

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 1411 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

*As Engrossed: S4/6/09*

**A Bill**

SENATE BILL 46

5 By: Joint Budget Committee  
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**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
11 STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL  
12 YEAR ENDING JUNE 30, 2010; AND FOR OTHER  
13 PURPOSES.  
14  
15

**Subtitle**

16 AN ACT FOR THE ARKANSAS STATE BOARD OF  
17 PHYSICAL THERAPY APPROPRIATION FOR THE  
18 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 State Board of Physical Therapy 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.  
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Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2009-2010
(1)	X050C PHYSICAL THERAPY BD EXEC DIR	1	GRADE C120
(2)	C056C ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
	MAX. NO. OF EMPLOYEES	2	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas State Board of Physical Therapy 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: 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 - OPERATIONS. There is hereby appropriated, to the Arkansas State Board of Physical Therapy, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas State Board of Physical Therapy, for personal services and operating expenses of the Arkansas State Board of Physical Therapy for the fiscal year ending June 30, 2010, the following:

ITEM NO.	FISCAL YEAR 2009-2010
(01) REGULAR SALARIES	\$ 97,906
(02) EXTRA HELP	5,000
(03) PERSONAL SERVICES MATCHING	28,691
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	89,833
(B) CONF. & TRAVEL	3,489
(C) PROF. FEES	41,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 265,919</u>

1        *SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*  
2        *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.*  
3        *PROFESSIONAL FEES. Twenty-five thousand dollars (\$25,000) of the available*  
4        *appropriation in the Professional Fees Line Item of this Act shall be made*  
5        *available to the board for the purpose of contracting an independent or*  
6        *private investigator to perform any investigative task as needed or may be*  
7        *required by law. Physical Therapy board members may not act as investigators*  
8        *nor do investigative work required by the board.*

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

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

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

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

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30        SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
31        by this act shall be limited to the appropriation for such agency and funds  
32        made available by law for the support of such appropriations; and the  
33        restrictions of the State Procurement Law, the General Accounting and  
34        Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
35        Procedures and Restrictions Act, or their successors, and other fiscal  
36        control laws of this State, where applicable, and regulations promulgated by

1 the Department of Finance and Administration, as authorized by law, shall be  
2 strictly complied with in disbursement of said funds.

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4 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly  
5 that any funds disbursed under the authority of the appropriations contained  
6 in this act shall be in compliance with the stated reasons for which this act  
7 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
8 and Legislative Recommendations contained in the budget manuals prepared by  
9 the Department of Finance and Administration, letters, or summarized oral  
10 testimony in the official minutes of the Arkansas Legislative Council or  
11 Joint Budget Committee which relate to its passage and adoption.

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

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25 */s/ Joint Budget Committee*

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27 **APPROVED: 4/9/2009**