

1 **State of Arkansas**
2 **79th General Assembly**
3 Regular Session, 1993
4 By: Joint Budget Committee

A Bill

ACT 56 OF 1993
SENATE BILL 150

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, 1995;
11 AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE STATE BOARD OF EXAMINERS IN COUNSELING
15 APPROPRIATION."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. REGULAR SALARIES. There is hereby established for the State
20 Board of Examiners in Counseling for the 1993-95 biennium, the following
21 maximum number of regular employees whose salaries shall be governed by the
22 provisions of the Uniform Classification and Compensation Act (Arkansas Code
23 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
24 Provided, however, that any position to which a specific maximum annual salary
25 is set out herein in dollars, shall be exempt from the provisions of said
26 Uniform Classification and Compensation Act. All persons occupying positions
27 authorized herein are hereby governed by the provisions of the Regular
28 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
29 successor.

Item	Class		Maximum Annual	
			Maximum	Salary Rate
			No. of	Fiscal Years
No.	Code	Title	Employees	1993-94 1994-95
35	(1)	7245 COUNSELING BD SECRETARY I	<u>1</u>	\$ 18,480 \$ 19,126
36		MAX NO. OF EMPLOYEES	1	

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SECTION 2. EXTRA HELP. There is hereby authorized, for the State Board of Examiners in Counseling for the 1993-95 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. APPROPRIATIONS. There is hereby appropriated, to the State Board of Examiners in Counseling, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the State Board of Examiners in Counseling, for personal services and operating expenses of the State Board of Examiners in Counseling for the biennial period ending June 30, 1995, the following:

ITEM	FISCAL YEARS	
NO.	1993-94	1994-95
(01) REGULAR SALARIES	\$ 18,480	\$ 19,126
(02) EXTRA HELP	7,000	7,000
(03) PERSONAL SERV MATCHING	6,090	6,204
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 21,530	\$ 22,176
(B) CONF. & TRVL.	1,000	1,000
(C) PROF. FEES	1,400	1,540
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	23,930	24,716
(05) TESTING	<u>6,600</u>	<u>7,100</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 62,100</u>	<u>\$ 64,146</u>

SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the

1 requested legal services, or, if the Attorney General's Office shall determine
2 that sufficient personnel are not available to provide the requested legal
3 services, the Attorney General shall certify the same to the agency and may
4 authorize the agency to employ legal counsel and to expend monies appropriated
5 for Maintenance and General Operations therefor, if:

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

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

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

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

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26 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
27 Assembly that any funds disbursed under the authority of the appropriations
28 contained in this Act shall be in compliance with the stated reasons for which
29 this Act was adopted, as evidenced by the Agency Requests, Executive
30 Recommendations and Legislative Recommendations contained in the budget
31 manuals prepared by the Department of Finance and Administration, letters, or
32 summarized oral testimony in the official minutes of the Arkansas Legislative
33 Council or Joint Budget Committee which relate to its passage and adoption.

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35 SECTION 7. CODE. All provisions of this Act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
2 Code Revision Commission shall incorporate the same in the Code.

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4 SECTION 8. SEVERABILITY. If any provision of this Act or the
5 application thereof to any person or circumstance is held invalid, such
6 invalidity shall not affect other provisions or applications of the Act which
7 can be given effect without the invalid provision or application, and to this
8 end the provisions of this Act are declared to be severable.

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10 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
11 with this Act are hereby repealed.

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13 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
14 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
15 prohibits the appropriation of funds for more than a two (2) year period; that
16 the effectiveness of this Act on July 1, 1993 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, 1993 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, 1993.

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APPROVED: 2/4/93

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