

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

A Bill

ACT 798 OF 1993
HOUSE BILL 1146

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE CONTRACTOR'S LICENSING BOARD
10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR
11 OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE CONTRACTOR'S LICENSING BOARD
15 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 Contractor's Licensing Board for the 1993-95 biennium, the following maximum
21 number of regular employees whose salaries shall be governed by the provisions
22 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
23 et seq.), or its successor, and all laws amendatory thereto. Provided,
24 however, that any position to which a specific maximum annual salary is set
25 out herein in dollars, shall be exempt from the provisions of said Uniform
26 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	
No.	Code	Title	Employees	1993-94	1994-95
35	(1)	7209 CONTRACTORS LICNSNG ADMR/INVSTGTOR	1	\$ 50,756	\$ 52,532
36	(2)	7272 CONTRACTORS BOARD INVESTIGATORS	4	\$ 29,711	\$ 30,750

1	(3) 7211 CONTRACTORS LICENSING SR CLERK I	3	\$ 23,532	\$ 24,355
2	(4) 7273 CONTRACTORS BOARD JUNIOR CLERK	<u>1</u>	\$ 19,032	\$ 19,698
3	MAX NO. OF EMPLOYEES	9		

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

11	ITEM	FISCAL YEARS	
12	NO.	1993-94	1994-95
13	(01) REGULAR SALARIES	\$ 259,228	\$ 268,295
14	(02) PERSONAL SERV MATCHING	68,425	70,100
15	(03) MAINT. & GEN. OPERATION		
16	(A) OPER. EXPENSE	\$ 162,981	\$ 162,981
17	(B) CONF. & TRVL.	4,700	4,700
18	(C) PROF. FEES	18,000	18,000
19	(D) CAP. OUTLAY	7,500	7,500
20	(E) DATA PROC.	<u>0</u>	<u>0</u>
21	TOTAL MAINT. & GEN. OPER.	193,181	193,181
22	(04) GRANTS/AIDS	50,000	50,000
23	(05) INVESTMENTS	125,000	125,000
24	(06) REFUNDS	<u>50,000</u>	<u>50,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 745,834</u>	<u>\$ 756,576</u>

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

1 for Maintenance and General Operations therefor, if:

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

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

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

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12 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
13 authorized by this Act shall be limited to the appropriation for such agency
14 and funds made available by law for the support of such appropriations; and
15 the restrictions of the State Purchasing Law, the General Accounting and
16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
17 Procedures and Restrictions Act, or their successors, and other fiscal control
18 laws of this State, where applicable, and regulations promulgated by the
19 Department of Finance and Administration, as authorized by law, shall be
20 strictly complied with in disbursement of said funds.

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

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

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35 SECTION 7. SEVERABILITY. If any provision of this Act or the

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

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6 SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict
7 with this Act are hereby repealed.

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9 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
10 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
11 prohibits the appropriation of funds for more than a two (2) year period; that
12 the effectiveness of this Act on July 1, 1993 is essential to the operation of
13 the agency for which the appropriations in this Act are provided, and that in
14 the event of an extension of the Regular Session, the delay in the effective
15 date of this Act beyond July 1, 1993 could work irreparable harm upon the
16 proper administration and provision of essential governmental programs.
17 Therefore, an emergency is hereby declared to exist and this Act being
18 necessary for the immediate preservation of the public peace, health and
19 safety shall be in full force and effect from and after July 1, 1993.

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APPROVED: 4/1/93

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