

Stricken language will be deleted and underlined language will be added.
Act 228 of the Fiscal Session

State of Arkansas
90th General Assembly
Fiscal Session, 2016

As Engrossed: S5/3/16
A Bill

SENATE BILL 46

By: Joint Budget Committee

For An Act To Be Entitled

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

Subtitle

AN ACT FOR THE CAPITOL ZONING DISTRICT
COMMISSION APPROPRIATION FOR THE 2016-
2017 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Capitol Zoning District Commission for the 2016-2017 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
(1)	N155N	CAPITOL ZONING DISTRICT ADMIN	1	GRADE N901
(2)	X106C	CAPITOL ZONING DIST PLNG & PRES DIR	1	GRADE C117
(3)	C037C	ADMINISTRATIVE ANALYST	<u>1</u>	GRADE C115
		MAX. NO. OF EMPLOYEES	3	

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



maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) 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 - OPERATIONS. There is hereby appropriated, to the Capitol Zoning District Commission, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Capitol Zoning District Commission for the fiscal year ending June 30, 2017, the following:

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

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

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

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

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

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

Circuit Court of Pulaski County.

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

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

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

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

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

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

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

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

/s/Joint Budget Committee

APPROVED: 05/09/2016