

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

A Bill      ACT 122 OF 1991  
HOUSE BILL    1376

**For An Act To Be Entitled**

8            "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9            OPERATING EXPENSES FOR THE STATE BOARD OF ACCOUNTANCY FOR  
10           THE 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 State  
16 Board of Accountancy 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	No.	Class	Title	Maximum Annual		
					Employees	Salary Rate	
					1991-92	1992-93	
30	(1)	7206	BD OF ACCOUNTING	EXECUTIVE DIRECTOR	1	\$ 35,281	\$ 37,045
31	(2)	7207	BD OF ACCOUNTING	ADMIN ASST	1	\$ 20,103	\$ 21,108
32	(3)	7208	BD OF ACCOUNTING	SECRETARY	1	\$ 16,053	\$ 16,855
33	(4)	8705	ACCTG BOARD	SECRETARY	<u>1</u>	\$ 15,279	\$ 16,042
34				MAX NO. OF EMPLOYEES	4		

36            SECTION 2. EXTRA HELP. There is hereby authorized, for the State

1 Board of Accountancy for the 1991-93 biennium, the following maximum number of  
 2 part-time or temporary employees, to be known as "Extra Help", payable from  
 3 funds appropriated herein for such purposes: One (1) temporary or part-time  
 4 employees, when needed, at rates of pay not to exceed those provided in the  
 5 Uniform Classification and Compensation Act, or its successor, for the  
 6 appropriate classification.

7

8 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State  
 9 Board of Accountancy, to be payable from cash funds as defined by Arkansas  
 10 Code 19-4-801 of the State Board of Accountancy, for personal services and  
 11 operating expenses of the State Board of Accountancy for the biennial period  
 12 ending June 30, 1993, the following:

13

14 ITEM	FISCAL YEARS	
15 <del>NO.</del>	<del>1991-92</del>	<del>1992-93</del>
16 (01) REGULAR SALARIES	\$ 86,716	\$ 91,050
17 (02) EXTRA HELP	1,000	1,000
18 (03) PERSONAL SERV MATCHING	21,580	22,826
19 (04) MAINT. & GEN. OPERATION		
20 (A) OPER. EXPENSES	\$ 84,250	\$ 84,250
21 (B) CONF. & TRAVEL	12,199	12,199
22 (C) PROF. FEES	13,271	13,271
23 (D) CAPITAL OUTLAY	4,000	4,000
24 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
25 TOTAL MAINT. & GEN. OPER.	113,720	113,720
26 (05) FEE REFUNDS	15,000	15,000
27 (06) GRADING FEES	<u>72,000</u>	<u>72,000</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$ 310,016</u>	<u>\$ 315,596</u>

29

30

31 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 32 this Act for Maintenance and General Operation shall be expended in payment  
 33 for services of attorneys, unless the agency shall first make a request in  
 34 writing to the Attorney General of the State of Arkansas to provide the  
 35 required legal services. The Attorney General's Office shall provide the

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

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

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

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

15

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

25

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

34

35 SECTION 7. CODE. All provisions of this Act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
2 Code Revision Commission shall incorporate the same in the Code.

3  
4

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

10

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

13

14 SECTION 10. HEALTH PREMIUMS. The State Board of Accountancy shall not,  
15 during the 1992-93 fiscal year, spend more for health insurance per employee  
16 than the amount being contributed to the State Employees Health Insurance  
17 Program.

18

19 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
20 Seventy-Eighth General Assembly, that the Constitution of the State of  
21 Arkansas prohibits the appropriation of funds for more than a two (2) year  
22 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
23 operation of the agency for which the appropriations in this Act are provided,  
24 and that in the event of an extension of the Regular Session, the delay in the  
25 effective date of this Act beyond July 1, 1991 could work irreparable harm  
26 upon the proper administration and provision of essential governmental  
27 programs. Therefore, an emergency is hereby declared to exist and this Act  
28 being necessary for the immediate preservation of the public peace, health and  
29 safety shall be in full force and effect from and after July 1, 1991.

30

31 APPROVED: 2-12-91

32  
33  
34  
35

- 1
- 2
- 3