

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.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: S2/12/07*  
**A Bill**

SENATE BILL 130

5 By: Joint Budget Committee  
6  
7

8 **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 BIENNIAL  
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER  
13 PURPOSES.  
14

15  
16 **Subtitle**

17 AN ACT FOR THE ARKANSAS MINORITY HEALTH  
18 COMMISSION APPROPRIATION FOR THE  
19 2007-2009 BIENNIUM.  
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

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.  
35

36 Maximum Annual



| Item No. | Class Code | Title | Maximum No. of Employees        | Salary Rate Fiscal Years 2007-2008 | Salary Rate Fiscal Years 2008-2009 |
|----------|------------|-------|---------------------------------|------------------------------------|------------------------------------|
| 1        | (1)        | 9239  | DIRECTOR - MINORITY HEALTH COMM | 1                                  | \$79,319 \$80,905                  |
| 2        | (2)        | R264  | MANAGEMENT PROJECT ANALYST I    | 1                                  | GRADE 18                           |
| 3        | (3)        | R010  | ADMINISTRATIVE ASSISTANT II     | <u>1</u>                           | GRADE 17                           |
| 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 biennial period ending June 30, 2009, the following:

| ITEM NO. |                            | FISCAL YEARS 2007-2008 | FISCAL YEARS 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 NO. |  | FISCAL YEARS 2007-2008 | FISCAL YEARS 2008-2009 |
|----------|--|------------------------|------------------------|
|----------|--|------------------------|------------------------|

1 (01) PERSONAL SERVICES AND OPERATING

2 EXPENSES \$ 100,000 \$ 100,000

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

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

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

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

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

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

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

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28 /s/ Joint Budget Committee  
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