

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
4
5 By: Representative Dietz
6
7

A Bill

HOUSE BILL 2062

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE CONTRACTOR'S LICENSING BOARD -
11 RESIDENTIAL CONTRACTORS COMMITTEE FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 1999; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT FOR THE CONTRACTOR'S LICENSING
16 BOARD - RESIDENTIAL CONTRACTORS
17 COMMITTEE APPROPRIATION FOR THE 1997-99
18 BIENNIUM."

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

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

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34			Maximum Annual
35		Maximum	Salary Rate
36	Item Class	No. of	Fiscal Years

No.	Code	Title	Employees	1997-98	1998-99
2	(1)	7272	CONTRACTORS BOARD INVESTIGATOR	2	\$ 0
3					\$35,726
4	(2)	7211	CONTRACTORS LICENSING SR CLERK I	1	\$27,525
5	(3)	7273	CONTRACTORS BOARD JUNIOR CLERK	<u>1</u>	\$22,261
6			MAXIMUM NO. OF EMPLOYEES	4	

SECTION 2. APPROPRIATIONS. RESIDENTIAL CONTRACTORS COMMITTEE. There is hereby appropriated, to the Contractor's Licensing Board, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Contractor's Licensing Board, for personal services and operating expenses of the Contractor's Licensing Board - Residential Contractors Committee for the biennial period ending June 30, 1999, the following:

ITEM	FISCAL YEARS		
NO.	1997-98	1998-99	
(01)	REGULAR SALARIES	\$ 49,786	\$122,631
(02)	PERSONAL SERVICES MATCHING	13,442	33,110
(03)	MAINTENANCE & GENERAL OPERATIONS		
(A)	OPER. EXPENSES	24,200	24,200
(B)	CONF. & TRAVEL	1,200	1,200
(C)	PROF. FEES	5,000	5,000
(D)	CAPITAL OUTLAY	20,000	10,000
(E)	DATA PROCESSING	<u>0</u>	<u>0</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$113,628</u>	<u>\$196,141</u>

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

1 for Maintenance and General Operations therefor, if:

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

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

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

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

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

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

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35 SECTION 7. SEVERABILITY. If any provision of this Act or the

1 application thereof to any person or circumstance is held invalid, such
 2 invalidity shall not affect other provisions or applications of the Act which
 3 can be given effect without the invalid provision or application, and to this
 4 end the provisions of this Act are declared to be severable.

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

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9 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
 10 Eighty-First General Assembly, that the Constitution of the State of Arkansas
 11 prohibits the appropriation of funds for more than a two (2) year period; that
 12 the effectiveness of this Act on July 1, 1997 is essential to the operation of
 13 the agency for which the appropriations in this Act are provided, and that in
 14 the event of an extension of the Regular Session, the delay in the effective
 15 date of this Act beyond July 1, 1997 could work irreparable harm upon the
 16 proper administration and provision of essential governmental programs.
 17 Therefore, an emergency is hereby declared to exist and this Act being
 18 necessary for the immediate preservation of the public peace, health and
 19 safety shall be in full force and effect from and after July 1, 1997.

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