

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

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

# A Bill

ACT 41 OF 1997  
SENATE BILL 63

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 ARKANSAS FIRE PROTECTION  
11 LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 1999; AND FOR OTHER PURPOSES."  
13

## Subtitle

14 "AN ACT FOR THE ARKANSAS FIRE PROTECTION  
15 LICENSING BOARD APPROPRIATION FOR THE  
16 1997-99 BIENNIUM."  
17  
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 Arkansas Fire Protection Licensing Board for the 1997-99 biennium, the  
23 following maximum number of regular employees whose salaries shall be governed  
24 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
25 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
26 Provided, however, that any position to which a specific maximum annual salary  
27 is set out herein in dollars, shall be exempt from the provisions of said  
28 Uniform 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.  
32

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) 7181 FIRE EXTINGUISHER BD EXEC SECY	1	\$ 19,394	\$ 19,937
2	(2) 7700 FIRE EXT BD INSPECTOR/INVESTIGATOR	<u>1</u>	\$ 16,508	\$ 16,970
3	MAX NO. OF EMPLOYEES	2		

SECTION 2. APPROPRIATIONS. There is hereby appropriated to the Arkansas Fire Protection Licensing Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Fire Protection Licensing Board, for personal services and operating expenses of the Arkansas Fire Protection Licensing Board for the biennial period ending June 30, 1999, the following:

12	ITEM	FISCAL YEARS	
13	<del>NO.</del>	<del>1997</del>	<del>98</del>
14	1998-99		
15	(01) REGULAR SALARIES		\$ 35,902 \$
16	36,907		
17	(02) PERSONAL SERVICE MATCHING		12,383
18	12,560		
19	(03) MAINTENANCE & GENERAL OPERATION		
20	(A) OPERATING EXPENSE		21,574
21	21,574		
22	(B) CONFERENCE & TRAVEL		
23	1,520 1,520		
24	(C) PROFESSIONAL FEES		965
25	965		
26	(D) CAPITAL OUTLAY		
27	0 0		
28	(E) DATA PROCESSING		
29	0 0		
30	(04) INVESTMENTS	<u>3,000</u>	<u>3,000</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 75,344</u>	<u>\$ 76,526</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

1 writing to the Attorney General of the State of Arkansas to provide the  
2 required legal services. The Attorney General's Office shall provide the  
3 requested legal services, or, if the Attorney General's Office shall determine  
4 that sufficient personnel are not available to provide the requested legal  
5 services, the Attorney General shall certify the same to the agency and may  
6 authorize the agency to employ legal counsel and to expend monies appropriated  
7 for Maintenance and General Operations therefor, if:

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

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

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

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

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

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

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

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

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

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APPROVED: 1-30-97

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