

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 83 of 2001  
SENATE BILL 223

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 MASSAGE THERAPY FOR THE BIENNIAL PERIOD ENDING JUNE  
12 30, 2003; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 AN ACT FOR THE ARKANSAS STATE BOARD  
15 OF MASSAGE THERAPY APPROPRIATION  
16 FOR THE 2001-2003 BIENNIUM.  
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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 Massage Therapy for the 2001-2003 biennium, the following  
25 maximum number of regular employees whose salaries shall be governed by the  
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code  
27 §§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) 7203 THERAPY TECHNOLOGY SECRETARY | 1         | \$27,120 \$27,825   |
| MAX. NO. OF EMPLOYEES                 | 1         |                     |

SECTION 2. APPROPRIATION. There is hereby appropriated, to the Arkansas State Board of Massage Therapy, to be payable from the Massage Therapy Board Fund, for personal services and operating expenses of the Arkansas State Board of Massage Therapy for the biennial period ending June 30, 2003, the following:

| ITEM NO.                     | FISCAL YEARS |           |
|------------------------------|--------------|-----------|
|                              | 2001-2002    | 2002-2003 |
| (01) REGULAR SALARIES        | \$ 27,120    | \$ 27,825 |
| (02) PERSONAL SERV MATCHING  | 7,767        | 7,892     |
| (03) MAINT. & GEN. OPERATION |              |           |
| (A) OPER. EXPENSE            | 31,840       | 31,840    |
| (B) CONF. & TRAVEL           | 0            | 0         |
| (C) PROF. FEES               | 0            | 0         |
| (D) CAP. OUTLAY              | 0            | 0         |
| (E) DATA PROC.               | 0            | 0         |
| TOTAL AMOUNT APPROPRIATED    | \$ 66,727    | \$ 67,557 |

SECTION 3. 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 monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause a fund balance to decline to less than fifty percent (50%) of the balance available on July 1, 2001, the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

1) a plan that clearly indicates the specific fiscal impact of such

1 expenditures on the fund balance.

2 2) information clearly indicating and explaining what programs would be cut or  
 3 any other measures to be taken by the agency to restore the fund balance.

4 3) the extent to which any of the planned expenditures are for one-time costs  
 5 or one-time purchase of capitalized items.

6 4) a statement certifying that the expenditure of fund balances will not  
 7 jeopardize the financial health of the agency, nor result in a permanent  
 8 depletion of the fund balance.

9 (B) The Chief Fiscal Officer of the State shall review the request and  
 10 approve or disapprove all or any part of the request , after having sought  
 11 prior review by the Legislative Council.

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 13 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by  
 14 this act shall be limited to the appropriation for such agency and funds made  
 15 available by law for the support of such appropriations; and the restrictions  
 16 of the State Purchasing Law, the General Accounting and Budgetary Procedures  
 17 Law, the Revenue Stabilization Law, the Regular Salary Procedures and  
 18 Restrictions Act, or their successors, and other fiscal control laws of this  
 19 State, where applicable, and regulations promulgated by the Department of  
 20 Finance and Administration, as authorized by law, shall be strictly complied  
 21 with in disbursement of said funds.

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

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 32 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General  
 33 Assembly, that the Constitution of the State of Arkansas prohibits the  
 34 appropriation of funds for more than a two (2) year period; that the  
 35 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
 36 agency for which the appropriations in this Act are provided, and that in the

1 event of an extension of the Regular Session, the delay in the effective date  
2 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
3 administration and provision of essential governmental programs. Therefore, an  
4 emergency is hereby declared to exist and this Act being necessary for the  
5 immediate preservation of the public peace, health and safety shall be in full  
6 force and effect from and after July 1, 2001.

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9 **APPROVED: 2/5/2001**  
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