

State of Arkansas
85th General Assembly
Regular Session, 2005

A Bill

HOUSE BILL 1095

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 COSMETOLOGY FOR THE BIENNIAL PERIOD
ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE STATE BOARD OF
COSMETOLOGY APPROPRIATION FOR THE
2005-2007 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 Cosmetology for the 2005-2007 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	2005-2006 2006-2007
(1) 9937 DIRECTOR COSMETOLOGY BOARD	1	\$50,708 \$52,221
(2) R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17
(3) R440 BUSINESS CONTROLLER II	1	GRADE 16
(4) X319 COSMETOLOGY INSPECTOR	5	GRADE 13
(5) K039 DOCUMENT EXAMINER II	<u>2</u>	GRADE 12
MAX. NO. OF EMPLOYEES	10	

SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the State Board of Cosmetology, to be payable from the Cosmetology Operating Fund, for personal services and operating expenses of the State Board of Cosmetology for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS
NO.	2005-2006 2006-2007
(01) REGULAR SALARIES	\$ 243,894 \$ 251,395
(02) PERSONAL SERVICES MATCHING	84,252 85,660
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	233,481 230,981
(B) CONF. & TRAVEL	6,349 6,349
(C) PROF. FEES	47,500 47,500
(D) CAP. OUTLAY	7,800 7,500
(E) DATA PROC.	<u>41,432</u> <u>41,432</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 664,708</u> <u>\$ 670,817</u>

SECTION 3. APPROPRIATION - CASH. There is hereby appropriated, to the State Board of Cosmetology, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses and expenses of conducting disciplinary hearings of the State Board of Cosmetology for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS
NO.	2005-2006 2006-2007
(01) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	\$	3,764	\$	3,764
2	(B) CONF. & TRAVEL		0		0
3	(C) PROF. FEES		0		0
4	(D) CAP. OUTLAY		0		0
5	(E) DATA PROC.		0		0
6	(02) EXP. OF DISCIPLINARY HEARINGS		<u>1,050</u>		<u>1,050</u>
7	TOTAL AMOUNT APPROPRIATED	\$	<u>4,814</u>	\$	<u>4,814</u>

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9 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 11 BALANCES - COSMETOLOGY OPERATING FUND. (A) For all appropriations as provided
 12 in this Act, the agency disbursing officer shall monitor the level of fund
 13 balances in relation to expenditures on a monthly basis. If any proposed
 14 expenditures would cause the Cosmetology Operating Fund to decline below One
 15 Hundred Ninety Seven Thousand One Hundred Nine Dollars (\$197,109), the
 16 disbursing officer shall immediately notify the executive head of the agency.
 17 Prior to any obligations being made under these circumstances, the agency
 18 head shall file written documentation with the Chief Fiscal Officer of the
 19 State requesting approval of the expenditures. Such documentation shall
 20 provide sufficient financial data to justify the expenditures and shall
 21 include the following:

- 22 1) a plan that clearly indicates the specific fiscal impact of such
- 23 expenditures on the fund balance.
- 24 2) information clearly indicating and explaining what programs would be cut
- 25 or any other measures to be taken by the agency to restore the fund balance.
- 26 3) the extent to which any of the planned expenditures are for one-time costs
- 27 or one-time purchase of capitalized items.
- 28 4) a statement certifying that the expenditure of fund balances will not
- 29 jeopardize the financial health of the agency, nor result in a permanent
- 30 depletion of the fund balance.

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

34 The provisions of this section shall be in effect only from July 1, ~~2003~~
 35 2005 through June 30, ~~2005~~ 2007.

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

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

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20 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
21 Assembly, that the Constitution of the State of Arkansas prohibits the
22 appropriation of funds for more than a two (2) year period; that the
23 effectiveness of this Act on July 1, 2005 is essential to the operation of
24 the agency for which the appropriations in this Act are provided, and that in
25 the event of an extension of the Regular Session, the delay in the effective
26 date of this Act beyond July 1, 2005 could work irreparable harm upon the
27 proper administration and provision of essential governmental programs.
28 Therefore, an emergency is hereby declared to exist and this Act being
29 necessary for the immediate preservation of the public peace, health and
30 safety shall be in full force and effect from and after July 1, 2005.