

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1170

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE STATE BOARD OF ACCOUNTANCY FOR
11 THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "AN ACT FOR THE STATE BOARD OF
16 ACCOUNTANCY APPROPRIATION FOR THE
17 1997-99 BIENNIUM."

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

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21 SECTION 1. REGULAR SALARIES. There is hereby established for the State
22 Board of Accountancy for the 1997-99 biennium, the following maximum number of
23 regular employees whose salaries shall be governed by the provisions of the
24 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
25 seq.), or its successor, and all laws amendatory thereto. Provided, however,
26 that any position to which a specific maximum annual salary is set out herein
27 in dollars, shall be exempt from the provisions of said Uniform Classification
28 and Compensation Act. All persons occupying positions authorized herein are
29 hereby governed by the provisions of the Regular Salaries Procedures and
30 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years
No.	Code	Title	1997-98 1998-99
36	(1) 7206	BD OF ACCOUNTING EXECUTIVE DIRECTOR	1 \$ 53,000 \$ 54,484

1	(2) 7208 BD OF ACCOUNTING INVESTIGATOR	1	\$ 41,000	\$ 42,148
2	(3) 8708 BD OF ACCOUNTANCY EXECUTIVE ASST	1	\$ 33,364	\$ 34,298
3	(4) 7207 BD OF ACCOUNTING ADMIN ASST	1	\$ 25,812	\$ 26,534
4	(5) 8705 ACCTG BOARD SECRETARY	<u>1</u>	\$ 19,615	\$ 20,164
5	MAX NO. OF EMPLOYEES	5		

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

8 Board of Accountancy for the 1997-99 biennium, the following maximum number of

9 part-time or temporary employees, to be known as "Extra Help", payable from

10 funds appropriated herein for such purposes: one (1) temporary or part-time

11 employees, when needed, at rates of pay not to exceed those provided in the

12 Uniform Classification and Compensation Act, or its successor, or this act for

13 the appropriate classification.

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

16 Board of Accountancy, to be payable from cash funds as defined by Arkansas

17 Code 19-4-801 of the State Board of Accountancy, for personal services and

18 operating expenses of the State Board of Accountancy for the biennial period

19 ending June 30, 1999, the following:

21	ITEM	FISCAL YEARS	
22	NO.	1997-98	1998-99
23	(01) REGULAR SALARIES	\$ 172,791	\$ 177,628
24	(02) EXTRA HELP	1,000	1,000
25	(03) PERSONAL SERV MATCHING	45,776	46,629
26	(04) MAINT. & GEN. OPERATION		
27	(A) OPER. EXPENSE	110,000	110,000
28	(B) CONF. & TRVL.	8,000	
29	8,000 (C) PROF. FEES		15,500
30	15,500 (D) CAP. OUTLAY		0
31	0 (E) DATA PROC.		0
32	0 (05) FEE REFUNDS		9,500
33	9,500 (06) GRADING FEES		<u>75,000</u>
34	<u>75,000</u> TOTAL AMOUNT APPROPRIATED		<u>\$ 437,567</u>
35	<u>\$ 443,257</u>		

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

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

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

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

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22 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
23 authorized by this Act shall be limited to the appropriation for such agency
24 and funds made available by law for the support of such appropriations; and
25 the restrictions of the State Purchasing Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal control
28 laws of this State, where applicable, and regulations promulgated by the
29 Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.

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32 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
33 Assembly that any funds disbursed under the authority of the appropriations
34 contained in this Act shall be in compliance with the stated reasons for which
35 this Act was adopted, as evidenced by the Agency Requests, Executive

1 Recommendations and Legislative Recommendations contained in the budget
2 manuals prepared by the Department of Finance and Administration, letters, or
3 summarized oral testimony in the official minutes of the Arkansas Legislative
4 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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19 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
20 Eighty-First General Assembly, that the Constitution of the State of Arkansas
21 prohibits the appropriation of funds for more than a two (2) year period; that
22 the effectiveness of this Act on July 1, 1997 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the Regular Session, the delay in the effective
25 date of this Act beyond July 1, 1997 could work irreparable harm upon the
26 proper administration and provision of essential governmental programs.
27 Therefore, an emergency is hereby declared to exist and this Act being
28 necessary for the immediate preservation of the public peace, health and
29 safety shall be in full force and effect from and after July 1, 1997.

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