

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill ACT 82 OF 1991

## SENATE BILL 205

### For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE STATE BOARD OF THERAPY  
10 TECHNOLOGY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993;  
11 AND FOR OTHER PURPOSES."

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

15 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
16 Board of Therapy Technology for the 1991-93 biennium, the following maximum  
17 number of regular employees whose salaries shall be governed by the provisions  
18 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
19 et seq.), or its successor, and all laws amendatory thereto. Provided,  
20 however, that any position to which a specific maximum annual salary is set  
21 out herein in dollars, shall be exempt from the provisions of said Uniform  
22 Classification and Compensation Act. All persons occupying positions  
23 authorized herein are hereby governed by the provisions of the Regular  
24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
25 successor.

Item	Class	Title	No. of Employees	Maximum Annual Salary Rate	
				1991-92	1992-93
31	(1)	7203 THERAPY TECHNOLOGY SECRETARY	<u>1</u>	\$ 4,210	\$ 4,420
32		MAX NO. OF EMPLOYEES	1		

34 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State  
35 Board of Therapy Technology, to be payable from cash funds of the State Board  
36 of Therapy Technology, as defined by Arkansas Code 19-4-801 for personal

1 services and operating expenses of the State Board of Therapy Technology for  
2 the biennial period ending June 30, 1993, the following:

4 ITEM	FISCAL YEARS	
5 <u>NO.</u>	<u>1991-92</u>	<u>1992-93</u>
6 (01) REGULAR SALARIES	\$ 4,210	\$ 4,420
7 (02) PERSONAL SERV MATCHING	2,281	2,438
8 (03) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSES \$	6,525	\$ 7,025
10 (B) CONF. & TRAVEL	0	0
11 (C) PROF. FEES	3,700	3,700
12 (D) CAPITAL OUTLAY	0	0
13 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
14 TOTAL MAINT. & GEN. OPER.	<u>10,225</u>	<u>10,725</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 16,716</u>	<u>\$ 17,583</u>

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18 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
19 this Act for Maintenance and General Operation shall be expended in payment  
20 for services of attorneys, unless the agency shall first make a request in  
21 writing to the Attorney General of the State of Arkansas to provide the  
22 required legal services. The Attorney General's Office shall provide the  
23 requested legal services, or, if the Attorney General's Office shall determine  
24 that sufficient personnel are not available to provide the requested legal  
25 services, the Attorney General shall certify the same to the agency and may  
26 authorize the agency to employ legal counsel and to expend monies appropriated  
27 for Maintenance and General Operations therefor, if:

28 (1) The Attorney General determines, and certifies in writing, that  
29 such agency needs the advice or assistance of legal counsel, and

30 (2) The Attorney General consents in writing to the employment of the  
31 legal counsel to be retained by the agency.

32 Such certification shall be required with respect to each instance of  
33 the employment of special legal counsel, or shall be required annually with  
34 respect to legal counsel employed on a retainer basis. A copy of such  
35 certification shall be entered in the official minutes of the agency, and

1 shall be retained in the fiscal records of the agency for audit purposes.

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

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13       SECTION 5. LEGISLATIVE INTENT. It is the intent of the General  
14 Assembly that any funds disbursed under the authority of the appropriations  
15 contained in this Act shall be in compliance with the stated reasons for which  
16 this Act was adopted, as evidenced by the Agency Requests, Executive  
17 Recommendations and Legislative Recommendations contained in the budget  
18 manuals prepared by the Department of Finance and Administration, letters, or  
19 summarized oral testimony in the official minutes of the Arkansas Legislative  
20 Council or Joint Budget Committee which relate to its passage and adoption.

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22       SECTION 6. CODE. All provisions of this Act of a general and permanent  
23 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
24 Code Revision Commission shall incorporate the same in the Code.

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26       SECTION 7. SEVERABILITY. If any provision of this Act or the  
27 application thereof to any person or circumstance is held invalid, such  
28 invalidity shall not affect other provisions or applications of the Act which  
29 can be given effect without the invalid provision or application, and to this  
30 end the provisions of this Act are declared to be severable.

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32       SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
33 with this Act are hereby repealed.

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35       SECTION 9. HEALTH PREMIUMS. The State Board of Therapy Technology

1 shall not, during the 1992-93 fiscal year, spend more for health insurance per  
2 employee than the amount being contributed to the State Employees Health  
3 Insurance Program.

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SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
Seventy-Eighth General Assembly, that the Constitution of the State of  
Arkansas prohibits the appropriation of funds for more than a two (2) year  
period; that the effectiveness of this Act on July 1, 1991 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 Regular Session, the delay in the  
effective date of this Act beyond July 1, 1991 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, 1991.

APPROVED: 2-7-91

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