

*.As Engrossed: 2/1/91*

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

# A Bill

**HOUSE BILL 1432**

## 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 CHIROPRACTIC  
10 EXAMINERS 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 Chiropractic Examiners for the 1991-93 biennium, the following  
17 maximum number of regular employees whose salaries shall be governed by the  
18 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
19 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
20 Provided, however, that any position to which a specific maximum annual salary  
21 is set out herein in dollars, shall be exempt from the provisions of said  
22 Uniform 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.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
31	(1)	7338 CHIROPRACTIC EXMR EXEC SECRETARY	<u>1</u>	\$ 19,260	\$ 23,260
32		MAX NO. OF EMPLOYEES	1		

34 SECTION 2. EXTRA HELP. There is hereby authorized, for the State  
35 Board of Chiropractic Examiners for the 1991-93 biennium, 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. APPROPRIATIONS. There is hereby appropriated, to the State  
8 Board of Chiropractic Examiners, to be payable from cash funds as defined by  
9 Arkansas Code 19-4-801 of the State Board of Chiropractic Examiners, for  
10 personal services and operating expenses of the State Board of Chiropractic  
11 Examiners for the biennial period ending June 30, 1993, the following:

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13 ITEM	FISCAL YEARS	
14 NO.	1991-92	1992-93
15 (01) REGULAR SALARIES	\$ 19,260	\$ 23,260
16 (02) EXTRA HELP	4,000	4,000
17 (03) PERSONAL SERV MATCHING	5,602	6,803
18 (04) MAINT. & GEN. OPERATION		
19 (A) OPER. EXPENSES \$ 38,891 \$ 39,591		
20 (B) CONF. & TRAVEL 3,296 3,396		
21 (C) PROF. FEES 6,000 7,000		
22 (D) CAPITAL OUTLAY 2,000 2,000		
23 (E) DATA PROCESSING 0 0		
24 TOTAL MAINT. & GEN. OPER. 50,187 51,987		
25 TOTAL AMOUNT APPROPRIATED \$ 79,049 \$ 86,050		

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27 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
28 this Act for Maintenance and General Operation shall be expended in payment  
29 for services of attorneys, unless the agency shall first make a request in  
30 writing to the Attorney General of the State of Arkansas to provide the  
31 required legal services. The Attorney General's Office shall provide the  
32 requested legal services, or, if the Attorney General's Office shall determine  
33 that sufficient personnel are not available to provide the requested legal  
34 services, the Attorney General shall certify the same to the agency and may  
35 authorize the agency to employ legal counsel and to expend monies appropriated  
36 for Maintenance and General Operations therefor, if:

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

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

5           Such certification shall be required with respect to each instance of  
6 the employment of special legal counsel, or shall be required annually with  
7 respect to legal counsel employed on a retainer basis. A copy of such  
8 certification shall be entered in the official minutes of the agency, and  
9 shall be retained in the fiscal records of the agency for audit purposes.

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

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

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30           SECTION 7. CODE. All provisions of this Act of a general and permanent  
31 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
32 Code Revision Commission shall incorporate the same in the Code.

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34           SECTION 8. SEVERABILITY. If any provision of this Act or the  
35 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which  
2 can be given effect without the invalid provision or application, and to this  
3 end the provisions of this Act are declared to be severable.

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5 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict  
6 with this Act are hereby repealed.

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8 SECTION 10. HEALTH PREMIUMS. The State Board of Chiropractic Examiners  
9 shall not, during the 1992-93 fiscal year, spend more for health insurance per  
10 employee than the amount being contributed to the State Employees Health  
11 Insurance Program.

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13 SECTION 11. EMERGENCY CLAUSE. It is hereby found and determined by the  
14 Seventy-Eighth General Assembly, that the Constitution of the State of  
15 Arkansas prohibits the appropriation of funds for more than a two (2) year  
16 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
17 operation of the agency for which the appropriations in this Act are provided,  
18 and that in the event of an extension of the Regular Session, the delay in the  
19 effective date of this Act beyond July 1, 1991 could work irreparable harm  
20 upon the proper administration and provision of essential governmental  
21 programs. Therefore, an emergency is hereby declared to exist and this Act  
22 being necessary for the immediate preservation of the public peace, health and  
23 safety shall be in full force and effect from and after July 1, 1991.

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*/s/ John Miller*

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