

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

**Act 29 of 2001**  
**HOUSE BILL 1199**

5 By: Joint Budget Committee  
6  
7

## **For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE STATE BOARD OF BARBER  
11 EXAMINERS FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2003; AND FOR OTHER PURPOSES.  
13  
14

## **Subtitle**

15 AN ACT FOR THE STATE BOARD OF BARBER  
16 EXAMINERS APPROPRIATION FOR THE 2001-2003  
17 BIENNIAL PERIOD.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
24 Board of Barber Examiners for the 2001-2003 biennium, the following maximum  
25 number of regular employees whose salaries shall be governed by the provisions  
26 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
27 et seq.), or its successor, and all laws amendatory thereto. Provided,  
28 however, that any position to which a specific maximum annual salary is set  
29 out herein in dollars, shall be exempt from the provisions of said Uniform  
30 Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
34  
35  
36

Maximum Annual

Item Class	Maximum No. of Employees	Salary Rate Fiscal Years
No. Code Title		2001-2002 2002-2003
(1) 7218 BD OF BARBER EXAM SECRETARY	1	\$45,473 \$46,655
(2) 7223 BD OF BARBER EXAM ADMIN SECRETARY	1	\$33,050 \$33,909
(3) 7222 BD OF BARBER EXAM INSPECTOR	1	\$32,329 \$33,169
(4) 8026 BD OF BARBER EXAM INSPECTOR I	1	\$18,629 \$19,113
(5) 7224 BD OF BARBER EXAM STENOGRAPHER	1	\$7,847 \$8,051
MAX. NO. OF EMPLOYEES	5	

10

11 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of  
 12 Barber Examiners for the 2001-2003 biennium, the following maximum number of  
 13 part-time or temporary employees, to be known as "Extra Help", payable from  
 14 funds appropriated herein for such purposes: two (2) temporary or part-time  
 15 employees, when needed, at rates of pay not to exceed those provided in the  
 16 Uniform Classification and Compensation Act, or its successor, or this act for  
 17 the appropriate classification.

18

19 SECTION 3. APPROPRIATION. There is hereby appropriated, to the State Board  
 20 of Barber Examiners, to be payable from the cash funds as defined by Arkansas  
 21 Code 19-4-801, for personal services and operating expenses of the State Board  
 22 of Barber Examiners for the biennial period ending June 30, 2003, the  
 23 following:

24

25

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 137,328	\$ 140,897
(02) EXTRA HELP	10,802	10,802
(03) PERSONAL SERV MATCHING	39,968	40,598
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	35,650	35,650
(B) CONF. & TRAVEL	2,550	2,550
(C) PROF. FEES	500	500
(D) CAP. OUTLAY	500	500
(E) DATA PROC.	<u>0</u>	<u>0</u>

36

1 TOTAL AMOUNT APPROPRIATED \$ 227,298 \$ 231,497

2

3 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
 4 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all  
 5 appropriations as provided in this Act, the agency disbursing officer shall  
 6 monitor the level of fund balances in relation to expenditures on a monthly  
 7 basis. If any proposed expenditures would cause a fund balance to decline to  
 8 less than fifty percent (50%) of the balance available on July 1, 2001, the  
 9 disbursing officer shall immediately notify the executive head of the agency.  
 10 Prior to any obligations being made under these circumstances, the agency  
 11 head shall file written documentation with the Chief Fiscal Officer of the  
 12 State requesting approval of the expenditures. Such documentation shall  
 13 provide sufficient financial data to justify the expenditures and shall  
 14 include the following:  
 15 1) a plan that clearly indicates the specific fiscal impact of such  
 16 expenditures on the fund balance.  
 17 2) information clearly indicating and explaining what programs would be cut or  
 18 any other measures to be taken by the agency to restore the fund balance.  
 19 3) the extent to which any of the planned expenditures are for one-time costs  
 20 or one-time purchase of capitalized items.  
 21 4) a statement certifying that the expenditure of fund balances will not  
 22 jeopardize the financial health of the agency, nor result in a permanent  
 23 depletion of the fund balance.  
 24 (B) The Chief Fiscal Officer of the State shall review the request and  
 25 approve or disapprove all or any part of the request, after having sought  
 26 prior review by the Legislative Council.

27

28 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this  
 29 Act for Maintenance and General Operation shall be expended in payment for  
 30 services of attorneys, unless the agency shall first make a request in writing  
 31 to the Attorney General of the State of Arkansas to provide the required legal  
 32 services. The Attorney General's Office shall provide the requested legal  
 33 services, or, if the Attorney General's Office shall determine that sufficient  
 34 personnel are not available to provide the requested legal services, the  
 35 Attorney General shall certify the same to the agency and may authorize the  
 36 agency to employ legal counsel and to expend monies appropriated for

1 Maintenance and General Operations therefor, if:

2 (1) The Attorney General determines, and certifies in writing, that such  
3 agency needs the advice or assistance of legal counsel, and

4 (2) The Attorney General consents in writing to the employment of the  
5 legal counsel to be retained by the agency.

6 Such certification shall be required with respect to each instance of the  
7 employment of special legal counsel, or shall be required annually with  
8 respect to legal counsel employed on a retainer basis. A copy of such  
9 certification shall be entered in the official minutes of the agency, and  
10 shall be retained in the fiscal records of the agency for audit purposes.

11

12 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
13 this act shall be limited to the appropriation for such agency and funds made  
14 available by law for the support of such appropriations; and the restrictions  
15 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
16 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
17 Restrictions Act, or their successors, and other fiscal control laws of this  
18 State, where applicable, and regulations promulgated by the Department of  
19 Finance and Administration, as authorized by law, shall be strictly complied  
20 with in disbursement of said funds.

21

22 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
23 that any funds disbursed under the authority of the appropriations contained  
24 in this act shall be in compliance with the stated reasons for which this act  
25 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
26 and Legislative Recommendations contained in the budget manuals prepared by  
27 the Department of Finance and Administration, letters, or summarized oral  
28 testimony in the official minutes of the Arkansas Legislative Council or Joint  
29 Budget Committee which relate to its passage and adoption.

30

31 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
32 Assembly, that the Constitution of the State of Arkansas prohibits the  
33 appropriation of funds for more than a two (2) year period; that the  
34 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
35 agency for which the appropriations in this Act are provided, and that in the  
36 event of an extension of the Regular Session, the delay in the effective date

1 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
2 administration and provision of essential governmental programs. Therefore, an  
3 emergency is hereby declared to exist and this Act being necessary for the  
4 immediate preservation of the public peace, health and safety shall be in full  
5 force and effect from and after July 1, 2001.

6  
7  
8 APPROVED: 1/29/2001  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36