. The Department of Rural Services shall promulgate regulations
22 establishing the criteria to be utilized in determining to whom grants will
23 be made under this Act. Subject to the approval of the Governor, and
24 approval by the Arkansas Legislative Council or the Joint Budget Committee,
25 the Department of Rural Services shall distribute the grants.
26 Determining the maximum number of employees and the maximum amount of
27 appropriation and general revenue funding for a state agency each fiscal year
28 is the prerogative of the General Assembly. This is usually accomplished by
29 delineating such maximums in the appropriation act(s) for a state agency and
30 the general revenue allocations authorized for each fund and fund account by
31 amendment to the Revenue Stabilization law. Further, the General Assembly
32 has determined that the Department of Rural Services may operate more
33 efficiently if some flexibility is provided to the Department of Rural
34 Services authorizing broad powers under this Section. Therefore, it is both
35 necessary and appropriate that the General Assembly maintain oversight by
36 requiring prior approval of the Legislative Council or Joint Budget Committee

1 as provided by this section. The requirement of approval by the Legislative
2 Council or Joint Budget Committee is not a severable part of this section.
3 If the requirement of approval by the Legislative Council or Joint Budget
4 Committee is ruled unconstitutional by a court of competent jurisdiction,
5 this entire section is void.

6 The provisions of this section shall be in effect only from July 1, ~~2013~~
7 2014 through June 30, ~~2014~~ 2015.

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9 SECTION 13. 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 14. 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 15. 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, 2014 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, 2014 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, 2014.

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5 **APPROVED: 02/25/2014**
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