

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE ARKANSAS WATER WELL
10 CONSTRUCTION COMMISSION FOR THE BIENNIAL PERIOD ENDING
11 JUNE 30, 1995; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS WATER WELL CONSTRUCTION
15 COMMISSION APPROPRIATION."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the
20 Arkansas Water Well Construction Commission for the 1993-95 biennium, the
21 following maximum number of regular employees whose salaries shall be governed
22 by the provisions of the Uniform Classification and Compensation Act (Arkansas
23 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
24 Provided, however, that any position to which a specific maximum annual salary
25 is set out herein in dollars, shall be exempt from the provisions of said
26 Uniform Classification and Compensation Act. All persons occupying positions
27 authorized herein are hereby governed by the provisions of the Regular
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
29 successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
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No.	Code	Title	Employees	1993-94	1994-95
35	(1)	7127 WATER WELL EXECUTIVE SECRETARY	1	\$ 33,321	\$ 34,487

1	(2) 7128 WATERWELL FIELD INSPECTOR	1	\$ 25,377	\$ 26,265
2	(3) 7129 WATER WELL ACCOUNTANT	<u>1</u>	\$ 21,755	\$ 22,516
3	MAX NO. OF EMPLOYEES	3		

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5 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
6 Water Well Construction Commission for the 1993-95 biennium, the following
7 maximum number of part-time or temporary employees, to be known as "Extra
8 Help", payable from funds appropriated herein for such purposes: ten (10)
9 temporary or part-time employees, when needed, at rates of pay not to exceed
10 those provided in the Uniform Classification and Compensation Act, or its
11 successor, or this act for the appropriate classification.

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13 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
14 Arkansas Water Well Construction Commission, to be payable from cash funds as
15 defined by Arkansas Code 19-4-801 of the Arkansas Water Well Construction
16 Commission, for personal services and operating expenses of the Arkansas Water
17 Well Construction Commission for the biennial period ending June 30, 1995, the
18 following:

20	<u>ITEM</u>	<u>FISCAL YEARS</u>	
21	NO.	1993-94	1994-95
22	(01) REGULAR SALARIES	\$ 80,453	\$ 83,268
23	(02) EXTRA HELP	22,000	22,000
24	(03) PERSONAL SERV MATCHING	23,368	23,886
25	(04) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE \$	33,788	\$ 33,788
27	(B) CONF. & TRVL.	4,000	4,000
28	(C) PROF. FEES	5,939	5,939
29	(D) CAP. OUTLAY	5,500	5,500
30	(E) DATA PROC.	<u>0</u>	<u>0</u>
31	TOTAL MAINT. & GEN. OPER.	<u>49,227</u>	<u>49,227</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 175,048</u>	<u>\$ 178,381</u>

33 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
34 this Act for Maintenance and General Operation shall be expended in payment
35 for services of attorneys, unless the agency shall first make a request in

1 writing to the Attorney General of the State of Arkansas to provide the
2 required legal services. The Attorney General's Office shall provide the
3 requested legal services, or, if the Attorney General's Office shall determine
4 that sufficient personnel are not available to provide the requested legal
5 services, the Attorney General shall certify the same to the agency and may
6 authorize the agency to employ legal counsel and to expend monies appropriated
7 for Maintenance and General Operations therefor, if:

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

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

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

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

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28 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
29 that any funds disbursed under the authority of the appropriations contained
30 in this Act shall be in compliance with the stated reasons for which this Act
31 was adopted, as evidenced by the Agency Requests, Executive Recommendations
32 and Legislative Recommendations contained in the budget manuals prepared by
33 the Department of Finance and Administration, letters, or summarized oral
34 testimony in the official minutes of the Arkansas Legislative Council or Joint
35 Budget Committee which relate to its passage and adoption.

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SECTION 7. CODE. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 8. SEVERABILITY. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993.

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