

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 98

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 FISCAL YEAR
12 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE DEPARTMENT OF RURAL
16 SERVICES APPROPRIATION FOR THE 2009-2010
17 FISCAL YEAR.
18
19
20

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Department of Rural Services 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
36 Maximum Salary Rate



| Item Class | No. of | Fiscal Year |
|---|-----------|-------------|
| No. Code Title | Employees | 2009-2010 |
| (1) U099U DIRECTOR OF RURAL SERVICES | 1 | \$82,073 |
| (2) G115C ASST DIR OF RURAL SERVICES | 1 | GRADE C121 |
| (3) G180C GRANTS ANALYST | 2 | GRADE C117 |
| (4) C056C ADMINISTRATIVE SPECIALIST III | <u>1</u> | GRADE C112 |
| MAX. NO. OF EMPLOYEES | 5 | |

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, 2010, the following:

14

| ITEM | FISCAL YEAR |
|--|---------------------|
| <u>NO.</u> | <u>2009-2010</u> |
| (01) REGULAR SALARIES | \$ 225,581 |
| (02) PERSONAL SERVICES MATCHING | 67,729 |
| (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>\$ 1,365,114</u> |

29

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, 2010, the following:

35

| ITEM | FISCAL YEAR |
|------|-------------|
|------|-------------|

| | | | |
|---|--------------------------|--|------------------|
| 1 | <u>NO.</u> | | <u>2009-2010</u> |
| 2 | (01) CONFERENCE EXPENSES | | \$ <u>50,000</u> |

3

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

12

13 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANT
15 AWARD CRITERIA. The Department of Rural Services shall promulgate regulations
16 establishing the criteria to be utilized in determining to whom grants will
17 be made under this Act. Subject to the approval of the Governor, and
18 approval by the Arkansas Legislative Council or the Joint Budget Committee,
19 the Department of Rural Services shall distribute the grants.
20 Determining the maximum number of employees and the maximum amount of
21 appropriation and general revenue funding for a state agency each fiscal year
22 is the prerogative of the General Assembly. This is usually accomplished by
23 delineating such maximums in the appropriation act(s) for a state agency and
24 the general revenue allocations authorized for each fund and fund account by
25 amendment to the Revenue Stabilization law. Further, the General Assembly
26 has determined that the Department of Rural Services may operate more
27 efficiently if some flexibility is provided to the Department of Rural
28 Services authorizing broad powers under this Section. Therefore, it is both
29 necessary and appropriate that the General Assembly maintain oversight by
30 requiring prior approval of the Legislative Council or Joint Budget Committee
31 as provided by this section. The requirement of approval by the Legislative
32 Council or Joint Budget Committee is not a severable part of this section.
33 If the requirement of approval by the Legislative Council or Joint Budget
34 Committee is ruled unconstitutional by a court of competent jurisdiction,
35 this entire section is void.

36 The provisions of this section shall be in effect only from July 1,

1 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

2
3 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
4 by this act shall be limited to the appropriation for such agency and funds
5 made available by law for the support of such appropriations; and the
6 restrictions of the State Procurement Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

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

21
22 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
23 Assembly, that the Constitution of the State of Arkansas prohibits the
24 appropriation of funds for more than a one (1) year period; that the
25 effectiveness of this Act on July 1, 2009 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the Regular Session, the delay in the effective
28 date of this Act beyond July 1, 2009 could work irreparable harm upon the
29 proper administration and provision of essential governmental programs.
30 Therefore, an emergency is hereby declared to exist and this Act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after July 1, 2009.