

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

A Bill

ACT 126 OF 1993
SENATE BILL 243

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, 1995; AND FOR OTHER
11 PURPOSES."

Subtitle

13 "AN ACT FOR THE FIRE EXTINGUISHER BOARD
14 APPROPRIATION."
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17 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

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

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			Maximum Annual	
			Maximum Salary Rate	
Item Class		No. of	Fiscal Years	
No. Code	Title	Employees	1993-94	1994-95
(1)	7181 FIRE EXTINGUISHER BD EXEC SECY	1	\$ 16,581	\$ 17,161
(2)	7700 FIRE EXT BD INSPECTOR/INVESTIGATOR	<u>1</u>	\$ 14,114	\$ 14,607
	MAX NO. OF EMPLOYEES	2		

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1 **SECTION 2. APPROPRIATIONS.** There is hereby appropriated, to the Fire
 2 **Extinguisher Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of**
 3 **the Fire Extinguisher Board, for personal services and operating expenses of the Fire**
 4 **Extinguisher Board for the biennial period ending June 30, 1995, the following:**

6 ITEM	7 FISCAL YEARS	
8 NO.	9 1993-94	10 1994-95
11 (01) REGULAR SALARIES	\$ 30,695	\$ 31,768
12 (02) PERSONAL SERV MATCHING	9,995	10,185
13 (03) MAINT. & GEN. OPERATION		
14 (A) OPER. EXPENSE \$	34,065	\$ 35,290
15 (B) CONF. & TRVL.	2,680	2,680
16 (C) PROF. FEES	3,000	3,000
17 (D) CAP. OUTLAY	3,000	3,000
18 (E) DATA PROC.	<u>0</u>	<u>0</u>
19 TOTAL MAINT. & GEN. OPER.	42,745	43,970
20 (04) INVESTMENTS	<u>3,000</u>	<u>3,000</u>
21 TOTAL AMOUNT APPROPRIATED	<u>\$ 86,435</u>	<u>\$ 88,923</u>

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

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

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

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

1 agency, and shall be retained in the fiscal records of the agency for audit purposes.

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

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

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

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

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29 **SECTION 8. GENERAL REPEALER.** All laws and parts of laws in conflict with
30 this Act are hereby repealed.

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32 **SECTION 9. EMERGENCY CLAUSE.** It is hereby found and determined by the
33 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the
34 appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on
35 July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act

1 **are provided, and that in the event of an extension of the Regular Session, the delay in the**
2 **effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper**
3 **administration and provision of essential governmental programs. Therefore, an emergency is**
4 **hereby declared to exist and this Act being necessary for the immediate preservation of the**
5 **public peace, health and safety shall be in full force and effect from and after July 1, 1993.**

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APPROVED: 02/15/93