

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Joint Budget Committee**

# A Bill

**ACT 22 OF 1995**  
**HOUSE BILL 1105**

## 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, 1997; AND FOR OTHER  
11 PURPOSES."

## Subtitle

14 "AN ACT FOR THE STATE BOARD OF  
15 ACCOUNTANCY APPROPRIATION FOR THE  
16 1995-97 BIENNIUM."

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
21 Board of Accountancy for the 1995-97 biennium, the following maximum number of  
22 regular employees whose salaries shall be governed by the provisions of the  
23 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
24 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
25 that any position to which a specific maximum annual salary is set out herein  
26 in dollars, shall be exempt from the provisions of said Uniform Classification  
27 and Compensation Act. All persons occupying positions authorized herein are  
28 hereby governed by the provisions of the Regular Salaries Procedures and  
29 Restrictions Act (Arkansas Code §21-5-101), or its 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>1995-96</del>	<del>1996-97</del>
35	(1)	7206 BD OF ACCOUNTING EXECUTIVE DIRECTOR	1	\$ 41,907	\$ 42,954
36	(2)	8708 BD OF ACCOUNTANCY EXECUTIVE ASST	1	\$ 30,862	\$ 31,633

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1	(3) 7207 BD OF ACCOUNTING ADMIN ASST	1	\$ 23,878	\$ 24,474
2	(4) 7208 BD OF ACCOUNTING INVESTIGATOR	1	\$ 19,066	\$ 19,542
3	(5) 8705 ACCTG BOARD SECRETARY	<u>1</u>	\$ 18,146	\$ 18,599
4	MAX NO. OF EMPLOYEES	5		

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Accountancy for the 1995-97 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State Board of Accountancy, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Accountancy, for personal services and operating expenses of the State Board of Accountancy for the biennial period ending June 30, 1997, the following:

20	ITEM	FISCAL YEARS	
21	<del>NO.</del>	<del>1995-96</del>	<del>1996-97</del>
22	(01) REGULAR SALARIES	\$ 130,596	\$ 130,596
23	(02) EXTRA HELP	1,000	1,000
24	(03) PERSONAL SERV MATCHING	36,724	36,724
25	(04) MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE	\$ 109,250	\$ 109,250
27	(B) CONF. & TRVL.	12,199	12,199
28	(C) PROF. FEES	13,271	13,271
29	(D) CAP. OUTLAY	4,000	4,000
30	(E) DATA PROC.	<u>0</u>	<u>0</u>
31	TOTAL MAINT. & GEN. OPER.	138,720	138,720
32	(05) FEE REFUNDS	7,521	7,521
33	(06) GRADING FEES	<u>72,000</u>	<u>72,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 386,561</u>	<u>\$ 386,561</u>

1 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
2 this Act for Maintenance and General Operation shall be expended in payment  
3 for services of attorneys, unless the agency shall first make a request in  
4 writing to the Attorney General of the State of Arkansas to provide the  
5 required legal services. The Attorney General's Office shall provide the  
6 requested legal services, or, if the Attorney General's Office shall determine  
7 that sufficient personnel are not available to provide the requested legal  
8 services, the Attorney General shall certify the same to the agency and may  
9 authorize the agency to employ legal counsel and to expend monies appropriated  
10 for Maintenance and General Operations therefor, if:

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

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

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

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

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31 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
32 Assembly that any funds disbursed under the authority of the appropriations  
33 contained in this Act shall be in compliance with the stated reasons for which  
34 this Act was adopted, as evidenced by the Agency Requests, Executive  
35 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or  
2 summarized oral testimony in the official minutes of the Arkansas Legislative  
3 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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18 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
19 Eightieth General Assembly, that the Constitution of the State of Arkansas  
20 prohibits the appropriation of funds for more than a two (2) year period; that  
21 the effectiveness of this Act on July 1, 1995 is essential to the operation of  
22 the agency for which the appropriations in this Act are provided, and that in  
23 the event of an extension of the Regular Session, the delay in the effective  
24 date of this Act beyond July 1, 1995 could work irreparable harm upon the  
25 proper administration and provision of essential governmental programs.  
26 Therefore, an emergency is hereby declared to exist and this Act being  
27 necessary for the immediate preservation of the public peace, health and  
28 safety shall be in full force and effect from and after July 1, 1995.

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30 APPROVED: 1/23/95

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