

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 234 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 90

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

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9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 FIRE PROTECTION LICENSING BOARD FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER
13 PURPOSES.
14

Subtitle

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17 AN ACT FOR THE ARKANSAS FIRE PROTECTION
18 LICENSING BOARD APPROPRIATION FOR THE
19 2005-2007 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
25 Fire Protection Licensing Board for the 2005-2007 biennium, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
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Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2005-2006	2006-2007
(1)	7181	FIRE PROT LIC BD OFFICE MANAGER	1	\$30,228	\$31,134
(2)	7700	FIRE EXT BD INSPECTOR/INVESTIGATOR	<u>1</u>	\$20,986	\$21,615
		MAX. NO. OF EMPLOYEES	2		

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Arkansas Fire Protection Licensing Board, to be payable from the Arkansas Fire Protection Licensing Board Fund, for personal services and operating expenses of the Arkansas Fire Protection Licensing Board for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 51,214	\$ 52,749
(02) PERSONAL SERVICES MATCHING	18,169	18,483
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	35,025	35,025
(B) CONF. & TRAVEL	3,200	3,300
(C) PROF. FEES	1,000	1,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>1,500</u>	<u>1,500</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 110,108</u>	<u>\$ 112,057</u>

SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES - ARKANSAS FIRE PROTECTION LICENSING BOARD FUND. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the Arkansas Fire Protection Licensing Board Fund to decline below forty five thousand one hundred ninety one dollars (\$45,191.00), the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with

1 the Chief Fiscal Officer of the State requesting approval of the
 2 expenditures. Such documentation shall provide sufficient financial data to
 3 justify the expenditures and shall include the following:

- 4 1) a plan that clearly indicates the specific fiscal impact of such
 5 expenditures on the fund balance.
- 6 2) information clearly indicating and explaining what programs would be cut
 7 or any other measures to be taken by the agency to restore the fund balance.
- 8 3) the extent to which any of the planned expenditures are for one-time costs
 9 or one-time purchase of capitalized items.
- 10 4) a statement certifying that the expenditure of fund balances will not
 11 jeopardize the financial health of the agency, nor result in a permanent
 12 depletion of the fund balance.

13 (B) The Chief Fiscal Officer of the State shall review the request and
 14 approve or disapprove all or any part of the request, after having sought
 15 prior review by the Legislative Council.

16 The provisions of this section shall be in effect only from July 1, 2003
 17 2005 through June 30, ~~2005~~ 2007.

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

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

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SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2005 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2005 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2005.

APPROVED: 2/17/2005

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