

State of Arkansas  
87th General Assembly  
Fiscal Session, 2010

# A Bill

SENATE BILL 43

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
SERVICES AND OPERATING EXPENSES FOR THE  
DEPARTMENT OF RURAL SERVICES FOR THE FISCAL YEAR  
ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF RURAL  
SERVICES 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  
Department of Rural Services 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) U099U DIRECTOR OF RURAL SERVICES	1	\$83,960
(2) G115C ASST DIR OF RURAL SERVICES	1	GRADE C121
(3) G180C GRANTS ANALYST	3	GRADE C117
(4) C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
MAX. NO. OF EMPLOYEES	6	

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 fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
NO.	2010-2011
(01) REGULAR SALARIES	\$ 230,766
(02) PERSONAL SERVICES MATCHING	68,698
(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>\$ 1,371,268</u>

SECTION 3. APPROPRIATION - 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 fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
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NO.	2010-2011
(01) CONFERENCE EXPENSES	\$ 50,000

SECTION 4. APPROPRIATION - WILDLIFE RECREATION FACILITIES PILOT PROGRAM.

There is hereby appropriated, to the Department of Rural Services, to be payable from the Wildlife Recreation Facilities Fund, for personal services and operating expenses of the Department of Rural Services for the fiscal year ending June 30, 2011, the following:

ITEM	FISCAL YEAR
NO.	2010-2011
(01) REGULAR SALARIES	\$ 32,990
(02) PERSONAL SERV MATCHING	11,276
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	6,614
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) WILDLIFE RECREATION GRANTS	1,000,000
TOTAL AMOUNT APPROPRIATED	\$ 1,050,880

SECTION 5. 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. 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.

SECTION 6. 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

1 approval by the Arkansas Legislative Council or the Joint Budget Committee,  
2 the Department of Rural Services shall distribute the grants.  
3 Determining the maximum number of employees and the maximum amount of  
4 appropriation and general revenue funding for a state agency each fiscal year  
5 is the prerogative of the General Assembly. This is usually accomplished by  
6 delineating such maximums in the appropriation act(s) for a state agency and  
7 the general revenue allocations authorized for each fund and fund account by  
8 amendment to the Revenue Stabilization law. Further, the General Assembly  
9 has determined that the Department of Rural Services may operate more  
10 efficiently if some flexibility is provided to the Department of Rural  
11 Services authorizing broad powers under this Section. Therefore, it is both  
12 necessary and appropriate that the General Assembly maintain oversight by  
13 requiring prior approval of the Legislative Council or Joint Budget Committee  
14 as provided by this section. The requirement of approval by the Legislative  
15 Council or Joint Budget Committee is not a severable part of this section.  
16 If the requirement of approval by the Legislative Council or Joint Budget  
17 Committee is ruled unconstitutional by a court of competent jurisdiction,  
18 this entire section is void.

19 The provisions of this section shall be in effect only from July 1,  
20 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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22 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
23 by this act shall be limited to the appropriation for such agency and funds  
24 made available by law for the support of such appropriations; and the  
25 restrictions of the State Procurement Law, the General Accounting and  
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
27 Procedures and Restrictions Act, or their successors, and other fiscal  
28 control laws of this State, where applicable, and regulations promulgated by  
29 the Department of Finance and Administration, as authorized by law, shall be  
30 strictly complied with in disbursement of said funds.

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32 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly  
33 that any funds disbursed under the authority of the appropriations contained  
34 in this act shall be in compliance with the stated reasons for which this act  
35 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
36 and Legislative Recommendations contained in the budget manuals prepared by

1 the Department of Finance and Administration, letters, or summarized oral  
2 testimony in the official minutes of the Arkansas Legislative Council or  
3 Joint Budget Committee which relate to its passage and adoption.  
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5 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly, that the Constitution of the State of Arkansas prohibits the  
7 appropriation of funds for more than a one (1) year period; that the  
8 effectiveness of this Act on July 1, 2010 is essential to the operation of  
9 the agency for which the appropriations in this Act are provided, and that in  
10 the event of an extension of the legislative session, the delay in the  
11 effective date of this Act beyond July 1, 2010 could work irreparable harm  
12 upon the proper administration and provision of essential governmental  
13 programs. Therefore, an emergency is hereby declared to exist and this Act  
14 being necessary for the immediate preservation of the public peace, health  
15 and safety shall be in full force and effect from and after July 1, 2010.  
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