

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 EXAMINERS IN
10 COUNSELING FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995;
11 AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE STATE BOARD OF EXAMINERS IN COUNSELING
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 Examiners in Counseling for the 1993-95 biennium, the following
21 maximum number of regular employees whose salaries shall be governed by the
22 provisions of the Uniform Classification and Compensation Act (Arkansas Code
23 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
24 Provided, however, that any position to which a specific maximum annual salary
25 is set out herein in dollars, shall be exempt from the provisions of said
26 Uniform 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)	7245 COUNSELING BD SECRETARY I	<u>1</u>	\$ 18,480	\$ 19,126

1 MAX NO. OF EMPLOYEES 1

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

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

17 ITEM		FISCAL YEARS	
18 NO.		1993-94	1994-95
19 (01)	REGULAR SALARIES	\$ 18,480	\$ 19,126
20 (02)	EXTRA HELP	7,000	7,000
21 (03)	PERSONAL SERV MATCHING	6,090	6,204
22 (04)	MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE \$ 21,530	\$ 22,176	
24	(B) CONF. & TRVL. 1,000	1,000	
25	(C) PROF. FEES 1,400	1,540	
26	(D) CAP. OUTLAY 0	0	
27	(E) DATA PROC. 0	0	
28	TOTAL MAINT. & GEN. OPER.	23,930	24,716
29 (05)	TESTING	6,600	7,100
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 62,100</u>	<u>\$ 64,146</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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