

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.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

Act 56 of 2001  
HOUSE BILL 1246

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF  
11 CHIROPRACTIC EXAMINERS FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 2003; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE ARKANSAS STATE BOARD  
16 OF CHIROPRACTIC EXAMINERS APPROPRIATION  
17 FOR THE 2001-2003 BIENNIUM.  
18  
19  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas  
24 State Board of Chiropractic Examiners for the 2001-2003 biennium, the  
25 following maximum number of regular employees whose salaries shall be governed  
26 by the provisions of the Uniform Classification and Compensation Act (Arkansas  
27 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.  
28 Provided, however, that any position to which a specific maximum annual salary  
29 is set out herein in dollars, shall be exempt from the provisions of said  
30 Uniform Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
34

35 Maximum Annual  
36 Maximum Salary Rate

Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2001-2002	2002-2003
(1)	7338	CHIROPRACTIC EXMR EXEC SECRETARY	1	\$40,745	\$41,804
		MAX. NO. OF EMPLOYEES	1		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas State Board of Chiropractic Examiners for the 2001-2003 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one (1) 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. There is hereby appropriated, to the Arkansas State Board of Chiropractic Examiners, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas State Board of Chiropractic Examiners, for personal services and operating expenses of the Arkansas State Board of Chiropractic Examiners for the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 40,745	\$ 41,804
(02) EXTRA HELP	8,256	8,256
(03) PERSONAL SERV MATCHING	12,434	12,629
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	40,044	40,044
(B) CONF. & TRAVEL	3,396	3,396
(C) PROF. FEES	8,000	8,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 112,875</u>	<u>\$ 114,129</u>

SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all appropriations as provided in this Act, the agency disbursing officer shall

1 monitor the level of fund balances in relation to expenditures on a monthly  
2 basis. If any proposed expenditures would cause a fund balance to decline to  
3 less than fifty percent (50%) of the balance available on July 1, 2001, the  
4 disbursing officer shall immediately notify the executive head of the agency.  
5 Prior to any obligations being made under these circumstances, the agency  
6 head shall file written documentation with the Chief Fiscal Officer of the  
7 State requesting approval of the expenditures. Such documentation shall  
8 provide sufficient financial data to justify the expenditures and shall  
9 include the following:  
10 1) a plan that clearly indicates the specific fiscal impact of such  
11 expenditures on the fund balance.  
12 2) information clearly indicating and explaining what programs would be cut or  
13 any other measures to be taken by the agency to restore the fund balance.  
14 3) the extent to which any of the planned expenditures are for one-time costs  
15 or one-time purchase of capitalized items.  
16 4) a statement certifying that the expenditure of fund balances will not  
17 jeopardize the financial health of the agency, nor result in a permanent  
18 depletion of the fund balance.  
19 (B) The Chief Fiscal Officer of the State shall review the request and  
20 approve or disapprove all or any part of the request , after having sought  
21 prior review by the Legislative Council.

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23 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this  
24 Act for Maintenance and General Operation shall be expended in payment for  
25 services of attorneys, unless the agency shall first make a request in writing  
26 to the Attorney General of the State of Arkansas to provide the required legal  
27 services. The Attorney General's Office shall provide the requested legal  
28 services, or, if the Attorney General's Office shall determine that sufficient  
29 personnel are not available to provide the requested legal services, the  
30 Attorney General shall certify the same to the agency and may authorize the  
31 agency to employ legal counsel and to expend monies appropriated for  
32 Maintenance and General Operations therefor, if:

- 33 (1) The Attorney General determines, and certifies in writing, that such
- 34 agency needs the advice or assistance of legal counsel, and
- 35 (2) The Attorney General consents in writing to the employment of the
- 36 legal counsel to be retained by the agency.

1 Such certification shall be required with respect to each instance of the  
2 employment of special legal counsel, or shall be required annually with  
3 respect to legal counsel employed on a retainer basis. A copy of such  
4 certification shall be entered in the official minutes of the agency, and  
5 shall be retained in the fiscal records of the agency for audit purposes.  
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7 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
8 this act shall be limited to the appropriation for such agency and funds made  
9 available by law for the support of such appropriations; and the restrictions  
10 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
11 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
12 Restrictions Act, or their successors, and other fiscal control laws of this  
13 State, where applicable, and regulations promulgated by the Department of  
14 Finance and Administration, as authorized by law, shall be strictly complied  
15 with in disbursement of said funds.  
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17 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
18 that any funds disbursed under the authority of the appropriations contained  
19 in this act shall be in compliance with the stated reasons for which this act  
20 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
21 and Legislative Recommendations contained in the budget manuals prepared by  
22 the Department of Finance and Administration, letters, or summarized oral  
23 testimony in the official minutes of the Arkansas Legislative Council or Joint  
24 Budget Committee which relate to its passage and adoption.  
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26 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
27 Assembly, that the Constitution of the State of Arkansas prohibits the  
28 appropriation of funds for more than a two (2) year period; that the  
29 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
30 agency for which the appropriations in this Act are provided, and that in the  
31 event of an extension of the Regular Session, the delay in the effective date  
32 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
33 administration and provision of essential governmental programs. Therefore, an  
34 emergency is hereby declared to exist and this Act being necessary for the  
35 immediate preservation of the public peace, health and safety shall be in full  
36 force and effect from and after July 1, 2001.

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APPROVED: 1/31/2001