

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Joint Budget Committee

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7

A Bill

HOUSE BILL

1062

For An Act To Be Entitled

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

12

13

Subtitle

14 "AN ACT FOR THE STATE BOARD OF BARBER
15 EXAMINERS APPROPRIATION FOR THE 1995-97
16 BIENNIUM."

17

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

19

20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 State Board of Barber Examiners for the 1995-97 biennium, the following
22 maximum 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. of | Salary Rate | Fiscal Years |
| No. | Code | Title | Employees | 1995-96 1996-97 |

| | | | | |
|----|--|----------|-----------|----|
| 1 | (1) 7218 BD OF BARBER EXAM SECRETARY | 1 | \$ 36,879 | \$ |
| 2 | 37,800 | | | |
| 3 | (2) 7223 BD OF BARBER EXAM ADMIN SECRETARY | 1 | \$ 26,805 | \$ |
| 4 | 27,475 | | | |
| 5 | (3) 7222 BD OF BARBER EXAM INSPECTOR | 1 | \$ 26,220 | \$ |
| 6 | 26,875 | | | |
| 7 | (4) 8026 BD OF BARBER EXAM INSPECTOR I | 1 | \$ 15,110 | \$ |
| 8 | 15,487 | | | |
| 9 | (5) 7224 BD OF BARBER EXAM STENOGRAPHER | <u>1</u> | \$ 6,368 | \$ |
| 10 | 6,527 | | | |
| 11 | MAX NO. OF EMPLOYEES | 5 | | |

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13 SECTION 2. EXTRA HELP. There is hereby authorized, for the State

14 Board of Barber Examiners for the 1993-95 biennium, the following maximum

15 number of part-time or temporary employees, to be known as "Extra Help",

16 payable from funds appropriated herein for such purposes: two (2) temporary

17 or part-time employees, when needed, at rates of pay not to exceed those

18 provided in the Uniform Classification and Compensation Act, or its

19 successor,

20 or this act for the appropriate classification.

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22 ~~SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State~~

23 Board of Barber Examiners, to be payable from cash funds as defined by

24 Arkansas Code 19-4-801 of the State Board of Barber Examiners, for personal

25 services and operating expenses of the State Board of Barber Examiners for

26 the biennial period ending June 30, 1997, the following:

| 28 | ITEM | FISCAL YEARS | |
|----|-----------------------------|--------------|---------|
| 29 | NO. | 1995-96 | 1996-97 |
| 30 | (01) REGULAR SALARIES | \$ 108,097 | \$ |
| 31 | 108,097 | | |
| 32 | (02) EXTRA HELP | 14,596 | |
| 33 | 14,596 | | |
| 34 | (03) PERSONAL SERV MATCHING | 28,323 | |
| 35 | 28,323 | | |

| | | | |
|----|------------------------------|-----------|----------------------|
| 1 | (04) MAINT. & GEN. OPERATION | | |
| 2 | (A) OPER. EXPENSE \$ | 38,750 \$ | 38,750 |
| 3 | (B) CONF. & TRVL. | 3,150 | 3,150 |
| 4 | (C) PROF. FEES | 1,500 | 1,500 |
| 5 | (D) CAP. OUTLAY | 2,000 | 3,000 |
| 6 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 7 | TOTAL MAINT. & GEN. OPER. | | <u>45,400</u> |
| 8 | | | <u>46,400</u> |
| 9 | TOTAL AMOUNT APPROPRIATED | | <u>\$ 196,416 \$</u> |
| 10 | | | <u>197,416</u> |

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12 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 13 this Act for Maintenance and General Operation shall be expended in payment
 14 for services of attorneys, unless the agency shall first make a request in
 15 writing to the Attorney General of the State of Arkansas to provide the
 16 required legal services. The Attorney General's Office shall provide the
 17 requested legal services, or, if the Attorney General's Office shall
 18 determine that sufficient personnel are not available to provide the
 19 requested legal services, the Attorney General shall certify the same to the
 20 agency and may authorize the agency to employ legal counsel and to expend
 21 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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32 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 33 authorized by this Act shall be limited to the appropriation for such agency
 34 and funds made available by law for the support of such appropriations; and
 35 the restrictions of the State Purchasing Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
2 Procedures and Restrictions Act, or their successors, and other fiscal
3 control laws of this State, where applicable, and regulations promulgated by
4 the Department of Finance and Administration, as authorized by law, shall be
5 strictly complied with in disbursement of said funds.

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

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16 SECTION 7. CODE. All provisions of this Act of a general and
17 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
18 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

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26 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
27 with this Act are hereby repealed.

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29 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by
30 the Eightieth General Assembly, that the Constitution of the State of
31 Arkansas prohibits the appropriation of funds for more than a two (2) year
32 period; that the effectiveness of this Act on July 1, 1995 is essential to
33 the operation of the agency for which the appropriations in this Act are
34 provided, and that in the event of an extension of the Regular Session, the
35 delay in the effective date of this Act beyond July 1, 1995 could work

1 irreparable harm upon the proper administration and provision of essential
2 governmental programs. Therefore, an emergency is hereby declared to exist
3 and this Act being necessary for the immediate preservation of the public
4 peace, health and safety shall be in full force and effect from and after
5 July 1, 1995.

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