

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 30

4 By: Joint Budget Committee

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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 MASSAGE THERAPY
10 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997; AND FOR
11 OTHER PURPOSES."

12
13

Subtitle

14 "AN ACT FOR THE STATE BOARD OF MASSAGE
15 THERAPY APPROPRIATION FOR THE 1995-97
16 BIENNIUM."

17

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

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20 SECTION 1. REGULAR SALARIES . There is hereby established for the
21 State Board of Massage Therapy for the 1995-97 biennium, the following
22 maximum number of regular employees whose salaries shall be governed by the
23 provisions of the Uniform Classification and Compensation Act (Arkansas Code
24 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual
26 salary is set out herein in dollars, shall be exempt from the provisions of
27 said Uniform Classification and Compensation Act. All persons occupying
28 positions authorized herein are hereby governed by the provisions of the
29 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
30 or its successor.

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Item	Class		Maximum	Maximum Annual
			No. of	Salary Rate
No.	Code	Title	Employees	Fiscal Years
				1995-96
				1996-97

1 (1) 7203 THERAPY TECHNOLOGY SECRETARY 1 \$ 6,492 \$
 2 6,654
 3 MAX NO. OF EMPLOYEES 1
 4

5 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
 6 Board of Massage Therapy for the 1995-97 biennium, the following maximum
 7 number of part-time or temporary employees, to be known as "Extra Help",
 8 payable from funds appropriated herein for such purposes: one (1) temporary
 9 or part-time employees, when needed, at rates of pay not to exceed those
 10 provided in the Uniform Classification and Compensation Act, or its
 11 successor, or this act for the appropriate classification.
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13 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State
 14 Board of Massage Therapy, to be payable from cash funds as defined by
 15 Arkansas Code 19-4-801 of the State Board of Massage Therapy, for personal
 16 services and operating expenses of the State Board of Massage Therapy for the
 17 biennial period ending June 30, 1997, the following:
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19 ITEM	FISCAL YEARS	
20 NO.	1995-96	1996-97
21 (01) REGULAR SALARIES	\$ 6,332	\$ 6,332
22 6,332		
23 (02) EXTRA HELP	3,640	
24 7,280		
25 (03) PERSONAL SERV MATCHING	1,410	
26 1,689		
27 (04) MAINT. & GEN. OPERATION		
28 (A) OPER. EXPENSE \$ 23,615	\$ 28,615	
29 (B) CONF. & TRVL. 0	0	
30 (C) PROF. FEES 3,580	4,080	
31 (D) CAP. OUTLAY 2,500	3,500	
32 (E) DATA PROC. <u>0</u>	<u>0</u>	
33 TOTAL MAINT. & GEN. OPER.	<u>29,695</u>	
34 <u>36,195</u>		
35 TOTAL AMOUNT APPROPRIATED	<u>\$ 41,077</u>	<u>\$</u>

1 51,496

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

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

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

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

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

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33 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
34 Assembly that any funds disbursed under the authority of the appropriations
35 contained in this Act shall be in compliance with the stated reasons for

1 which this Act was adopted, as evidenced by the Agency Requests, Executive
2 Recommendations and Legislative Recommendations contained in the budget
3 manuals prepared by the Department of Finance and Administration, letters, or
4 summarized oral testimony in the official minutes of the Arkansas Legislative
5 Council or Joint Budget Committee which relate to its passage and adoption.

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7 SECTION 7. CODE. All provisions of this Act of a general and
8 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
9 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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

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

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20 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by
21 the Eightieth General Assembly, that the Constitution of the State of
22 Arkansas prohibits the appropriation of funds for more than a two (2) year
23 period; that the effectiveness of this Act on July 1, 1995 is essential to
24 the operation of the agency for which the appropriations in this Act are
25 provided, and that in the event of an extension of the Regular Session, the
26 delay in the effective date of this Act beyond July 1, 1995 could work
27 irreparable harm upon the proper administration and provision of essential
28 governmental programs. Therefore, an emergency is hereby declared to exist
29 and this Act being necessary for the immediate preservation of the public
30 peace, health and safety shall be in full force and effect from and after
31 July 1, 1995.

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