

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

# A Bill

SENATE BILL 51

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 EXAMINERS IN  
10 PSYCHOLOGY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1997;  
11 AND FOR OTHER PURPOSES."

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## Subtitle

14 "AN ACT FOR THE STATE BOARD OF EXAMINERS  
15 IN PSYCHOLOGY APPROPRIATION FOR THE  
16 1995-97 BIENNIUM."

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

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

1	(1) 7204 BD OF PSYCHOLOGY EXEC SECRETARY	1	\$ 26,089	\$
2	26,741			
3	(2) 7244 BD OF PSYCHOLOGY ADMIN ASST	<u>1</u>	\$ 18,462	\$
4	18,923			
5	MAX NO. OF EMPLOYEES	2		

7 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the State  
 8 Board of Examiners in Psychology, to be payable from cash funds as defined by  
 9 Arkansas Code 19-4-801 of the State Board of Examiners in Psychology, for  
 10 personal services and operating expenses of the State Board of Examiners in  
 11 ~~Psychology for the biennial period ending June 30, 1997, the following:~~

13	ITEM	FISCAL YEARS	
14	NO.	1995-96	1996-97
15	(01) REGULAR SALARIES	\$ 43,465	\$
16	43,465		
17	(02) PERSONAL SERV MATCHING	8,504	
18	8,504		
19	(03) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE \$	45,678	\$ 45,678
21	(B) CONF. & TRVL.	3,500	3,500
22	(C) PROF. FEES	19,000	19,000
23	(D) CAP. OUTLAY	0	0
24	(E) DATA PROC.	<u>0</u>	<u>0</u>
25	TOTAL MAINT. & GEN. OPER.	68,178	
26	68,178		
27	(04) TESTING	<u>15,000</u>	
28	<u>15,000</u>		
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 135,147</u>	<u>\$</u>
30	<u>135,147</u>		

32 SECTION 3. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 33 this Act for Maintenance and General Operation shall be expended in payment  
 34 for services of attorneys, unless the agency shall first make a request in  
 35 writing to the Attorney General of the State of Arkansas to provide the

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

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

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

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

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

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

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1           SECTION 6. CODE. All provisions of this Act of a general and  
2 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
3 the Arkansas Code Revision Commission shall incorporate the same in the Code.  
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5           SECTION 7. SEVERABILITY. If any provision of this Act or the  
6 application thereof to any person or circumstance is held invalid, such  
7 invalidity shall not affect other provisions or applications of the Act which  
8 can be given effect without the invalid provision or application, and to this  
9 end the provisions of this Act are declared to be severable.

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11           SECTION 8. GENERAL REPEALER. All laws and parts of laws in conflict  
12 with this Act are hereby repealed.

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14           SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the  
15 Eightieth General Assembly, that the Constitution of the State of Arkansas  
16 prohibits the appropriation of funds for more than a two (2) year period;  
17 that the effectiveness of this Act on July 1, 1995 is essential to the  
18 operation of the agency for which the appropriations in this Act are  
19 provided, and that in the event of an extension of the Regular Session, the  
20 delay in the effective date of this Act beyond July 1, 1995 could work  
21 irreparable harm upon the proper administration and provision of essential  
22 governmental programs. Therefore, an emergency is hereby declared to exist  
23 and this Act being necessary for the immediate preservation of the public  
24 peace, health and safety shall be in full force and effect from and after  
25 July 1, 1995.

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