

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 26

4 By: Joint Budget Committee

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For An Act To Be Entitled

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

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Subtitle

14 "AN ACT FOR THE ARKANSAS FIRE PROTECTION
15 LICENSING BOARD APPROPRIATION FOR THE
16 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 Fire Protection Licensing Board 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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Item	Class		Maximum Annual	
		No. of	Salary Rate	
		Employees	Fiscal Years	
No.	Code	Title	1995-96	1996-97

1 (1) 7181 FIRE PROTECTION LICENSING BD EXEC SECY 1 \$ 17,941 \$
 2 18,389
 3 (2) 7700 FIRE EXT BD INSPECTOR/INVESTIGATOR 1 \$ 15,271 \$
 4 15,652
 5 MAX NO. OF EMPLOYEES 2
 6

7 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 8 Arkansas Fire Protection Licensing Board, to be payable from cash funds as
 9 defined by Arkansas Code 19-4-801 of the Arkansas Fire Protection Licensing
 10 Board, for personal services and operating expenses of the Arkansas Fire
 11 Protection Licensing Board for the biennial period ending June 30, 1997, the
 12 following:

ITEM	FISCAL YEARS	
NO.	1995-96	1996-97
(01) REGULAR SALARIES	\$ 32,403	\$
32,403		
(02) PERSONAL SERV MATCHING	11,068	
11,068		
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE \$	21,574	\$ 21,574
(B) CONF. & TRVL.	2,680	2,680
(C) PROF. FEES	3,000	3,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	27,254	
27,254		
(04) INVESTMENTS	<u>3,000</u>	
<u>3,000</u>		
TOTAL AMOUNT APPROPRIATED	<u>\$ 73,725</u>	<u>\$</u>
<u>73,725</u>		

33 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 34 this Act for Maintenance and General Operation shall be expended in payment
 35 for services of attorneys, unless the agency shall first make a request in

1 writing to the Attorney General of the State of Arkansas to provide the
2 required legal services. The Attorney General's Office shall provide the
3 requested legal services, or, if the Attorney General's Office shall
4 determine that sufficient personnel are not available to provide the
5 requested legal services, the Attorney General shall certify the same to the
6 agency and may authorize the agency to employ legal counsel and to expend
7 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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

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

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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