

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.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 40 of 2001
HOUSE BILL 1216

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE STATE BOARD OF
11 COSMETOLOGY FOR THE BIENNIAL PERIOD ENDING JUNE 30,
12 2003; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE STATE BOARD OF COSMETOLOGY
16 APPROPRIATION FOR THE 2001-2003 BIENNIUM.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the State
23 Board of Cosmetology for the 2001-2003 biennium, the following maximum number
24 of regular employees whose salaries shall be governed by the provisions of the
25 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
26 seq.), or its successor, and all laws amendatory thereto. Provided, however,
27 that any position to which a specific maximum annual salary is set out herein
28 in dollars, shall be exempt from the provisions of said Uniform Classification
29 and Compensation Act. All persons occupying positions authorized herein are
30 hereby governed by the provisions of the Regular Salaries Procedures and
31 Restrictions Act (Arkansas Code §21-5-101), or its successor.
32

		Maximum Annual		
		Maximum	Salary Rate	
Item	Class	No. of	Fiscal Years	
No.	Code	Title	Empl oyees	2001-2002 2002-2003

1	(1)	9937	DI RECTOR COSMETOLOGY BOARD	1	\$45,495	\$46,677
2	(2)	R010	ADMI NI STRATI VE ASSI STANT II	1		GRADE 17
3	(3)	R444	BUSI NESS CONTROLLER I	1		GRADE 15
4	(4)	X319	COSMETOLOGY I NSPECTOR	5		GRADE 13
5	(5)	K039	DOCUM ENT EXAMI NER II	1		GRADE 12
6	(6)	K037	DOCUM ENT EXAMI NER I	<u>1</u>		GRADE 10
7			MAX. NO. OF EMPLOYEES	10		

8

9 SECTION 2. APPROPRIATION. There is hereby appropriated, to the State Board
 10 of Cosmetology, to be payable from the Cosmetology Contingent Fund, for
 11 personal services and operating expenses of the State Board of Cosmetology for
 12 the biennial period ending June 30, 2003, the following:

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14	ITEM		FI SCAL YEARS	
15	NO.		2001-2002	2002-2003
16	(01)	REGULAR SALARIES	\$ 218,595	\$ 224,277
17	(02)	PERSONAL SERV MATCHING	68,354	69,359
18	(03)	MAINT. & GEN. OPERATION		
19	(A)	OPER. EXPENSE	509,900	189,900
20	(B)	CONF. & TRAVEL	6,349	6,349
21	(C)	PROF. FEES	24,750	24,750
22	(D)	CAP. OUTLAY	0	22,500
23	(E)	DATA PROC.	<u>16,432</u>	<u>16,432</u>
24		TOTAL AMOUNT APPROPRIATED	<u>\$ 844,380</u>	<u>\$ 553,567</u>

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26 SECTION 3. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 27 State Board of Cosmetology, to be payable from cash funds as defined by
 28 Arkansas Code 19-4-801 of the State Board of Cosmetology, for operating
 29 expenses and expenses for conducting disciplinary hearings of the State Board
 30 of Cosmetology for the biennial period ending June 30, 2003, the following:

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32	ITEM		FI SCAL YEARS	
33	NO.		2001-2002	2002-2003
34	(01)	MAINT. & GEN. OPERATION		
35	(A)	OPER. EXPENSE	3,764	3,764
36	(B)	CONF. & TRAVEL	0	0

1	(C) PROF. FEES	0	0
2	(D) CAP. OUTLAY	0	0
3	(E) DATA PROC.	0	0
4	(02) EXPENSES OF DISCIPLINARY HEARINGS	<u>1,050</u>	<u>1,050</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,814</u>	<u>\$ 4,814</u>

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7 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 8 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS. The
 9 Arkansas State Board of Cosmetology, upon notification of the Chief Fiscal
 10 Officer of the State on July 1, 2001, may transfer an amount not to exceed
 11 \$390,936 from the Cosmetology Construction Fund to the Cosmetology Contingent
 12 Fund, there to be used for renovation, equipment/furniture purchases, lease,
 13 and operating expenses of a licensure examination facility approved by
 14 Arkansas State Building Services. Any funds not expended at the end of the
 15 2001-03 biennium shall be returned by transfer to the Cosmetology Construction
 16 Fund on June 30, 2003.

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18 The provisions of this section shall be in effect only from July 1, 2001
 19 through June 30, 2003.

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21 SECTION 5. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 22 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
 23 appropriations as provided in this Act, the agency disbursing officer shall
 24 monitor the level of fund balances in relation to expenditures on a monthly
 25 basis. If any proposed expenditures would cause a fund balance to decline to
 26 less than fifty percent (50%) of the balance available on July 1, 2001, the
 27 disbursing officer shall immediately notify the executive head of the agency.
 28 Prior to any obligations being made under these circumstances, the agency
 29 head shall file written documentation with the Chief Fiscal Officer of the
 30 State requesting approval of the expenditures. Such documentation shall
 31 provide sufficient financial data to justify the expenditures and shall
 32 include the following:

- 33 1) a plan that clearly indicates the specific fiscal impact of such
- 34 expenditures on the fund balance.
- 35 2) information clearly indicating and explaining what programs would be cut or
- 36 any other measures to be taken by the agency to restore the fund balance.

1 3) the extent to which any of the planned expenditures are for one-time costs
 2 or one-time purchase of capitalized items.

3 4) a statement certifying that the expenditure of fund balances will not
 4 jeopardize the financial health of the agency, nor result in a permanent
 5 depletion of the fund balance.

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

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 10 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
 11 this act shall be limited to the appropriation for such agency and funds made
 12 available by law for the support of such appropriations; and the restrictions
 13 of the State Purchasing Law, the General Accounting and Budgetary Procedures
 14 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
 15 Restrictions Act, or their successors, and other fiscal control laws of this
 16 State, where applicable, and regulations promulgated by the Department of
 17 Finance and Administration, as authorized by law, shall be strictly complied
 18 with in disbursement of said funds.

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 20 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
 21 that any funds disbursed under the authority of the appropriations contained
 22 in this act shall be in compliance with the stated reasons for which this act
 23 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 24 and Legislative Recommendations contained in the budget manuals prepared by
 25 the Department of Finance and Administration, letters, or summarized oral
 26 testimony in the official minutes of the Arkansas Legislative Council or Joint
 27 Budget Committee which relate to its passage and adoption.

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 29 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
 30 Assembly, that the Constitution of the State of Arkansas prohibits the
 31 appropriation of funds for more than a two (2) year period; that the
 32 effectiveness of this Act on July 1, 2001 is essential to the operation of the
 33 agency for which the appropriations in this Act are provided, and that in the
 34 event of an extension of the Regular Session, the delay in the effective date
 35 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
 36 administration and provision of essential governmental programs. Therefore, an

1 emergency is hereby declared to exist and this Act being necessary for the
2 immediate preservation of the public peace, health and safety shall be in full
3 force and effect from and after July 1, 2001.

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6 APPROVED: 1/29/2001
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