

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

# A Bill

SENATE BILL 55

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 COUNSELING 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 COUNSELING 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 Counseling 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 Annual	
			Salary Rate	
		No. of	Fiscal Years	
No.	Code	Title	Employees	1995-96 1996-97

1 (1) 7245 COUNSELING BD SECRETARY I 1 \$ 19,995 \$  
 2 20,494

3 MAX NO. OF EMPLOYEES 1  
 4

5 SECTION 2. EXTRA HELP. There is hereby authorized, for the State  
 6 Board of Examiners in Counseling for the 1995-97 biennium, the following  
 7 maximum number of part-time or temporary employees, to be known as "Extra  
 8 Help", payable from funds appropriated herein for such purposes: two (2)  
 9 temporary or part-time employees, when needed, at rates of pay not to exceed  
 10 those 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 Examiners in Counseling, to be payable from cash funds as defined by  
 15 Arkansas Code 19-4-801 of the State Board of Examiners in Counseling, for  
 16 personal services and operating expenses of the State Board of Examiners in  
 17 Counseling for the 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	\$ 15,835	\$ 15,835
22 15,835		
23 (02) EXTRA HELP	7,000	
24 7,000		
25 (03) PERSONAL SERV MATCHING	6,035	
26 6,035		
27 (04) MAINT. & GEN. OPERATION		
28 (A) OPER. EXPENSE \$ 22,176	\$ 22,176	
29 (B) CONF. & TRVL. 1,000	1,000	
30 (C) PROF. FEES 1,540	1,540	
31 (D) CAP. OUTLAY 0	0	
32 (E) DATA PROC. <u>0</u>	<u>0</u>	
33 TOTAL MAINT. & GEN. OPER.	24,716	
34 24,716		
35 (05) TESTING	<u>7,100</u>	

1 7,100

2 TOTAL AMOUNT APPROPRIATED

\$ 60,686 \$

3 60,686

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

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

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

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

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

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35 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations  
2 contained in this Act shall be in compliance with the stated reasons for  
3 which this Act was adopted, as evidenced by the Agency Requests, Executive  
4 Recommendations and Legislative Recommendations contained in the budget  
5 manuals prepared by the Department of Finance and Administration, letters, or  
6 summarized oral testimony in the official minutes of the Arkansas Legislative  
7 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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

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