

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

A Bill

ACT 46 OF 1995
SENATE BILL 26

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE ARKANSAS FIRE PROTECTION
10 LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30,
11 1997; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE ARKANSAS FIRE PROTECTION
15 LICENSING BOARD 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
21 Arkansas Fire Protection Licensing Board for the 1995-97 biennium, the
22 following maximum number of regular employees whose salaries shall be governed
23 by the provisions of the Uniform Classification and Compensation Act (Arkansas
24 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual salary
26 is set out herein in dollars, shall be exempt from the provisions of said
27 Uniform Classification and Compensation Act. All persons occupying positions
28 authorized herein are hereby governed by the provisions of the Regular
29 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
30 successor.

Item	Class		Maximum	Maximum Annual	
			No. of	Salary Rate	
			Employees	Fiscal Years	
No.	Code	Title	Employees	1995-96	1996-97
36	(1)	7181 FIRE PROTECTION LICENSING BD EXEC SECY	1	\$ 17,941	\$ 18,389

1 (2) 7700 FIRE EXT BD INSPECTOR/INVESTIGATOR 1 \$ 15,271 \$ 15,652
 2 MAX NO. OF EMPLOYEES 2

3

4 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 5 Arkansas Fire Protection Licensing Board, to be payable from cash funds as
 6 defined by Arkansas Code 19-4-801 of the Arkansas Fire Protection Licensing
 7 Board, for personal services and operating expenses of the Arkansas Fire
 8 Protection Licensing Board for the biennial period ending June 30, 1997, the
 9 following:

10

11 ITEM	FISCAL YEARS	
12 NO.	1995-96	1996-97
13 (01) REGULAR SALARIES	\$ 32,403	\$ 32,403
14 (02) PERSONAL SERV MATCHING	11,068	11,068
15 (03) MAINT. & GEN. OPERATION		
16 (A) OPER. EXPENSE \$	21,574	\$ 21,574
17 (B) CONF. & TRVL.	2,680	2,680
18 (C) PROF. FEES	3,000	3,000
19 (D) CAP. OUTLAY	0	0
20 (E) DATA PROC.	<u>0</u>	<u>0</u>
21 TOTAL MAINT. & GEN. OPER.	27,254	27,254
22 (04) INVESTMENTS	<u>3,000</u>	<u>3,000</u>
23 TOTAL AMOUNT APPROPRIATED	<u>\$ 73,725</u>	<u>\$ 73,725</u>

24

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

35 (1) The Attorney General determines, and certifies in writing, that

1 such agency needs the advice or assistance of legal counsel, and

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

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

9

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

19

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

28

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

32

33 SECTION 7. SEVERABILITY. If any provision of this Act or the
34 application thereof to any person or circumstance is held invalid, such
35 invalidity shall not affect other provisions or applications of the Act which

1 can be given effect without the invalid provision or application, and to this
2 end the provisions of this Act are declared to be severable.

3

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

6

7 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
8 Eightieth General Assembly, that the Constitution of the State of Arkansas
9 prohibits the appropriation of funds for more than a two (2) year period; that
10 the effectiveness of this Act on July 1, 1995 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the Regular Session, the delay in the effective
13 date of this Act beyond July 1, 1995 could work irreparable harm upon the
14 proper administration and provision of essential governmental programs.
15 Therefore, an emergency is hereby declared to exist and this Act being
16 necessary for the immediate preservation of the public peace, health and
17 safety shall be in full force and effect from and after July 1, 1995.

18

19

APPROVED: 1/26/95

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

1
2
3