

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 132

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
10 MINORITY HEALTH COMMISSION FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT FOR THE ARKANSAS MINORITY HEALTH
15 COMMISSION APPROPRIATION FOR THE 2011-2012
16 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Arkansas Minority Health Commission for the 2011-2012 fiscal year, the
24 following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
30	(1) N133N	DIRECTOR MINORITY HEALTH COMMISSION	1	GRADE N903
31	(2) C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
32	(3) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
33	MAX. NO. OF EMPLOYEES		3	

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35 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,
36 to the Arkansas Minority Health Commission, to be payable from the



1 Miscellaneous Agencies Fund Account, for personal services and operating
 2 expenses of the Arkansas Minority Health Commission for the fiscal year
 3 ending June 30, 2012, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
7 (01) REGULAR SALARIES	\$148,180
8 (02) PERSONAL SERVICES MATCHING	43,806
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	1,229
11 (B) CONF. & TRAVEL	500
12 (C) PROF. FEES	0
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	0
15 (04) PROMOTIONAL ITEMS	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$193,715</u></u>

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 18 SECTION 3. APPROPRIATION - CASH. There is hereby appropriated, to the
 19 Arkansas Minority Health Commission, to be payable from the cash fund
 20 deposited in the State Treasury as determined by the Chief Fiscal Officer of
 21 the State, for personal services and operating expenses of the Arkansas
 22 Minority Health Commission for the fiscal year ending June 30, 2012, the
 23 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2011-2012</u>
27 (01) PERSONAL SERVICES & OPERATING	
28 EXPENSES	<u><u>\$100,000</u></u>

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 30 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 32 PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish
 33 upon request for the Minority Health Commission a special Promotional Items
 34 appropriation to be used in the acquisition of promotional items. When the
 35 Minority Health Commission wishes to transfer from its operating expenses
 36 appropriation and funds to the promotional items line, the request shall be

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

20 The provisions of this section shall be in effect only from July 1, ~~2010~~
 21 2011 through June 30, ~~2011~~ 2012.

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23 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 24 authorized by this act shall be limited to the appropriation for such agency
 25 and funds made available by law for the support of such appropriations; and
 26 the restrictions of the State Procurement Law, the General Accounting and
 27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 28 Procedures and Restrictions Act, or their successors, and other fiscal
 29 control laws of this State, where applicable, and regulations promulgated by
 30 the Department of Finance and Administration, as authorized by law, shall be
 31 strictly complied with in disbursement of said funds.

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33 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
 34 Assembly that any funds disbursed under the authority of the appropriations
 35 contained in this act shall be in compliance with the stated reasons for
 36 which this act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.
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6 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
7 Assembly, that the Constitution of the State of Arkansas prohibits the
8 appropriation of funds for more than a one (1) year period; that the
9 effectiveness of this Act on July 1, 2011 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the legislative session, the delay in the
12 effective date of this Act beyond July 1, 2011 could work irreparable harm
13 upon the proper administration and provision of essential governmental
14 programs. Therefore, an emergency is hereby declared to exist and this Act
15 being necessary for the immediate preservation of the public peace, health
16 and safety shall be in full force and effect from and after July 1, 2011.

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