

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H3/4/97

A Bill

SENATE BILL 264

4
5 By: Joint Budget Committee
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7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE STATE BOARD OF MASSAGE THERAPY
11 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR
12 OTHER PURPOSES."

Subtitle

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14
15 "AN ACT FOR THE STATE BOARD OF MASSAGE
16 THERAPY APPROPRIATION FOR THE 1997-99
17 BIENNIUM."
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. REGULAR SALARIES. There is hereby established for the State
22 Board of Massage Therapy for the 1997-99 biennium, the following maximum
23 number of regular employees whose salaries shall be governed by the provisions
24 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201
25 et seq.), or its successor, and all laws amendatory thereto. Provided,
26 however, that any position to which a specific maximum annual salary is set
27 out herein in dollars, shall be exempt from the provisions of said Uniform
28 Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.
32

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
No.	Code	Title	Employees 1997-98 1998-99

1 (1) 7203 THERAPY TECHNOLOGY SECRETARY 1 \$ 9,000 \$ 9,000
 2 MAX NO. OF EMPLOYEES 1

3
 4 SECTION 2. EXTRA HELP. There is hereby authorized, for the State
 5 Board of Massage Therapy for the 1997-99 biennium, the following maximum
 6 number of part-time or temporary employees, to be known as "Extra Help",
 7 payable from funds appropriated herein for such purposes: one (1) temporary
 8 or part-time employees, when needed, at rates of pay not to exceed those
 9 provided in the Uniform Classification and Compensation Act, or its successor,
 10 or this act for the appropriate classification.

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 12 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the State
 13 Board of Massage Therapy, to be payable from the Massage Therapy Board Fund,
 14 for personal services and operating expenses of the State Board of Massage
 15 Therapy for the biennial period ending June 30, 1999, the following:

17 ITEM	FISCAL YEARS	
18 NO.	1997-98	1998-99
19 (01) REGULAR SALARIES		\$ 9,000
20 \$ 9,000		
21 (02) EXTRA HELP		9,100
22 9,100		
23 (03) PERSONAL SERVICES MATCHING		5,430
24 5,430		
25 (04) MAINT. & GEN. OPERATION		
26 (A) OPER. EXPENSE	32,520	32,520
27 (B) CONF. & TRVL.	0	0
28 (C) PROF. FEES	0	0
29 (D) CAP. OUTLAY	2,500	2,500
30 (E) DATA PROC.	<u>0</u>	<u>0</u>
31 <u>0</u>		
32 TOTAL AMOUNT APPROPRIATED	<u>\$ 58,550</u>	<u>\$ 58,550</u>

33
 34 SECTION 4. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 35 this Act for Maintenance and General Operation shall be expended in payment

1 for services of attorneys, unless the agency shall first make a request in
2 writing to the Attorney General of the State of Arkansas to provide the
3 required legal services. The Attorney General's Office shall provide the
4 requested legal services, or, if the Attorney General's Office shall determine
5 that sufficient personnel are not available to provide the requested legal
6 services, the Attorney General shall certify the same to the agency and may
7 authorize the agency to employ legal counsel and to expend monies appropriated
8 for Maintenance and General Operations therefor, if:

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

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

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

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

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

1 Council or Joint Budget Committee which relate to its passage and adoption.

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

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

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

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16 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
17 Eighty-First General Assembly, that the Constitution of the State of Arkansas
18 prohibits the appropriation of funds for more than a two (2) year period; that
19 the effectiveness of this Act on July 1, 1997 is essential to the operation of
20 the agency for which the appropriations in this Act are provided, and that in
21 the event of an extension of the Regular Session, the delay in the effective
22 date of this Act beyond July 1, 1997 could work irreparable harm upon the
23 proper administration and provision of essential governmental programs.
24 Therefore, an emergency is hereby declared to exist and this Act being
25 necessary for the immediate preservation of the public peace, health and
26 safety shall be in full force and effect from and after July 1, 1997.

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/s/Rep. Thicksten

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