

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 53

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HEALTH -  
10 ARKANSAS MINORITY HEALTH COMMISSION FOR THE FISCAL  
11 YEAR ENDING JUNE 30, 2022; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE DEPARTMENT OF HEALTH -  
15 ARKANSAS MINORITY HEALTH COMMISSION  
16 APPROPRIATION FOR THE 2021-2022 FISCAL  
17 YEAR.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Department of Health - Arkansas Minority Health Commission for the 2021-2022  
25 fiscal year, the following maximum number of regular employees.  
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Item	Class	Title	Maximum	Maximum Annual
			No. of	Salary Rate
No.	Code		Employees	Fiscal Year
				2021-2022
(1)	N133N	ADH DIRECTOR MINORITY HEALTH COMM.	1	GRADE GS14
(2)	L053C	HEALTH PROGRAM SPECIALIST I	1	GRADE GS06
(3)	P031C	MEDIA SPECIALIST	<u>1</u>	GRADE GS06
		MAX. NO. OF EMPLOYEES	3	

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36 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,



1 to the Department of Health, to be payable from the Miscellaneous Agencies  
 2 Fund Account, for personal services and operating expenses of the Department  
 3 of Health - Arkansas Minority Health Commission for the fiscal year ending  
 4 June 30, 2022, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2021-2022</u>
8 (01) REGULAR SALARIES	\$169,716
9 (02) PERSONAL SERVICES MATCHING	55,183
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	12,184
12 (B) CONF. & TRAVEL	500
13 (C) PROF. FEES	0
14 (D) CAP. OUTLAY	0
15 (E) DATA PROC.	0
16 (04) PROMOTIONAL ITEMS	<u>0</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$237,583</u></u>

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 19 SECTION 3. APPROPRIATION - CASH. There is hereby appropriated, to the  
 20 Department of Health, to be payable from the cash fund deposited in the State  
 21 Treasury as determined by the Chief Fiscal Officer of the State, for personal  
 22 services and operating expenses of the Department of Health - Arkansas  
 23 Minority Health Commission for the fiscal year ending June 30, 2022, the  
 24 following:

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2021-2022</u>
28 (01) PERSONAL SERVICES & OPERATING EXPENSES	<u><u>\$25,949</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, ~~2020~~  
21 2021 through June 30, ~~2021~~ 2022.

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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, 2021 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, 2021 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, 2021.

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