

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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# A Bill

HOUSE BILL

1056

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE STATE ATHLETIC COMMISSION FOR  
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR OTHER  
11 PURPOSES."

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## Subtitle

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"AN ACT FOR THE STATE ATHLETIC  
COMMISSION APPROPRIATION FOR THE 1995-97  
BIENNIUM."

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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SECTION 1. REGULAR SALARIES. There is hereby established for the State Athletic Commission for the 1995-97 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	No. of	Maximum Annual	
			Employees	Salary Rate
No.	Code	Title	1995-96	1996-97

1 (1) 7205 ATHLETIC COMM SECRETARY 1 \$ 9,749 \$  
 2 9,992

3 MAX NO. OF EMPLOYEES 1  
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6 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State  
 7 Athletic Commission, to be payable from cash funds as defined by Arkansas  
 8 Code 19-4-801 of the State Athletic Commission, for personal services and  
 9 ~~operating expenses of the State Athletic Commission for the biennial period~~  
 10 ending June 30, 1997, the following:

ITEM		FISCAL YEARS	
NO.		1995-96	1996-97
14 (01)	REGULAR SALARIES	\$ 9,512	\$
15	9,512		
16 (02)	PERSONAL SERV MATCHING	1,680	
17	1,680		
18 (03)	MAINT. & GEN. OPERATION		
19	(A) OPER. EXPENSE \$	4,110	\$ 4,110
20	(B) CONF. & TRVL.	0	0
21	(C) PROF. FEES	0	0
22	(D) CAP. OUTLAY	0	0
23	(E) DATA PROC.	<u>0</u>	<u>0</u>
24	TOTAL MAINT. & GEN. OPER.		<u>4,110</u>
25	<u>4,110</u>		
26	TOTAL AMOUNT APPROPRIATED	\$	<u>15,302</u> \$
27	<u>15,302</u>		

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 29 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 30 this Act for Maintenance and General Operation shall be expended in payment  
 31 for services of attorneys, unless the agency shall first make a request in  
 32 writing to the Attorney General of the State of Arkansas to provide the  
 33 required legal services. The Attorney General's Office shall provide the  
 34 requested legal services, or, if the Attorney General's Office shall  
 35 determine that sufficient personnel are not available to provide the

1 requested legal services, the Attorney General shall certify the same to the  
2 agency and may authorize the agency to employ legal counsel and to expend  
3 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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

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

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

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

SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the Eightieth 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, 1995 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, 1995 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, 1995.

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