

**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 97 of the Regular Session**

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 1095

5 By: Joint Budget Committee
6
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For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE STATE
11 BOARD OF COSMETOLOGY FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
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Subtitle

15 AN ACT FOR THE STATE BOARD OF
16 COSMETOLOGY APPROPRIATION FOR THE
17 2005-2007 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the State
24 Board of Cosmetology for the 2005-2007 biennium, the following maximum number
25 of regular employees whose salaries shall be governed by the provisions of
26 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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Maximum Annual



Item	Class	Maximum	Salary Rate		
No.	Code	Title	No. of	Fiscal Years	
			Employees	2005-2006	2006-2007
(1)	9937	DIRECTOR COSMETOLOGY BOARD	1	\$50,708	\$52,221
(2)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
(3)	R440	BUSINESS CONTROLLER II	1	GRADE 16	
(4)	X319	COSMETOLOGY INSPECTOR	5	GRADE 13	
(5)	K039	DOCUMENT EXAMINER II	<u>2</u>	GRADE 12	
		MAX. NO. OF EMPLOYEES	10		

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11 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 12 the State Board of Cosmetology, to be payable from the Cosmetology Operating
 13 Fund, for personal services and operating expenses of the State Board of
 14 Cosmetology for the biennial period ending June 30, 2007, the following:

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ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 243,894	\$ 251,395
(02) PERSONAL SERVICES MATCHING	84,252	85,660
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	233,481	230,981
(B) CONF. & TRAVEL	6,349	6,349
(C) PROF. FEES	47,500	47,500
(D) CAP. OUTLAY	7,800	7,500
(E) DATA PROC.	<u>41,432</u>	<u>41,432</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 664,708</u>	<u>\$ 670,817</u>

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28 SECTION 3. APPROPRIATION - CASH. There is hereby appropriated, to the
 29 State Board of Cosmetology, to be payable from the cash fund deposited in the
 30 State Treasury as determined by the Chief Fiscal Officer of the State, for
 31 operating expenses and expenses of conducting disciplinary hearings of the
 32 State Board of Cosmetology for the biennial period ending June 30, 2007, the
 33 following:

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ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007

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1	(01) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	\$ 3,764	\$ 3,764
3	(B) CONF. & TRAVEL	0	0
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	0	0
6	(E) DATA PROC.	0	0
7	(02) EXP. OF DISCIPLINARY HEARINGS	<u>1,050</u>	<u>1,050</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,814</u>	<u>\$ 4,814</u>

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10 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
12 BALANCES - COSMETOLOGY OPERATING FUND. (A) For all appropriations as provided
13 in this Act, the agency disbursing officer shall monitor the level of fund
14 balances in relation to expenditures on a monthly basis. If any proposed
15 expenditures would cause the Cosmetology Operating Fund to decline below One
16 Hundred Ninety Seven Thousand One Hundred Nine Dollars (\$197,109), the
17 disbursing officer shall immediately notify the executive head of the agency.
18 Prior to any obligations being made under these circumstances, the agency
19 head shall file written documentation with the Chief Fiscal Officer of the
20 State requesting approval of the expenditures. Such documentation shall
21 provide sufficient financial data to justify the expenditures and shall
22 include the following:

- 23 1) a plan that clearly indicates the specific fiscal impact of such
- 24 expenditures on the fund balance.
- 25 2) information clearly indicating and explaining what programs would be cut
- 26 or any other measures to be taken by the agency to restore the fund balance.
- 27 3) the extent to which any of the planned expenditures are for one-time costs
- 28 or one-time purchase of capitalized items.
- 29 4) a statement certifying that the expenditure of fund balances will not
- 30 jeopardize the financial health of the agency, nor result in a permanent
- 31 depletion of the fund balance.

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

35 The provisions of this section shall be in effect only from July 1, ~~2003~~
36 2005 through June 30, ~~2005~~ 2007.

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

SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 7. 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: 2/10/2005

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