

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**SENATE BILL 209**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE FIRE EXTINGUISHER BOARD FOR THE  
10 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER  
11 PURPOSES."

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

15 SECTION 1. REGULAR SALARIES. There is hereby established for the Fire  
16 Extinguisher Board for the 1991-93 biennium, the following maximum number of  
17 regular employees whose salaries shall be governed by the provisions of the  
18 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
19 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
20 that any position to which a specific maximum annual salary is set out herein  
21 in dollars, shall be exempt from the provisions of said Uniform Classification  
22 and Compensation Act. All persons occupying positions authorized herein are  
23 hereby governed by the provisions of the Regular Salaries Procedures and  
24 Restrictions Act (Arkansas Code §21-5-101), or its successor.

| Item   | Class | Title                          | Maximum<br>No. of<br>Employees | Maximum Annual<br>Salary Rate |           |
|--------|-------|--------------------------------|--------------------------------|-------------------------------|-----------|
|        |       |                                |                                | 1991-92                       | 1992-93   |
| 30 (1) | 7700  | FIRE EXTINGUISHER INSPECT/INV. | 1                              | \$ 12,500                     | \$ 13,500 |
| 31 (2) | 7181  | FIRE EXTINGUISHER BD EXEC SECY | <u>1</u>                       | \$ 15,105                     | \$ 15,860 |
| 32     |       | MAX NO. OF EMPLOYEES           | 2                              |                               |           |

34 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Fire  
35 Extinguisher Board, to be payable from cash funds as defined by Arkansas Code

1 19-4-801 of the Fire Extinguisher Board, for personal services and operating  
 2 expenses of the Fire Extinguisher Board for the biennial period ending June  
 3 30, 1993, the following:

| 5 ITEM   | FISCAL YEARS |           |
|--|--------------|-----------|
| 6 NO.  | 1991-92      | 1992-93   |
| 8 (01) REGULAR SALARIES                          | \$ 27,605    | \$ 29,360 |
| 9 (02) PERSONAL SERV MATCHING                    | 8,319        | 8,896     |
| 10 (03) MAINT. & GEN. OPERATION                  |              |           |
| 11 (A) OPER. EXPENSES \$ 17,365 \$ 17,865        |              |           |
| 12 (B) CONF. & TRAVEL 2,680 2,680                |              |           |
| 13 (C) PROF. FEES 0 0                            |              |           |
| 14 (D) CAPITAL OUTLAY 0 0                        |              |           |
| 15 (E) DATA PROCESSING 0 0                       |              |           |
| 16 TOTAL MAINT. & GEN. OPER. 20,045 20,545       |              |           |
| 17 (04) INVESTMENTS 3,000 3,000                  |              |           |
| 18 TOTAL AMOUNT APPROPRIATED \$ 58,969 \$ 61,801 |              |           |

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20 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 21 this Act for Maintenance and General Operation shall be expended in payment  
 22 for services of attorneys, unless the agency shall first make a request in  
 23 writing to the Attorney General of the State of Arkansas to provide the  
 24 required legal services. The Attorney General's Office shall provide the  
 25 requested legal services, or, if the Attorney General's Office shall determine  
 26 that sufficient personnel are not available to provide the requested legal  
 27 services, the Attorney General shall certify the same to the agency and may  
 28 authorize the agency to employ legal counsel and to expend monies appropriated  
 29 for Maintenance and General Operations therefor, if:

- 30 (1) The Attorney General determines, and certifies in writing, that  
 31 such agency needs the advice or assistance of legal counsel, and  
 32 (2) The Attorney General consents in writing to the employment of the  
 33 legal counsel to be retained by the agency.

34 Such certification shall be required with respect to each instance of  
 35 the employment of special legal counsel, or shall be required annually with  
 36 respect to legal counsel employed on a retainer basis. A copy of such

1 certification shall be entered in the official minutes of the agency, and  
2 shall be retained in the fiscal records of the agency for audit purposes.

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4 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
5 authorized by this Act shall be limited to the appropriation for such agency  
6 and funds made available by law for the support of such appropriations; and  
7 the restrictions of the State Purchasing Law, the General Accounting and  
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
9 Procedures and Restrictions Act, or their successors, and other fiscal control  
10 laws of this State, where applicable, and regulations promulgated by the  
11 Department of Finance and Administration, as authorized by law, shall be  
12 strictly complied with in disbursement of said funds.

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14 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
15 Assembly that any funds disbursed under the authority of the appropriations  
16 contained in this Act shall be in compliance with the stated reasons for which  
17 this Act was adopted, as evidenced by the Agency Requests, Executive  
18 Recommendations and Legislative Recommendations contained in the budget  
19 manuals prepared by the Department of Finance and Administration, letters, or  
20 summarized oral testimony in the official minutes of the Arkansas Legislative  
21 Council or Joint Budget Committee which relate to its passage and adoption.

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23 SECTION 6. CODE. All provisions of this Act of a general and permanent  
24 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
25 Code Revision Commission shall incorporate the same in the Code.

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27 SECTION 7. SEVERABILITY. If any provision of this Act or the  
28 application thereof to any person or circumstance is held invalid, such  
29 invalidity shall not affect other provisions or applications of the Act which  
30 can be given effect without the invalid provision or application, and to this  
31 end the provisions of this Act are declared to be severable.

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33 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
34 with this Act are hereby repealed.

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1 SECTION 9. HEALTH PREMIUMS. The Fire Extinguisher Board shall not,  
2 during the 1992-93 fiscal year, spend more for health insurance per employee  
3 than the amount being contributed to the State Employees Health Insurance  
4 Program.

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6 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
7 Seventy-Eighth General Assembly, that the Constitution of the State of  
8 Arkansas prohibits the appropriation of funds for more than a two (2) year  
9 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
10 operation of the agency for which the appropriations in this Act are provided,  
11 and that in the event of an extension of the Regular Session, the delay in the  
12 effective date of this Act beyond July 1, 1991 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 and  
16 safety shall be in full force and effect from and after July 1, 1991.

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18 */s/Joint Budget Committee*  
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