

Stricken language would be deleted from present law. Underlined language would be added to present law.

As Engrossed: S2/4/97

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4

# A Bill

ACT 133 OF 1997  
HOUSE BILL 1212

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
10 OPERATING EXPENSES FOR THE CONTRACTOR'S LICENSING BOARD  
11 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR  
12 OTHER PURPOSES."

## Subtitle

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14  
15 "AN ACT FOR THE CONTRACTOR'S LICENSING  
16 BOARD APPROPRIATION FOR THE 1997-99  
17 BIENNIUM."  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. REGULAR SALARIES. There is hereby established for the  
22 Contractor's Licensing Board for the 1997-99 biennium, the following maximum  
23 number of regular employees whose salaries shall be governed by the provisions  
24 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
25 et seq.), or its successor, and all laws amendatory thereto. Provided,  
26 however, that any position to which a specific maximum annual salary is set  
27 out herein in dollars, shall be exempt from the provisions of said Uniform  
28 Classification and Compensation Act. All persons occupying positions  
29 authorized herein are hereby governed by the provisions of the Regular  
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
31 successor.  
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Item	Class	No. of	Maximum Annual
		Employees	Salary Rate
			Fiscal Years
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>1997-98 1998-99</del>

1	(1) 7209 CONTRACTORS LICNSNG ADMR/INVSTGTOR	1	\$ 59,373	\$ 61,035
2	(2) 9020 CONTRACTORS BOARD ATTORNEY	1	\$ 48,000	\$ 49,344
3	(3) 9034 CONTRACTORS BOARD EDU COORD.	1	\$ 42,000	\$ 43,176
4	(4) 7272 CONTRACTORS BOARD INVESTIGATOR	4	\$ 34,753	\$ 35,726
5	(5) 7211 CONTRACTORS LICENSING SR CLERK I	3	\$ 27,525	\$ 28,295
6	(6) 7273 CONTRACTORS BOARD JUNIOR CLERK	<u>1</u>	\$ 22,261	\$ 22,884
7	MAX NO. OF EMPLOYEES	11		

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, 1999, the following:

ITEM	FISCAL YEARS	
<del>NO.</del>	<del>1997-98</del>	<del>1998-99</del>
(01) REGULAR SALARIES	\$ 393,221	\$ 404,228
(02) PERSONAL SERV MATCHING	102,237	105,099
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	178,981	178,981
(B) CONF. & TRVL.	4,700	4,700
(C) PROF. FEES	23,000	23,000
(D) CAP. OUTLAY	7,500	7,500
(E) DATA PROC.	0	0
(04) EDUCATION/TRAINING GRANTS	50,000	50,000
(05) INVESTMENTS	208,084	208,084
(06) REFUNDS/REIMBURSEMENTS	<u>50,000</u>	<u>50,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,017,723</u>	<u>\$ 1,031,592</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

1 that sufficient personnel are not available to provide the requested legal  
2 services, the Attorney General shall certify the same to the agency and may  
3 authorize the agency to employ legal counsel and to expend monies appropriated  
4 for Maintenance and General Operations therefor, if:

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

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

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

14

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

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

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34 SECTION 6. CODE. All provisions of this Act of a general and permanent  
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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

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

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12 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
13 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
14 prohibits the appropriation of funds for more than a two (2) year period; that  
15 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
16 the agency for which the appropriations in this Act are provided, and that in  
17 the event of an extension of the Regular Session, the delay in the effective  
18 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
19 proper administration and provision of essential governmental programs.  
20 Therefore, an emergency is hereby declared to exist and this Act being  
21 necessary for the immediate preservation of the public peace, health and  
22 safety shall be in full force and effect from and after July 1, 1997.

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*/s/Russ and Thickston*

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APPROVED:2-11-97

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