

State of Arkansas
91st General Assembly
Fiscal Session, 2018

A Bill

SENATE BILL 15

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS
MINORITY HEALTH COMMISSION FOR THE MINORITY HEALTH
INITIATIVE OF THE TARGETED STATE NEEDS PROGRAM FOR
THE FISCAL YEAR ENDING JUNE 30, 2019; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS MINORITY HEALTH
INITIATIVE OF THE MINORITY HEALTH
COMMISSION APPROPRIATION FOR THE 2018-
2019 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - MINORITY HEALTH INITIATIVE. There is
hereby established for the Arkansas Minority Health Commission for the 2018-
2019 fiscal year, the following maximum number of regular employees.

			Maximum Annual
			Salary Rate
Item	Class	No. of	Fiscal Year
No.	Code	Title	2018-2019
(1)	A082C	ACCOUNTANT II	GRADE GS08
(2)	G147C	GRANTS COORDINATOR	GRADE GS07
(3)	L053C	HEALTH PROGRAM SPECIALIST I	GRADE GS06
(4)	R025C	HUMAN RESOURCES ANALYST	GRADE GS06
(5)	A091C	FISCAL SUPPORT ANALYST	GRADE GS05



(6)	C087C ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE GS02
	MAX. NO. OF EMPLOYEES	6	

SECTION 2. APPROPRIATION - MINORITY HEALTH INITIATIVE. There is hereby appropriated, to the Arkansas Minority Health Commission, to be payable from the Targeted State Needs Program Account, for personal services and operating expenses of the Arkansas Minority Health Commission - Arkansas Minority Health Initiative for the fiscal year ending June 30, 2019, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2018-2019</u>
(01) REGULAR SALARIES	\$209,589
(02) PERSONAL SERVICES MATCHING	77,839
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	531,788
(B) CONF. & TRAVEL	20,000
(C) PROF. FEES	250,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) PROMOTIONAL ITEMS	0
(05) SCREENING, MONITORING, TREATING,	
OUTREACH & ADVERTISING	<u>558,554</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,647,770</u></u>

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

PROMOTIONAL ITEMS. The Chief Fiscal Officer of the State shall establish upon request for the Minority Health Commission a special Promotional Items appropriation to be used in the acquisition of promotional items. When the Minority Health Commission wishes to transfer from its operating expenses and/or Screening, Monitoring, Treating, Outreach & Advertising appropriation and funds to the promotional items line, the request shall be forwarded by the Minority Health Commission to the Chief Fiscal Officer of the State for processing and for prior approval by the Arkansas Legislative Council or Joint Budget Committee. Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state

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

15 The provisions of this section shall be in effect only from July 1, ~~2017~~
16 2018 through June 30, ~~2018~~ 2019.

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18 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
20 RESTRICTIONS. The appropriations provided in this act shall not be
21 transferred under the provisions of Arkansas Code 19-4-522, but only as
22 provided by this act.

23 The provisions of this section shall be in effect only from July 1, ~~2017~~
24 2018 through June 30, ~~2018~~ 2019.

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26 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS
28 OF APPROPRIATION. In the event the amount of any of the budget
29 classifications of maintenance and general operation in this act are found by
30 the administrative head of the agency to be inadequate, then the agency head
31 may request, upon forms provided for such purpose by the Chief Fiscal Officer
32 of the State, a modification of the amounts of the budget classification. In
33 that event, he or she shall set out on the forms the particular
34 classifications for which he or she is requesting an increase or decrease,
35 the amounts thereof, and his or her reasons therefor. In no event shall the
36 total amount of the budget exceed either the amount of the appropriation or

1 the amount of the funds available, nor shall any transfer be made from the
2 capital outlay or data processing subclassifications unless specific
3 authority for such transfers is provided by law, except for transfers from
4 capital outlay to data processing when determined by the Department of
5 Information Systems that data processing services for a state agency can be
6 performed on a more cost-efficient basis by the Department of Information
7 Systems than through the purchase of data processing equipment by that state
8 agency. In considering the proposed modification as prepared and submitted by
9 each state agency, the Chief Fiscal Officer of the State shall make such
10 studies as he or she deems necessary. The Chief Fiscal Officer of the State
11 shall, after obtaining the approval of the Legislative Council or Joint
12 Budget Committee, approve the requested transfer if in his or her opinion it
13 is in the best interest of the state.

14 The General Assembly has determined that the agency in this act could be
15 operated more efficiently if some flexibility is given to that agency and
16 that flexibility is being accomplished by providing authority to transfer
17 between certain items of appropriation made by this act. Since the General
18 Assembly has granted the agency broad powers under the transfer of
19 appropriations, it is both necessary and appropriate that the General
20 Assembly maintain oversight of the utilization of the transfers by requiring
21 prior approval of the Legislative Council in the utilization of the transfer
22 authority. Therefore, the requirement of approval by the Legislative Council
23 is not a severable part of this section. If the requirement of approval by
24 the Legislative Council is ruled unconstitutional by a court of competent
25 jurisdiction, this entire section is void.

26 The provisions of this section shall be in effect only from July 1, ~~2017~~
27 2018 through June 30, ~~2018~~ 2019.

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29 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
31 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
32 State of Arkansas or any of its agencies or institutions to continue funding
33 any position paid from the proceeds of the Tobacco Settlement in the event
34 that Tobacco Settlement funds are not sufficient to finance the position.
35 (b) State funds will not be used to replace Tobacco Settlement funds when
36 such funds expire, unless appropriated by the General Assembly and authorized

1 by the Governor.

2 (c) A disclosure of the language contained in (a) and (b) of this Section
3 shall be made available to all new hire and current positions paid from the
4 proceeds of the Tobacco Settlement by the Minority Health Commission.

5 (d) Whenever applicable the information contained in (a) and (b) of this
6 Section shall be included in the employee handbook and/or Professional
7 Services Contract paid from the proceeds of the Tobacco Settlement.

8 The provisions of this section shall be in effect only from July 1, ~~2017~~
9 2018 through June 30, ~~2018~~ 2019.

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11 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

13 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
14 shall be limited to the appropriation for such agency and funds made
15 available by law for the support of such appropriations; and the restrictions
16 of the State Purchasing Law, the General Accounting and Budgetary Procedures
17 Law, the Regular Salary Procedures and Restrictions Act, or their successors,
18 and other fiscal control laws of this State, where applicable, and
19 regulations promulgated by the Department of Finance and Administration, as
20 authorized by law, shall be strictly complied with in disbursement of said
21 funds.

22 The provisions of this section shall be in effect only from July 1, ~~2017~~
23 2018 through June 30, ~~2018~~ 2019.

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25 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

27 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
28 disbursed under the authority of the appropriations contained in this act
29 shall be in compliance with the stated reasons for which this act was
30 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
31 Executive Recommendations and Legislative Recommendations contained in the
32 budget manuals prepared by the Department of Finance and Administration,
33 letters, or summarized oral testimony in the official minutes of the Arkansas
34 Legislative Council or Joint Budget Committee which relate to its passage and
35 adoption.

36 The provisions of this section shall be in effect only from July 1, ~~2017~~

2018 through June 30, ~~2018~~ 2019.

SECTION 9. EFFECTIVE DATE. This act is effective on and after July 1,
2018.