

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

# A Bill ACT 88 OF 1991

## SENATE BILL 218

### 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, 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 Examiners in Counseling 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.

Item	Class	Title	No. of Employees	Maximum Annual Salary Rate	
				1991-92	1992-93
31	(1)	7245 COUNSELING BD SECRETARY I	<u>1</u>	\$ 8,419	\$ 8,839
32		MAX NO. OF EMPLOYEES	1		

34 SECTION 2. EXTRA HELP. There is hereby authorized, for the State  
35 Board of Examiners in Counseling for the 1991-93 biennium, the following  
36 maximum number of part-time or temporary employees, to be known as "Extra

1 Help", payable from funds appropriated herein for such purposes: two (2)  
2 temporary or part-time employees, when needed, at rates of pay not to exceed  
3 those provided in the Uniform Classification and Compensation Act, or its  
4 successor, for the appropriate classification.

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6 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State  
7 Board of Examiners in Counseling, to be payable from cash funds as defined by  
8 Arkansas Code 19-4-801 of the State Board of Examiners in Counseling, for  
9 personal services and operating expenses of the State Board of Examiners in  
10 Counseling for the biennial period ending June 30, 1993, the following:

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12 ITEM	13 FISCAL YEARS	
14 NO.	1991 92	1992 93
14 (01) REGULAR SALARIES	\$ 8,419	\$ 8,839
15 (02) EXTRA HELP	7,000	7,000
16 (03) PERSONAL SERV MATCHING	3,564	3,758
17 (04) MAINT. & GEN. OPERATION		
18 (A) OPER. EXPENSES	\$ 15,074	\$ 15,074
19 (B) CONF. & TRAVEL	0	0
20 (C) PROF. FEES	0	0
21 (D) CAPITAL OUTLAY	0	0
22 (E) DATA PROCESSING	0	0
23 TOTAL MAINT. & GEN. OPER.	15,074	15,074
24 (05) TESTING	1,600	1,600
25 TOTAL AMOUNT APPROPRIATED	\$ 35,657	\$ 36,271

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27 SECTION 4. RESTRICTION. No funds appropriated by this Act shall be  
28 used unless psychological testing, to include interpretation of computerized  
29 testing, for diagnosis and personality appraisal is supervised by a qualified  
30 psychologist licensed under Arkansas Code 17-96-201 et seq.

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32 SECTION 5. 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.

16  
17 SECTION 6. 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.

26  
27 SECTION 7. 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 8. 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 9. 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 10. GENERAL REPEALER. All laws and parts of laws in conflict  
12 with this Act are hereby repealed.

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14 SECTION 11. HEALTH PREMIUMS. The State Board of Examiners in  
15 Counseling shall not, during the 1992-93 fiscal year, spend more for health  
16 insurance per employee than the amount being contributed to the State  
17 Employees Health Insurance Program.

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19 SECTION 12. EMERGENCY CLAUSE. It is hereby found and determined by the  
20 Seventy-Eighth General Assembly, that the Constitution of the State of  
21 Arkansas prohibits the appropriation of funds for more than a two (2) year  
22 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
23 operation of the agency for which the appropriations in this Act are provided,  
24 and that in the event of an extension of the Regular Session, the delay in the  
25 effective date of this Act beyond July 1, 1991 could work irreparable harm  
26 upon the proper administration and provision of essential governmental  
27 programs. Therefore, an emergency is hereby declared to exist and this Act  
28 being necessary for the immediate preservation of the public peace, health and  
29 safety shall be in full force and effect from and after July 1, 1991.

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APPROVED: 2-7-91

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