

1 State of Arkansas
2 90th General Assembly
3 Fiscal Session, 2016
4

A Bill

HOUSE BILL 1058

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF
10 EXAMINERS IN COUNSELING FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2017; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE ARKANSAS BOARD OF
15 EXAMINERS IN COUNSELING APPROPRIATION FOR
16 THE 2016-2017 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Arkansas Board of Examiners in Counseling for the 2016-2017 fiscal year, the
24 following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
30	(1) N176N	EXEC DIR COUNSELING BRD	1	GRADE N901
31	(2) C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
32	(3) A098C	FISCAL SUPPORT SPECIALIST	<u>1</u>	GRADE C112
33	MAX. NO. OF EMPLOYEES		3	

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35 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
36 Board of Examiners in Counseling for the 2016-2017 fiscal year, 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: two (2)
 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. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 8 to the Arkansas Board of Examiners in Counseling, to be payable from the cash
 9 fund deposited in the State Treasury as determined by the Chief Fiscal
 10 Officer of the State, for personal services and operating expenses of the
 11 Arkansas Board of Examiners in Counseling for the fiscal year ending June 30,
 12 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$123,256
(02) EXTRA HELP	20,488
(03) PERSONAL SERVICES MATCHING	59,720
(04) OVERTIME	15,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	89,107
(B) CONF. & TRAVEL	4,500
(C) PROF. FEES	14,476
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$326,547</u></u>

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

1 monies appropriated for Maintenance and General Operations therefor, if:

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

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

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

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

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

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31 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
32 Assembly, that the Constitution of the State of Arkansas prohibits the
33 appropriation of funds for more than a one (1) year period; that the
34 effectiveness of this Act on July 1, 2016 is essential to the operation of
35 the agency for which the appropriations in this Act are provided, and that in
36 the event of an extension of the legislative session, the delay in the

1 effective date of this Act beyond July 1, 2016 could work irreparable harm
2 upon the proper administration and provision of essential governmental
3 programs. Therefore, an emergency is hereby declared to exist and this Act
4 being necessary for the immediate preservation of the public peace, health
5 and safety shall be in full force and effect from and after July 1, 2016.

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