

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

1120

## For An Act To Be Entitled

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

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## Subtitle

14 "AN ACT FOR THE ARKANSAS WATER WELL  
15 CONSTRUCTION COMMISSION APPROPRIATION  
16 FOR THE 1995-97 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 Arkansas Water Well Construction Commission for the 1995-97 biennium, the  
22 following maximum number of regular employees whose salaries shall be  
23 governed by the provisions of the Uniform Classification and Compensation Act  
24 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory  
25 thereto. Provided, however, that any position to which a specific maximum  
26 annual salary is set out herein in dollars, shall be exempt from the  
27 provisions of said Uniform Classification and Compensation Act. All persons  
28 occupying positions authorized herein are hereby governed by the provisions  
29 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-  
30 101), or its successor.

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Maximum Annual

Maximum Salary Rate

No. of Fiscal Years

Employees 1995-96 1996-97

1	(1) 7127 WATER WELL EXECUTIVE SECRETARY	1	\$ 36,055	\$
2	36,956			
3	(2) 7128 WATER WELL OFFICE MANAGER	1	\$ 27,459	\$
4	28,145			
5	(3) 7129 WATER WELL ACCOUNTANT	<u>1</u>	\$ 23,540	\$
6	24,128			
7	MAX NO. OF EMPLOYEES	3		

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

10 Arkansas Water Well Construction Commission for the 1995-97 biennium, the

11 following maximum number of part-time or temporary employees, to be known as

12 "Extra Help", payable from funds appropriated herein for such purposes: ten

13 (10) temporary or part-time employees, when needed, at rates of pay not to

14 exceed those provided in the Uniform Classification and Compensation Act, or

15 its successor, or this act for the appropriate classification.

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17 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the

18 Arkansas Water Well Construction Commission, to be payable from cash funds as

19 defined by Arkansas Code 19-4-801 of the Arkansas Water Well Construction

20 Commission, for personal services and operating expenses of the Arkansas

21 ~~Water Well Construction Commission for the biennial period ending June 30,~~

22 1997, the following:

24	ITEM	FISCAL YEARS	
25	NO.	1995-96	1996-97
26	(01) REGULAR SALARIES	\$ 84,932	\$
27	84,932		
28	(02) EXTRA HELP	22,000	
29	22,000		
30	(03) PERSONAL SERV MATCHING	27,307	
31	27,307		
32	(04) MAINT. & GEN. OPERATION		
33	(A) OPER. EXPENSE \$	33,571	\$ 33,571
34	(B) CONF. & TRVL.	4,000	4,000
35	(C) PROF. FEES	2,250	2,250

1	(D) CAP. OUTLAY	5,500	22,000
2	(E) DATA PROC.	<u>0</u>	<u>0</u>
3	TOTAL MAINT. & GEN. OPER.		<u>45,321</u>
4	<u>61,821</u>		
5	TOTAL AMOUNT APPROPRIATED		<u>\$ 179,560</u> \$
6	<u>196,060</u>		

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

- 18 (1) The Attorney General determines, and certifies in writing, that  
 19 such agency needs the advice or assistance of legal counsel, and  
 20 (2) The Attorney General consents in writing to the employment of the  
 21 legal counsel to be retained by the agency.

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

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28 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
 29 authorized by this Act shall be limited to the appropriation for such agency  
 30 and funds made available by law for the support of such appropriations; and  
 31 the restrictions of the State Purchasing Law, the General Accounting and  
 32 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 33 Procedures and Restrictions Act, or their successors, and other fiscal  
 34 control laws of this State, where applicable, and regulations promulgated by  
 35 the Department of Finance and Administration, as authorized by law, shall be

1 strictly complied with in disbursement of said funds.

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

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

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

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

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25       SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by  
26 the Eightieth General Assembly, that the Constitution of the State of  
27 Arkansas prohibits the appropriation of funds for more than a two (2) year  
28 period; that the effectiveness of this Act on July 1, 1995 is essential to  
29 the operation of the agency for which the appropriations in this Act are  
30 provided, and that in the event of an extension of the Regular Session, the  
31 delay in the effective date of this Act beyond July 1, 1995 could work  
32 irreparable harm upon the proper administration and provision of essential  
33 governmental programs. Therefore, an emergency is hereby declared to exist  
34 and this Act being necessary for the immediate preservation of the public  
35 peace, health and safety shall be in full force and effect from and after

1 July 1, 1995.

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