

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

**Act 13 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

**A Bill**

SENATE BILL 51

4  
5 By: Joint Budget Committee  
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7

**For An Act To Be Entitled**

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9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 BOARD OF EXAMINERS IN COUNSELING FOR THE FISCAL  
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER  
13 PURPOSES.  
14

**Subtitle**

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16  
17 AN ACT FOR THE ARKANSAS BOARD OF  
18 EXAMINERS IN COUNSELING APPROPRIATION  
19 FOR THE 2009-2010 FISCAL YEAR.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas  
25 Board of Examiners in Counseling for the 2009-2010 fiscal year, the following  
26 maximum number of regular employees whose salaries shall be governed by the  
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
29 Provided, however, that any position to which a specific maximum annual  
30 salary is set out herein in dollars, shall be exempt from the provisions of  
31 said Uniform Classification and Compensation Act. All persons occupying  
32 positions authorized herein are hereby governed by the provisions of the  
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),  
34 or its successor.  
35



Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2009-2010
5	(1) M028C COUNSELING BOARD DIRECTOR	1	GRADE C118
6	(2) C073C ADMINISTRATIVE SPECIALIST II	1	GRADE C109
7	(3) C087C ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
8	MAX. NO. OF EMPLOYEES	3	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Board of Examiners in Counseling for the 2009-2010 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to the Arkansas Board of Examiners in Counseling, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Board of Examiners in Counseling for the fiscal year ending June 30, 2010, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2009-2010</u>
(01) REGULAR SALARIES	\$ 94,979
(02) EXTRA HELP	5,000
(03) PERSONAL SERVICES MATCHING	33,465
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	81,962
(B) CONF. & TRAVEL	0
(C) PROF. FEES	8,976
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) TESTING FEES	<u>50</u>

1 TOTAL AMOUNT APPROPRIATED

\$ 224,432

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3 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
4 this Act for Maintenance and General Operation shall be expended in payment  
5 for services of attorneys, unless the agency shall first make a request in  
6 writing to the Attorney General of the State of Arkansas to provide the  
7 required legal services. The Attorney General's Office shall provide the  
8 requested legal services, or, if the Attorney General's Office shall  
9 determine that sufficient personnel are not available to provide the  
10 requested legal services, the Attorney General shall certify the same to the  
11 agency and may authorize the agency to employ legal counsel and to expend  
12 monies appropriated for Maintenance and General Operations therefor, if:

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

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

17 Such certification shall be required with respect to each instance of the  
18 employment of special legal counsel, or shall be required annually with  
19 respect to legal counsel employed on a retainer basis. A copy of such  
20 certification shall be entered in the official minutes of the agency, and  
21 shall be retained in the fiscal records of the agency for audit purposes.  
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23 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
24 by this act shall be limited to the appropriation for such agency and funds  
25 made available by law for the support of such appropriations; and the  
26 restrictions of the State Procurement Law, the General Accounting and  
27 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
28 Procedures and Restrictions Act, or their successors, and other fiscal  
29 control laws of this State, where applicable, and regulations promulgated by  
30 the Department of Finance and Administration, as authorized by law, shall be  
31 strictly complied with in disbursement of said funds.  
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33 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly  
34 that any funds disbursed under the authority of the appropriations contained  
35 in this act shall be in compliance with the stated reasons for which this act  
36 was adopted, as evidenced by the Agency Requests, Executive Recommendations

1 and Legislative Recommendations contained in the budget manuals prepared by  
2 the Department of Finance and Administration, letters, or summarized oral  
3 testimony in the official minutes of the Arkansas Legislative Council or  
4 Joint Budget Committee which relate to its passage and adoption.

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6 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
7 Assembly, that the Constitution of the State of Arkansas prohibits the  
8 appropriation of funds for more than a one (1) year period; that the  
9 effectiveness of this Act on July 1, 2009 is essential to the operation of  
10 the agency for which the appropriations in this Act are provided, and that in  
11 the event of an extension of the Regular Session, the delay in the effective  
12 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
13 proper administration and provision of essential governmental programs.  
14 Therefore, an emergency is hereby declared to exist and this Act being  
15 necessary for the immediate preservation of the public peace, health and  
16 safety shall be in full force and effect from and after July 1, 2009.

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18 **APPROVED: 2/4/2009**  
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