

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas
83rd General Assembly
Regular Session, 2001

A Bill

HOUSE BILL 1199

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE STATE BOARD OF BARBER
EXAMINERS FOR THE BIENNIAL PERIOD ENDING JUNE 30,
2003; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE BOARD OF BARBER
EXAMINERS APPROPRIATION FOR THE 2001-2003
BIENNIUM.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the State Board of Barber Examiners for the 2001-2003 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Maximum Annual

Item	Class	No.	Code	Title	Maximum	Salary Rate	
					No. of	Fiscal Years	
					Empl oyees	2001-2002	2002-2003
(1)	7218	BD OF BARBER EXAM	SECRETARY		1	\$45,473	\$46,655
(2)	7223	BD OF BARBER EXAM	ADMIN SECRETARY		1	\$33,050	\$33,909
(3)	7222	BD OF BARBER EXAM	INSPECTOR		1	\$32,329	\$33,169
(4)	8026	BD OF BARBER EXAM	INSPECTOR I		1	\$18,629	\$19,113
(5)	7224	BD OF BARBER EXAM	STENOGRAPHER		1	\$7,847	\$8,051
		MAX. NO. OF EMPLOYEES			5		

SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Barber Examiners for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION. There is hereby appropriated, to the State Board of Barber Examiners, to be payable from the cash funds as defined by Arkansas Code 19-4-801, for personal services and operating expenses of the State Board of Barber Examiners for the biennial period ending June 30, 2003, the following:

ITEM	NO.		FISCAL YEARS	
			2001-2002	2002-2003
(01)	REGULAR SALARIES	\$	137,328	\$ 140,897
(02)	EXTRA HELP		10,802	10,802
(03)	PERSONAL SERV MATCHING		39,968	40,598
(04)	MAINT. & GEN. OPERATION			
(A)	OPER. EXPENSE		35,650	35,650
(B)	CONF. & TRAVEL		2,550	2,550
(C)	PROF. FEES		500	500
(D)	CAP. OUTLAY		500	500
(E)	DATA PROC.		0	0

1 TOTAL AMOUNT APPROPRIATED \$ 227,298 \$ 231,497

2
3 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
4 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
5 appropriations as provided in this Act, the agency disbursing officer shall
6 monitor the level of fund balances in relation to expenditures on a monthly
7 basis. If any proposed expenditures would cause a fund balance to decline to
8 less than fifty percent (50%) of the balance available on July 1, 2001, the
9 disbursing officer shall immediately notify the executive head of the agency.
10 Prior to any obligations being made under these circumstances, the agency
11 head shall file written documentation with the Chief Fiscal Officer of the
12 State requesting approval of the expenditures. Such documentation shall
13 provide sufficient financial data to justify the expenditures and shall
14 include the following:
15 1) a plan that clearly indicates the specific fiscal impact of such
16 expenditures on the fund balance.
17 2) information clearly indicating and explaining what programs would be cut or
18 any other measures to be taken by the agency to restore the fund balance.
19 3) the extent to which any of the planned expenditures are for one-time costs
20 or one-time purchase of capitalized items.
21 4) a statement certifying that the expenditure of fund balances will not
22 jeopardize the financial health of the agency, nor result in a permanent
23 depletion of the fund balance.
24 (B) The Chief Fiscal Officer of the State shall review the request and
25 approve or disapprove all or any part of the request, after having sought
26 prior review by the Legislative Council.

27
28 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this
29 Act for Maintenance and General Operation shall be expended in payment for
30 services of attorneys, unless the agency shall first make a request in writing
31 to the Attorney General of the State of Arkansas to provide the required legal
32 services. The Attorney General's Office shall provide the requested legal
33 services, or, if the Attorney General's Office shall determine that sufficient
34 personnel are not available to provide the requested legal services, the
35 Attorney General shall certify the same to the agency and may authorize the
36 agency to employ legal counsel and to expend monies appropriated for

1 Maintenance and General Operations therefor, if:

2 (1) The Attorney General determines, and certifies in writing, that such
3 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 the
7 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.

11
12 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
13 this act shall be limited to the appropriation for such agency and funds made
14 available by law for the support of such appropriations; and the restrictions
15 of the State Purchasing Law, the General Accounting and Budgetary Procedures
16 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
17 Restrictions Act, or their successors, and other fiscal control laws of this
18 State, where applicable, and regulations promulgated by the Department of
19 Finance and Administration, as authorized by law, shall be strictly complied
20 with in disbursement of said funds.

21
22 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
23 that any funds disbursed under the authority of the appropriations contained
24 in this act shall be in compliance with the stated reasons for which this act
25 was adopted, as evidenced by the Agency Requests, Executive Recommendations
26 and Legislative Recommendations contained in the budget manuals prepared by
27 the Department of Finance and Administration, letters, or summarized oral
28 testimony in the official minutes of the Arkansas Legislative Council or Joint
29 Budget Committee which relate to its passage and adoption.

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31 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
32 Assembly, that the Constitution of the State of Arkansas prohibits the
33 appropriation of funds for more than a two (2) year period; that the
34 effectiveness of this Act on July 1, 2001 is essential to the operation of the
35 agency for which the appropriations in this Act are provided, and that in the
36 event of an extension of the Regular Session, the delay in the effective date

1 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
2 administration and provision of essential governmental programs. Therefore, an
3 emergency is hereby declared to exist and this Act being necessary for the
4 immediate preservation of the public peace, health and safety shall be in full
5 force and effect from and after July 1, 2001.