

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 1305

By: Joint Budget Committee

For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE CONTRACTORS LICENSING
BOARD APPROPRIATION FOR THE 2001-2003
BIENNIAL.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the
Contractors Licensing Board 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

				Maximum	Salary Rate	
	Item	Class		No. of	Fiscal Years	
	No.	Code	Title	Employees	2001-2002	2002-2003
4	(1)	7209	CONTRACTORS LICENSE ADMR/INVEST	1	\$76,000	\$77,976
5	(2)	9020	CONTRACTORS BOARD ATTORNEY	1	\$54,749	\$56,172
6	(3)	9034	CONTRACTOR'S BD EDUCATION COORD	1	\$47,905	\$49,150
7	(4)	7272	CONTRACTORS BOARD INVESTIGATOR	6	\$39,639	\$40,669
8	(5)	7211	CONTRACTORS LICENSING SR CLERK I	4	\$31,394	\$32,210
9	(6)	7273	CONTRACTORS BOARD JUNIOR CLERK	<u>2</u>	\$25,393	\$26,053
10			MAX. NO. OF EMPLOYEES	15		

11

12 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 13 Contractors Licensing Board, to be payable from cash funds as defined by
 14 Arkansas Code 19-4-801 of the Contractors Licensing Board, for personal
 15 services and operating expenses of the Contractors Licensing Board for the
 16 biennial period ending June 30, 2003, the following:

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	ITEM		FISCAL YEARS	
	NO.		2001-2002	2002-2003
21	(01)	REGULAR SALARIES	\$ 592,850	\$ 608,258
22	(02)	PERSONAL SERV MATCHING	152,120	154,919
23	(03)	MAINT. & GEN. OPERATION		
24	(A)	OPER. EXPENSE	203,181	203,181
25	(B)	CONF. & TRAVEL	5,900	5,900
26	(C)	PROF. FEES	28,000	28,000
27	(D)	CAP. OUTLAY	16,500	16,500
28	(E)	DATA PROC.	0	0
29	(04)	EDUCATION/TRAINING GRANTS	100,000	100,000
30	(05)	INVESTMENTS	156,504	156,504
31	(06)	REFUNDS/REIMBURSEMENTS	<u>50,000</u>	<u>50,000</u>
32		TOTAL AMOUNT APPROPRIATED	<u>\$ 1,305,055</u>	<u>\$ 1,323,262</u>

33

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

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

8 (1) The Attorney General determines, and certifies in writing, that such
 9 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 the
 13 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.
 17

18 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 19 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
 20 appropriations as provided in this Act, the agency disbursing officer shall
 21 monitor the level of fund balances in relation to expenditures on a monthly
 22 basis. If any proposed expenditures would cause a fund balance to decline to
 23 less than fifty percent (50%) of the balance available on July 1, 2001, the
 24 disbursing officer shall immediately notify the executive head of the agency.

25 Prior to any obligations being made under these circumstances, the agency
 26 head shall file written documentation with the Chief Fiscal Officer of the
 27 State requesting approval of the expenditures. Such documentation shall
 28 provide sufficient financial data to justify the expenditures and shall
 29 include the following:

- 30 1) a plan that clearly indicates the specific fiscal impact of such
 31 expenditures on the fund balance.
- 32 2) information clearly indicating and explaining what programs would be cut or
 33 any other measures to be taken by the agency to restore the fund balance.
- 34 3) the extent to which any of the planned expenditures are for one-time costs
 35 or one-time purchase of capitalized items.
- 36 4) a statement certifying that the expenditure of fund balances will not

1 jeopardize the financial health of the agency, nor result in a permanent
2 depletion of the fund balance.

3 (B) The Chief Fiscal Officer of the State shall review the request and
4 approve or disapprove all or any part of the request , after having sought
5 prior review by the Legislative Council.

6
7 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
8 this act shall be limited to the appropriation for such agency and funds made
9 available by law for the support of such appropriations; and the restrictions
10 of the State Purchasing Law, the General Accounting and Budgetary Procedures
11 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
12 Restrictions Act, or their successors, and other fiscal control laws of this
13 State, where applicable, and regulations promulgated by the Department of
14 Finance and Administration, as authorized by law, shall be strictly complied
15 with in disbursement of said funds.

16
17 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
18 that any funds disbursed under the authority of the appropriations contained
19 in this act shall be in compliance with the stated reasons for which this act
20 was adopted, as evidenced by the Agency Requests, Executive Recommendations
21 and Legislative Recommendations contained in the budget manuals prepared by
22 the Department of Finance and Administration, letters, or summarized oral
23 testimony in the official minutes of the Arkansas Legislative Council or Joint
24 Budget Committee which relate to its passage and adoption.

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26 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a two (2) year period; that the
29 effectiveness of this Act on July 1, 2001 is essential to the operation of the
30 agency for which the appropriations in this Act are provided, and that in the
31 event of an extension of the Regular Session, the delay in the effective date
32 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
33 administration and provision of essential governmental programs. Therefore, an
34 emergency is hereby declared to exist and this Act being necessary for the
35 immediate preservation of the public peace, health and safety shall be in full
36 force and effect from and after July 1, 2001.