

State of Arkansas  
87th General Assembly  
Fiscal Session, 2010

# A Bill

SENATE BILL 39

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
MINORITY HEALTH COMMISSION FOR THE FISCAL YEAR  
ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS MINORITY HEALTH  
COMMISSION APPROPRIATION FOR THE 2010-  
2011 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas  
Minority Health Commission for the 2010-2011 fiscal year, the following  
maximum number of regular employees whose salaries shall be governed by the  
provisions of the Uniform Classification and Compensation Act (Arkansas Code  
§§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
Provided, however, that any position to which a specific maximum annual  
salary is set out herein in dollars, shall be exempt from the provisions of  
said Uniform Classification and Compensation Act. All persons occupying  
positions authorized herein are hereby governed by the provisions of the  
Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
or its successor.

	Maximum Annual
Maximum	Salary Rate



Item Class	No. of	Fiscal Year
No. Code Title	Employees	2010-2011
(1) N133N DIRECTOR MINORITY HEALTH COMMISSION	1	GRADE N903
(2) C037C ADMINISTRATIVE ANALYST	1	GRADE C115
(3) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
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, 2011, the following:

ITEM	FISCAL YEAR
NO.	2010-2011
(01) REGULAR SALARIES	\$ 141,969
(02) PERSONAL SERVICES MATCHING	41,875
(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>\$ 186,383</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, 2011, the following:

ITEM	FISCAL YEAR
NO.	2010-2011
(01) PERSONAL SERV. & OPERATING EXPENSES	<u>\$ 100,000</u>

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

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

28 The provisions of this section shall be in effect only from July 1,  
29 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.  
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31 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
32 by this act shall be limited to the appropriation for such agency and funds  
33 made available by law for the support of such appropriations; and the  
34 restrictions of the State Procurement Law, the General Accounting and  
35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by  
2 the Department of Finance and Administration, as authorized by law, shall be  
3 strictly complied with in disbursement of said funds.  
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5 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
6 that any funds disbursed under the authority of the appropriations contained  
7 in this act shall be in compliance with the stated reasons for which this act  
8 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
9 and Legislative Recommendations contained in the budget manuals prepared by  
10 the Department of Finance and Administration, letters, or summarized oral  
11 testimony in the official minutes of the Arkansas Legislative Council or  
12 Joint Budget Committee which relate to its passage and adoption.  
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14 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
15 Assembly, that the Constitution of the State of Arkansas prohibits the  
16 appropriation of funds for more than a one (1) year period; that the  
17 effectiveness of this Act on July 1, 2010 is essential to the operation of  
18 the agency for which the appropriations in this Act are provided, and that in  
19 the event of an extension of the legislative session, the delay in the  
20 effective date of this Act beyond July 1, 2010 could work irreparable harm  
21 upon the proper administration and provision of essential governmental  
22 programs. Therefore, an emergency is hereby declared to exist and this Act  
23 being necessary for the immediate preservation of the public peace, health  
24 and safety shall be in full force and effect from and after July 1, 2010.  
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