

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

As Engrossed: S5/3/16

A Bill

SENATE BILL 46

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE CAPITOL ZONING
10 DISTRICT COMMISSION FOR THE FISCAL YEAR ENDING JUNE
11 30, 2017; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE CAPITOL ZONING DISTRICT
15 COMMISSION APPROPRIATION FOR THE 2016-
16 2017 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the Capitol Zoning District Commission for the 2016-2017 fiscal year, the
24 following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
30	(1) N155N	CAPITOL ZONING DISTRICT ADMIN	1	GRADE N901
31	(2) X106C	CAPITOL ZONING DIST PLNG & PRES DIR	1	GRADE C117
32	(3) C037C	ADMINISTRATIVE ANALYST	<u>1</u>	GRADE C115
33		MAX. NO. OF EMPLOYEES	3	

34
35 SECTION 2. EXTRA HELP. There is hereby authorized, for the Capitol
36 Zoning District Commission for the 2016-2017 fiscal year, the following



1 maximum number of part-time or temporary employees, to be known as "Extra
 2 Help", payable from funds appropriated herein for such purposes: one (1)
 3 temporary or part-time employees, when needed, at rates of pay not to exceed
 4 those provided in the Uniform Classification and Compensation Act, or its
 5 successor, or this act for the appropriate classification.

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 7 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 8 to the Capitol Zoning District Commission, to be payable from the
 9 Miscellaneous Agencies Fund Account, for personal services and operating
 10 expenses of the Capitol Zoning District Commission for the fiscal year ending
 11 June 30, 2017, the following:

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2016-2017</u>
15 (01) REGULAR SALARIES	\$161,026
16 (02) EXTRA HELP	938
17 (03) PERSONAL SERVICES MATCHING	55,416
18 (04) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	30,323
20 (B) CONF. & TRAVEL	0
21 (C) PROF. FEES	0
22 (D) CAP. OUTLAY	0
23 (E) DATA PROC.	<u>0</u>
24 TOTAL AMOUNT APPROPRIATED	<u><u>\$247,703</u></u>

25
 26 SECTION 4. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 22-3-
 27 310 is amended to read as follows:

28 22-3-310. Appeal of Capitol Zoning District Commission action.

29 (a)(1)(A) Any person aggrieved by any rule, regulation, decision, or
 30 order of the Capitol Zoning District Commission may appeal the action to the
 31 ~~Circuit Court of Pulaski County~~ Director of the Department of Arkansas
 32 Heritage.

33 (B) The director shall overturn the decision of the
 34 commission upon a finding that the commission's decision is clearly
 35 erroneous.

36 (2)(A) The decision of the director may be appealed to the

1 Circuit Court of Pulaski County.

2 (B) The commission and the director shall provide the
3 Circuit Court of Pulaski County with a record of all proceedings concerning
4 the action on appeal.

5 (C) The Circuit Court of Pulaski County shall review the
6 appeal of the director's decision de novo.

7 (b) *The filing of an appeal shall in no respect suspend the operation*
8 *of any rule, regulation, decision, or order, nor shall the director or the*
9 *circuit court order any suspension without a full hearing.*

10 (c) *This section does not preclude enforcement of the commission's*
11 *regulations by the City of Little Rock in Little Rock District Court under an*
12 *agreement with the commission under § 22-3-308.*

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14 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
15 authorized by this act shall be limited to the appropriation for such agency
16 and funds made available by law for the support of such appropriations; and
17 the restrictions of the State Procurement Law, the General Accounting and
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
19 Procedures and Restrictions Act, or their successors, and other fiscal
20 control laws of this State, where applicable, and regulations promulgated by
21 the Department of Finance and Administration, as authorized by law, shall be
22 strictly complied with in disbursement of said funds.

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

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33 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
34 Assembly, that the Constitution of the State of Arkansas prohibits the
35 appropriation of funds for more than a one (1) year period; that the
36 effectiveness of this Act on July 1, 2016 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2016 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2016.

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9 */s/Joint Budget Committee*

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