

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

1059

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE CONTRACTOR'S LICENSING BOARD  
10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR  
11 OTHER PURPOSES."

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## Subtitle

14 "AN ACT FOR THE CONTRACTOR'S LICENSING  
15 BOARD APPROPRIATION FOR THE 1995-97  
16 BIENNIUM."

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

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20 SECTION 1. REGULAR SALARIES. There is hereby established for the  
21 Contractor's Licensing Board for the 1995-97 biennium, the following maximum  
22 number of regular employees whose salaries shall be governed by the  
23 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
24 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
25 Provided, however, that any position to which a specific maximum annual  
26 salary is set out herein in dollars, shall be exempt from the provisions of  
27 said Uniform Classification and Compensation Act. All persons occupying  
28 positions authorized herein are hereby governed by the provisions of the  
29 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
30 or its successor.

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

1	(1) 7209 CONTRACTORS LICNSNG ADMR/INVSTGTOR	1	\$ 54,921	\$
2	56,294			
3	(2) 7272 CONTRACTORS BOARD INVESTIGATOR	4	\$ 32,149	\$
4	32,952			
5	(3) 7211 CONTRACTORS LICENSING SR CLERK I	3	\$ 25,463	\$
6	26,099			
7	(4) 7273 CONTRACTORS BOARD JUNIOR CLERK	<u>1</u>	\$ 20,593	\$
8	21,107			
9	MAX NO. OF EMPLOYEES	9		

11 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the  
 12 Contractor's Licensing Board, to be payable from cash funds as defined by  
 13 ~~Arkansas Code 19-4-801 of the Contractor's Licensing Board, for personal~~  
 14 services and operating expenses of the Contractor's Licensing Board for the  
 15 biennial period ending June 30, 1997, the following:

17	ITEM	FISCAL YEARS	
18	NO.	1995-96	1996-97
19	(01) REGULAR SALARIES	\$ 273,660	\$
20	273,660		
21	(02) PERSONAL SERV MATCHING	72,479	
22	72,479		
23	(03) MAINT. & GEN. OPERATION		
24	(A) OPER. EXPENSE \$	162,981	\$ 162,981
25	(B) CONF. & TRVL.	4,700	4,700
26	(C) PROF. FEES	18,000	18,000
27	(D) CAP. OUTLAY	7,500	7,500
28	(E) DATA PROC.	<u>0</u>	<u>0</u>
29	TOTAL MAINT. & GEN. OPER.	193,181	
30	193,181		
31	(04) GRANTS/AIDS	50,000	
32	50,000		
33	(05) INVESTMENTS	199,868	
34	199,868		
35	(06) REFUNDS/REIMBURSEMENTS	<u>50,000</u>	

1 50,000

2 TOTAL AMOUNT APPROPRIATED

\$ 839,188 \$

3 839,188

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5 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
6 this Act for Maintenance and General Operation shall be expended in payment  
7 for services of attorneys, unless the agency shall first make a request in  
8 writing to the Attorney General of the State of Arkansas to provide the  
9 required legal services. The Attorney General's Office shall provide the  
10 requested legal services, or, if the Attorney General's Office shall  
11 determine that sufficient personnel are not available to provide the  
12 requested legal services, the Attorney General shall certify the same to the  
13 agency and may authorize the agency to employ legal counsel and to expend  
14 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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35 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations  
2 contained in this Act shall be in compliance with the stated reasons for  
3 which this Act was adopted, as evidenced by the Agency Requests, Executive  
4 Recommendations and Legislative Recommendations contained in the budget  
5 manuals prepared by the Department of Finance and Administration, letters, or  
6 summarized oral testimony in the official minutes of the Arkansas Legislative  
7 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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22       SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
23 Eightieth General Assembly, that the Constitution of the State of Arkansas  
24 prohibits the appropriation of funds for more than a two (2) year period;  
25 that the effectiveness of this Act on July 1, 1995 is essential to the  
26 operation of the agency for which the appropriations in this Act are  
27 provided, and that in the event of an extension of the Regular Session, the  
28 delay in the effective date of this Act beyond July 1, 1995 could work  
29 irreparable harm upon the proper administration and provision of essential  
30 governmental programs. Therefore, an emergency is hereby declared to exist  
31 and this Act being necessary for the immediate preservation of the public  
32 peace, health and safety shall be in full force and effect from and after  
33 July 1, 1995.

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