

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

A Bill ACT 250 OF 1991

HOUSE BILL 1450

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, 1993; AND FOR OTHER PURPOSES."

12
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
31	(1)	7127 WATER WELL EXECUTIVE SECRETARY	1	\$ 30,355	\$ 31,872
32	(2)	7128 WATER WELL FIELD INSPECTOR	1	\$ 23,119	\$ 24,274
33	(3)	7129 WATER WELL ACCOUNTANT	<u>1</u>	\$ 19,819	\$ 20,809
34		MAX NO. OF EMPLOYEES	3		

1 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
2 Water Well Construction Commission for the 1991-93 biennium, the following
3 maximum number of part-time or temporary employees, to be known as "Extra
4 Help", payable from funds appropriated herein for such purposes: ten (10)
5 temporary or part-time employees, when needed, at rates of pay not to exceed
6 those provided in the Uniform Classification and Compensation Act, or its
7 successor, or this act for the appropriate classification.

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9 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the
10 Arkansas Water Well Construction Commission, to be payable from cash funds as
11 defined by Arkansas Code 19-4-801 of the Arkansas Water Well Construction
12 Commission, for personal services and operating expenses of the Arkansas
13 Water Well Construction Commission for the biennial period ending June 30,
14 1993, the following:

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16 ITEM	FISCAL YEARS	
17 NO.	1991-92	1992-93
18 (01) REGULAR SALARIES	\$ 73,293	\$ 76,955
19 (02) EXTRA HELP	22,000	22,000
20 (03) PERSONAL SERV MATCHING	19,308	20,317
21 (04) MAINT. & GEN. OPERATION		
22 (A) OPER. EXPENSES	\$ 30,288	\$ 30,788
23 (B) CONF. & TRAVEL	4,000	4,000
24 (C) PROF. FEES	5,939	5,939
25 (D) CAPITAL OUTLAY	20,000	5,500
26 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
27 TOTAL MAINT. & GEN. OPER.	<u>60,227</u>	<u>46,227</u>
28 TOTAL AMOUNT APPROPRIATED	<u>\$ 174,828</u>	<u>\$ 165,499</u>

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

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

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

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

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

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

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

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34 SECTION 7. CODE. All provisions of this Act of a general and permanent
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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

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

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12 SECTION 10. HEALTH PREMIUMS. The Arkansas Water Well Construction
13 Commission shall not, during the 1992-93 fiscal year, spend more for health
14 insurance per employee than the amount being contributed to the State
15 Employees Health Insurance Program.

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

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29 APPROVED: 2-27-91

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