

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

# A Bill

**ACT 635 OF 1993**  
**HOUSE BILL 1769**

## 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	
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1993-94</del>	<del>1994-95</del>
35	(1)	7127 WATER WELL EXECUTIVE SECRETARY	1	\$ 33,321	\$ 34,487
36	(2)	7128 WATERWELL FIELD INSPECTOR	1	\$ 25,377	\$ 26,265

1 (3) 7129 WATER WELL ACCOUNTANT 1 \$ 21,755 \$ 22,516  
 2 MAX NO. OF EMPLOYEES 3

3  
 4 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 5 Water Well Construction Commission for the 1993-95 biennium, the following  
 6 maximum number of part-time or temporary employees, to be known as "Extra  
 7 Help", payable from funds appropriated herein for such purposes: ten (10)  
 8 temporary or part-time employees, when needed, at rates of pay not to exceed  
 9 those provided in the Uniform Classification and Compensation Act, or its  
 10 successor, or this act for the appropriate classification.

11  
 12 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the  
 13 Arkansas Water Well Construction Commission, to be payable from cash funds as  
 14 defined by Arkansas Code 19-4-801 of the Arkansas Water Well Construction  
 15 Commission, for personal services and operating expenses of the Arkansas Water  
 16 Well Construction Commission for the biennial period ending June 30, 1995, the  
 17 following:

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

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

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

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

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

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

16

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

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

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

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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.

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

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

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26 APPROVED: 3/22/93  
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