

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1105

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
9 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS  
10 BOARD OF EXAMINERS IN COUNSELING FOR THE FISCAL  
11 YEAR ENDING JUNE 30, 2012; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE ARKANSAS BOARD OF EXAMINERS  
16 IN COUNSELING APPROPRIATION FOR THE 2011-  
17 2012 FISCAL YEAR.  
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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  
24 Arkansas Board of Examiners in Counseling for the 2011-2012 fiscal year, the  
25 following maximum number of regular employees.  
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2011-2012
31	(1) M028C	EXECUTIVE DIRECTOR COUNSELING BD	1	GRADE N901
32	(2) C073C	ADMINISTRATIVE SPECIALIST II	1	GRADE C109
33	(3) C087C	ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
34	MAX. NO. OF EMPLOYEES		3	

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36 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas



1 Board of Examiners in Counseling for the 2011-2012 fiscal year, the following  
 2 maximum number of part-time or temporary employees, to be known as "Extra  
 3 Help", payable from funds appropriated herein for such purposes: two (2)  
 4 temporary or part-time employees, when needed, at rates of pay not to exceed  
 5 those provided in the Uniform Classification and Compensation Act, or its  
 6 successor, or this act for the appropriate classification.

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 8 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 9 to the Arkansas Board of Examiners in Counseling, to be payable from the cash  
 10 fund deposited in the State Treasury as determined by the Chief Fiscal  
 11 Officer of the State, for personal services and operating expenses of the  
 12 Arkansas Board of Examiners in Counseling for the fiscal year ending June 30,  
 13 2012, the following:

15 ITEM	FISCAL YEAR
16 <u>NO.</u>	<u>2011-2012</u>
17 (01) REGULAR SALARIES	\$114,804
18 (02) EXTRA HELP	9,000
19 (03) PERSONAL SERVICES MATCHING	43,770
20 (04) OVERTIME	15,000
21 (05) MAINT. & GEN. OPERATION	
22 (A) OPER. EXPENSE	81,962
23 (B) CONF. & TRAVEL	0
24 (C) PROF. FEES	8,976
25 (D) CAP. OUTLAY	0
26 (E) DATA PROC.	0
27 (06) TESTING FEES	<u>50</u>
28 TOTAL AMOUNT APPROPRIATED	<u><u>\$273,562</u></u>

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 30 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 31 this Act for Maintenance and General Operation shall be expended in payment  
 32 for services of attorneys, unless the agency shall first make a request in  
 33 writing to the Attorney General of the State of Arkansas to provide the  
 34 required legal services. The Attorney General's Office shall provide the  
 35 requested legal services, or, if the Attorney General's Office shall  
 36 determine that sufficient personnel are not available to provide the

1 requested legal services, the Attorney General shall certify the same to the  
2 agency and may authorize the agency to employ legal counsel and to expend  
3 monies appropriated for Maintenance and General Operations therefor, if:

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

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

8 Such certification shall be required with respect to each instance of  
9 the employment of special legal counsel, or shall be required annually with  
10 respect to legal counsel employed on a retainer basis. A copy of such  
11 certification shall be entered in the official minutes of the agency, and  
12 shall be retained in the fiscal records of the agency for audit purposes.  
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14 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
15 authorized by this act shall be limited to the appropriation for such agency  
16 and funds made available by law for the support of such appropriations; and  
17 the restrictions of the State Procurement Law, the General Accounting and  
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
19 Procedures and Restrictions Act, or their successors, and other fiscal  
20 control laws of this State, where applicable, and regulations promulgated by  
21 the Department of Finance and Administration, as authorized by law, shall be  
22 strictly complied with in disbursement of said funds.  
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24 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General  
25 Assembly that any funds disbursed under the authority of the appropriations  
26 contained in this act shall be in compliance with the stated reasons for  
27 which this act was adopted, as evidenced by the Agency Requests, Executive  
28 Recommendations and Legislative Recommendations contained in the budget  
29 manuals prepared by the Department of Finance and Administration, letters, or  
30 summarized oral testimony in the official minutes of the Arkansas Legislative  
31 Council or Joint Budget Committee which relate to its passage and adoption.  
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33 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General  
34 Assembly, that the Constitution of the State of Arkansas prohibits the  
35 appropriation of funds for more than a one (1) year period; that the  
36 effectiveness of this Act on July 1, 2011 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in  
2 the event of an extension of the legislative session, the delay in the  
3 effective date of this Act beyond July 1, 2011 could work irreparable harm  
4 upon the proper administration and provision of essential governmental  
5 programs. Therefore, an emergency is hereby declared to exist and this Act  
6 being necessary for the immediate preservation of the public peace, health  
7 and safety shall be in full force and effect from and after July 1, 2011.

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10 **APPROVED: 02/24/2011**  
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