

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: S3/21/07

A Bill

SENATE BILL 63

5 By: Joint Budget Committee
6
7

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

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF RURAL
17 SERVICES APPROPRIATION FOR THE 2007-2009
18 BIENNIUM.
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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
25 Department of Rural Services for the 2007-2009 biennium, the following
26 maximum 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)	7077	DIRECTOR OF RURAL SERVICES	1	\$76,633	\$78,165
2	(2)	R199	ASST DIR OF RURAL SERVICES	1	GRADE 22	
3	(3)	R168	GRANTS COORDINATOR II	2	GRADE 19	
4	(4)	R010	ADMINISTRATIVE ASSISTANT II	<u>1</u>	GRADE 17	
5	MAX. NO. OF EMPLOYEES			5		

SECTION 2. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Rural Services, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Rural Services - State Operations for the biennial period ending June 30, 2009, the following:

ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
(01)	REGULAR SALARIES	\$ 197,346	\$ 201,291
(02)	PERSONAL SERVICES MATCHING	60,962	61,761
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	67,704	67,704
(B)	CONF. & TRAVEL	4,100	4,100
(C)	PROF. FEES	0	0
(D)	CAP. OUTLAY	0	0
(E)	DATA PROC.	0	0
(04)	GRANTS/AID - RURAL COMMUNITY GRANTS	300,000	400,000
(05)	RURAL FIRE PROTECTION GRANTS	400,000	500,000
(06)	COUNTY FAIR IMPROVEMENT GRANTS	<u>100,000</u>	<u>100,000</u>
TOTAL AMOUNT APPROPRIATED		<u>\$ 1,130,112</u>	<u>\$ 1,334,856</u>

SECTION 3. APPROPRIATIONS - CONFERENCE EXPENSES. There is hereby appropriated, to the Department of Rural Services, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Department of Rural Services, for conference expenses of the Department of Rural Services for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) CONFERENCE EXPENSES	\$ 50,000	\$ 50,000

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COUNTY FAIR GRANTS. The Department of Rural Services shall develop the necessary rules and regulations for the disbursement of matching fund grants to county fairs for the construction, renovation and/or improvements to county fair grounds. ~~of new or replacement buildings.~~ The grants shall be matched on a 50/50 basis. The match may be cash or in-kind. No county fair shall receive more than \$30,000 for the biennium.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT AWARD CRITERIA. The Department of Rural Services shall promulgate regulations establishing the criteria to be utilized in determining to whom grants will be made under this Act. Subject to the approval of the Governor, ~~and after prior review and approval~~ by the Arkansas Legislative Council or the Joint Budget Committee, the Department of Rural Services shall distribute the grants.

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 Department of Rural Services may operate more efficiently if some flexibility is provided to the Department of Rural Services 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.

1 If the requirement of approval by the Legislative Council or Joint Budget
2 Committee is ruled unconstitutional by a court of competent jurisdiction,
3 this entire section is void.

4 The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007
5 through June 30, ~~2007~~ 2009.

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7 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
8 by this act shall be limited to the appropriation for such agency and funds
9 made available by law for the support of such appropriations; and the
10 restrictions of the State Procurement Law, the General Accounting and
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
12 Procedures and Restrictions Act, or their successors, and other fiscal
13 control laws of this State, where applicable, and regulations promulgated by
14 the Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.

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

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26 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a two (2) year period; that the
29 effectiveness of this Act on July 1, 2007 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the Regular Session, the delay in the effective
32 date of this Act beyond July 1, 2007 could work irreparable harm upon the
33 proper administration and provision of essential governmental programs.
34 Therefore, an emergency is hereby declared to exist and this Act being
35 necessary for the immediate preservation of the public peace, health and
36 safety shall be in full force and effect from and after July 1, 2007.

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/s/ Joint Budget Committee