

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 114 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

SENATE BILL 70

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

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 BIENNIAL
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS BOARD OF
17 EXAMINERS IN COUNSELING APPROPRIATION
18 FOR THE 2007-2009 BIENNIUM.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
25 Board of Examiners in Counseling for the 2007-2009 biennium, 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 No. of Employees	Maximum Annual Salary Rate
No.	Code Title		Fiscal Years
			2007-2008 2008-2009
(1)	R108 COUNSELING BD EXECUTIVE SECRETARY	1	\$42,049 \$42,889
(2)	7245 COUNSELING BD SECRETARY I	<u>2</u>	\$23,432 \$23,900
	MAX. NO. OF EMPLOYEES	3	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Board of Examiners in Counseling for the 2007-2009 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: 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. APPROPRIATION - 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 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 88,913	\$ 90,689
(02) EXTRA HELP	5,000	5,000
(03) PERSONAL SERVICES MATCHING	35,658	36,106
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	70,338	70,338
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	10,000	10,000
(D) CAP. OUTLAY	11,500	0
(E) DATA PROC.	0	0
(05) TESTING FEES	<u>50</u>	<u>50</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 221,459</u>	<u>\$ 212,183</u>

1
2 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
3 this Act for Maintenance and General Operation shall be expended in payment
4 for services of attorneys, unless the agency shall first make a request in
5 writing to the Attorney General of the State of Arkansas to provide the
6 required legal services. The Attorney General's Office shall provide the
7 requested legal services, or, if the Attorney General's Office shall
8 determine that sufficient personnel are not available to provide the
9 requested legal services, the Attorney General shall certify the same to the
10 agency and may authorize the agency to employ legal counsel and to expend
11 monies appropriated for Maintenance and General Operations therefor, if:

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

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

16 Such certification shall be required with respect to each instance of the
17 employment of special legal counsel, or shall be required annually with
18 respect to legal counsel employed on a retainer basis. A copy of such
19 certification shall be entered in the official minutes of the agency, and
20 shall be retained in the fiscal records of the agency for audit purposes.
21

22 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
23 by this act shall be limited to the appropriation for such agency and funds
24 made available by law for the support of such appropriations; and the
25 restrictions of the State Procurement Law, the General Accounting and
26 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
27 Procedures and Restrictions Act, or their successors, and other fiscal
28 control laws of this State, where applicable, and regulations promulgated by
29 the Department of Finance and Administration, as authorized by law, shall be
30 strictly complied with in disbursement of said funds.
31

32 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
33 that any funds disbursed under the authority of the appropriations contained
34 in this act shall be in compliance with the stated reasons for which this act
35 was adopted, as evidenced by the Agency Requests, Executive Recommendations
36 and Legislative Recommendations contained in the budget manuals prepared by

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

4
5 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
6 Assembly, that the Constitution of the State of Arkansas prohibits the
7 appropriation of funds for more than a two (2) year period; that the
8 effectiveness of this Act on July 1, 2007 is essential to the operation of
9 the agency for which the appropriations in this Act are provided, and that in
10 the event of an extension of the Regular Session, the delay in the effective
11 date of this Act beyond July 1, 2007 could work irreparable harm upon the
12 proper administration and provision of essential governmental programs.
13 Therefore, an emergency is hereby declared to exist and this Act being
14 necessary for the immediate preservation of the public peace, health and
15 safety shall be in full force and effect from and after July 1, 2007.

16
17 APPROVED: 2/16/2007
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36