

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**SENATE BILL**

## 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 MASSAGE THERAPY  
10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR  
11 OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE STATE BOARD OF MASSAGE THERAPY  
15 APPROPRIATION."

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

19 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
20 Board of Massage Therapy for the 1993-95 biennium, the following maximum  
21 number of regular employees whose salaries shall be governed by the provisions  
22 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
23 et seq.), or its successor, and all laws amendatory thereto. Provided,  
24 however, that any position to which a specific maximum annual salary is set  
25 out herein in dollars, shall be exempt from the provisions of said Uniform  
26 Classification and Compensation Act. All persons occupying positions  
27 authorized herein are hereby governed by the provisions of the Regular  
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
29 successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
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No.	Code	Title	Employees	1993-94	1994-95
35	(1)	7203 MASSAGE THERAPY SECRETARY	<u>1</u>	\$ 6,000	\$ 6,210

1 MAX NO. OF EMPLOYEES 1

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4 SECTION 2. EXTRA HELP. There is hereby authorized, for the State  
5 Board of Massage Therapy for the 1993-95 biennium, the following maximum  
6 number of part-time or temporary employees, to be known as "Extra Help",  
7 payable from funds appropriated herein for such purposes: One (1) temporary  
8 or part-time employees, when needed, at rates of pay not to exceed those  
9 provided in the Uniform Classification and Compensation Act, or its successor,  
10 or this act for the appropriate classification.

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12 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State  
13 Board of Massage Therapy, to be payable from cash funds as defined by Arkansas  
14 Code 19-4-801 of the State Board of Massage Therapy, for personal services  
15 and operating expenses of the State Board of Massage Therapy for the biennial  
16 period ending June 30, 1995, the following:

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18 ITEM	FISCAL YEARS	
19 NO.	1993-94	1994-95
20 (01) REGULAR SALARIES	\$ 6,000	\$ 6,210
21 (02) EXTRA HELP	2,000	2,000
22 (03) PERSONAL SERV MATCHING	3,496	3,533
23 (04) MAINT. & GEN. OPERATION		
24 (A) OPER. EXPENSE	\$ 15,440	\$ 15,440
25 (B) CONF. & TRVL.	0	0
26 (C) PROF. FEES	1,080	1,080
27 (D) CAP. OUTLAY	0	0
28 (E) DATA PROC.	0	0
29 TOTAL MAINT. & GEN. OPER.	<u>16,520</u>	<u>16,520</u>
30 TOTAL AMOUNT APPROPRIATED	<u>\$ 28,016</u>	<u>\$ 28,263</u>

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32 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
33 this Act for Maintenance and General Operation shall be expended in payment  
34 for services of attorneys, unless the agency shall first make a request in  
35 writing to the Attorney General of the State of Arkansas to provide the

1 required legal services. The Attorney General's Office shall provide the  
2 requested legal services, or, if the Attorney General's Office shall determine  
3 that sufficient personnel are not available to provide the requested legal  
4 services, the Attorney General shall certify the same to the agency and may  
5 authorize the agency to employ legal counsel and to expend monies appropriated  
6 for Maintenance and General Operations therefor, if:

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

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

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

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

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

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

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5           SECTION 8. SEVERABILITY. If any provision of this Act or the  
6 application thereof to any person or circumstance is held invalid, such  
7 invalidity shall not affect other provisions or applications of the Act which  
8 can be given effect without the invalid provision or application, and to this  
9 end the provisions of this Act are declared to be severable.

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

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14           SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the  
15 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
16 prohibits the appropriation of funds for more than a two (2) year period; that  
17 the effectiveness of this Act on July 1, 1993 is essential to the operation of  
18 the agency for which the appropriations in this Act are provided, and that in  
19 the event of an extension of the Regular Session, the delay in the effective  
20 date of this Act beyond July 1, 1993 could work irreparable harm upon the  
21 proper administration and provision of essential governmental programs.  
22 Therefore, an emergency is hereby declared to exist and this Act being  
23 necessary for the immediate preservation of the public peace, health and  
24 safety shall be in full force and effect from and after July 1, 1993.

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